



# City of Richmond

900 East Broad Street  
2nd Floor of City Hall  
Richmond, VA 23219  
www.rva.gov

## Legislation Text

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**File #:** ORD. 2021-160, **Version:** 1

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To declare that a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction of the Whitehead Road culvert replacement and sidewalk improvements project. (9<sup>th</sup> District)

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain fee simple interests, permanent easements, temporary construction easements, and utility easements, each hereinafter referred to as an “Interest” and all hereinafter referred to as the “Interests,” as shown on drawings designated as Drawing Nos. B-28961-A through B-28961-N, prepared by H & B Surveying and Mapping, LLC, and dated March 1, 2021, for the public purpose of facilitating the construction of the Whitehead Road culvert replacement and sidewalk improvements project;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition of the Interests as shown on drawings designated as Drawing Nos. B-28961-A through B-28961-N, prepared by H & B Surveying and Mapping, LLC, and dated March 1, 2021, copies of which sheets are attached to and hereby incorporated into this ordinance, for the public purpose of facilitating the construction of the Whitehead Road culvert replacement and sidewalk improvements project.

§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned Interests, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the properties from whom such Interests must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and other documents necessary to complete the acquisition and acceptance of such Interests, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That in the event the City cannot agree with any owner of an Interest to be acquired pursuant to this ordinance on the terms of purchase thereof, the City Attorney is authorized to acquire such Interest by undertaking appropriate condemnation proceedings to exercise the City's power of eminent domain for the purpose of facilitating the construction of the Whitehead Road culvert replacement and sidewalk improvements project.

§ 4. This ordinance shall be in force and effect upon adoption.