sdm004

ORDINANCE NO. 7328-16

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO MAKE OFFERS TO ACQUIRE, BY PURCHASE OR CONDEMNATION, ADDITIONAL PARCELS OF REAL PROPERTY FOR EASEMENTS HEREINAFTER MORE PARTICULARLY DESCRIBED, FOR THE MARINERS' MUSEUM MULTIPURPOSE TRAIL PROJECT, TO PROVIDE FUNDS FOR THIS PURPOSE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ALL DOCUMENTS NECESSARY TO EFFECT THE PURCHASE AUTHORIZED HEREIN.

WHEREAS, in the opinion of the Council of the City of Newport News, a public necessity exists for the acquisition of certain real property interests, hereinafter more particularly described, for the purpose of The Mariners' Museum Multipurpose Trail, and for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the City of Newport News; AND

WHEREAS, City Council previously acquired property for The Mariners' Museum Multipurpose Trail Project by a Corrected Deed of Easement Dedication dated September 19, 2013, which was recorded in the Office of the Clerk of the Circuit Court on September 25, 2013 as Instrument No. 130017807; and

WHEREAS, the Department of Engineering has determined that additional easements must be acquired to complete the project, by relocating the portion of the trail crossing Lake Maury to the reconstructed bridge on Warwick Boulevard crossing Lake Maury.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia, after a properly noticed Public Hearing on November 22, 2016, pursuant to Virginia Code §15.2-1903:

Section 1. That the Council hereby authorizes the acquisition of unencumbered fee simple title and easements by general warranty deed or other interests in the properties identified in Section 6 of this ordinance.

Section 2. That the City Attorney be, and hereby is, authorized and directed to acquire in a manner provided by Title 15.2 , Chapter 19 and Title 25.1, Chapters 2 and 3, of the Code of Virginia, 1950, as amended, interests in those certain properties located in the City of Newport News, Virginia, together with all rights appurtenant thereto, if appropriate, to implement The Mariners' Museum Multipurpose Trail Project, the said properties where the interests are to be acquired, and a preliminary indication of ownership being more particularly described in Section 6 of this ordinance.

Section 3. That the City Manager is hereby authorized and directed to act for and on behalf of the City of Newport News in agreeing and disagreeing with the owners of the properties upon the compensation to be paid therefor within the limits of the funds provided herein for this purpose as set out in Section 6 of this ordinance.

Section 4. That in order to provide funds for the acquisition of interests in the said properties and to defray the costs incident thereto, the sum of SIX HUNDRED AND 00/100 DOLLARS ($600.00), or so much thereof as may be necessary, is hereby designated from funds appropriated for acquisition of the hereinafter described properties.

Section 5. That the authority to acquire interests in the property listed in Section 6 of this ordinance shall include all necessary authority to acquire clear title to those properties and shall, without intending to be a limitation, include the authority to institute proceedings against successors in title or to institute eminent domain proceedings in order to establish clear title.

Section 6. That the present owners of the properties to be acquired, or interests therein, and a description of said properties or their interests, and the funds necessary to compensate the owners of the properties are as follows (the interests to be acquired being fee simple ownership unless otherwise indicated on the plats attached hereto):

That Portion of parcels of real estate owned by The Mariners Museum, Inc.,for various easements for the purpose of The Mariners' Museum Multipurpose Trail Project as shown on a plat entitled "Plat Showing Right-of-Way and Various Easements to be acquired from The Mariners' Museum By The City of Newport News for Warwick Boulevard Corridor Improvements, Newport News, VA, dated September 30, 2016 (Sheet 2 of 3 and Sheet 3 of 3), and completed by NXL Engineers, Surveyors and Construction Managers, attached herewith as Exhibit 1.

Section 7. That this ordinance shall be in effect on and after the date of its adoption, November 22, 2016.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON NOVEMBER 22, 2016

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk

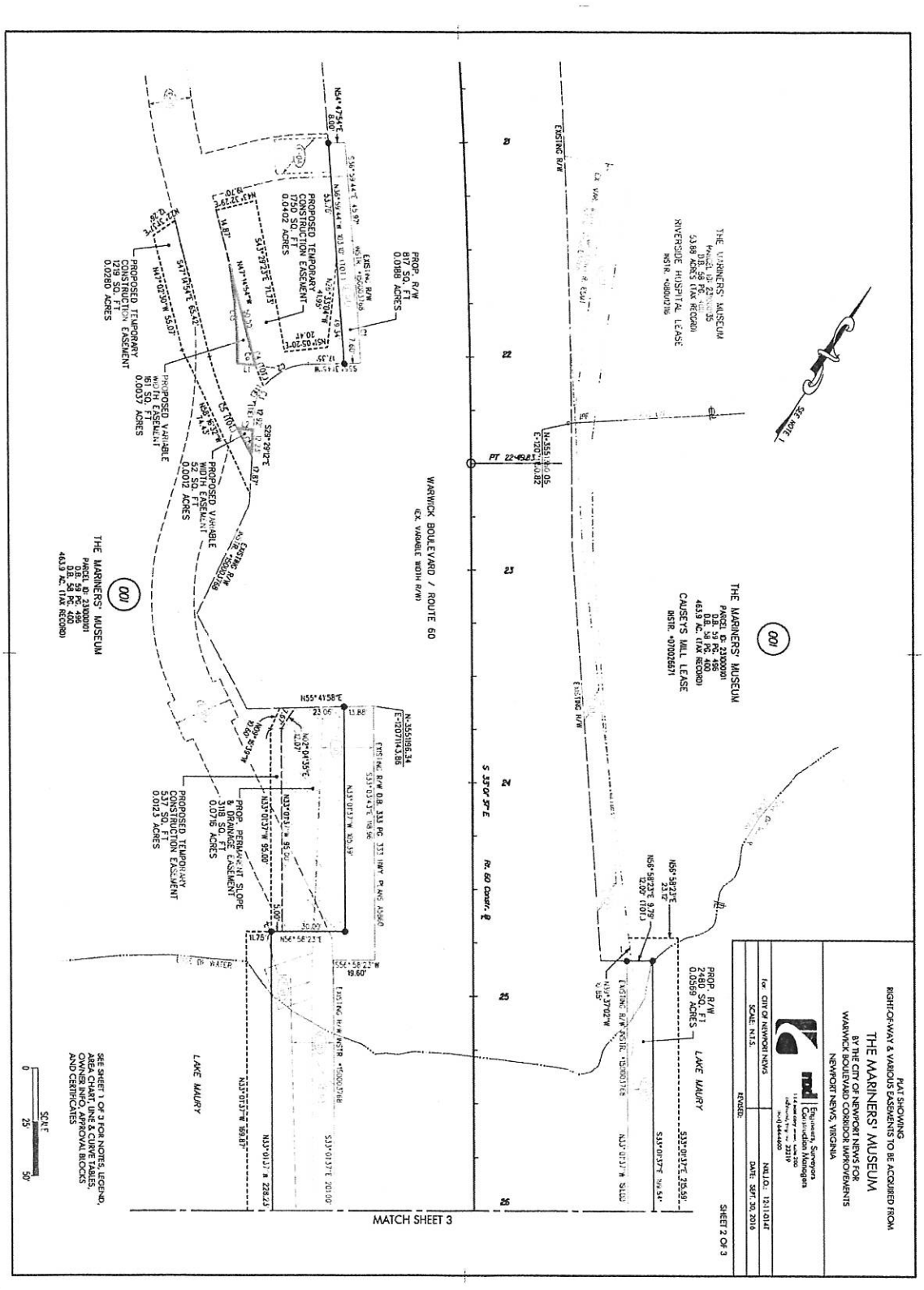
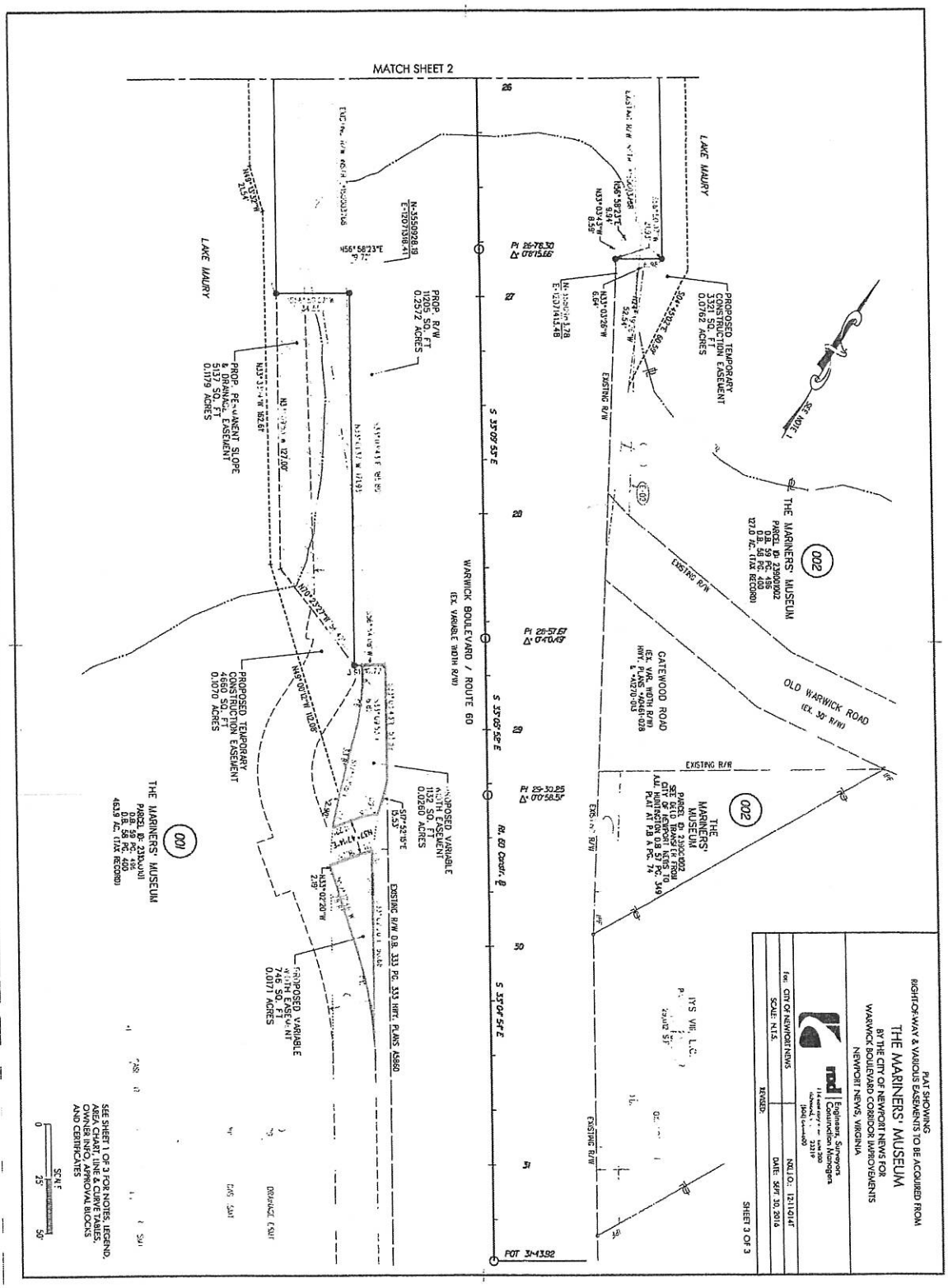

PLAT SHOWING
RIGHT-OF-WAY & VARIOUS EASEMENTS TO BE ACQUIRED FROM
THE MARINERS' MUSEUM
BY THE CITY OF NEWPORT NEWS FOR
WARWICK BOULEVARD CORRIDOR IMPROVEMENTS
NEWPORT NEWS, VIRGINIA
for CITY OF NEWPORT NEWS
SCALE: N.T.S.
REVISED:
DATE: SEPT. 30, 2016
SHEET 2 OF 3
THE MARINERS' MUSEUM
PARCEL ID: 213000101
D.B. 59 PG. 499
D.B. 58 PG. 400
46.3 AC. (TAX RECORD)
CAUSEY'S MILL LEASE
DISTR. #070025971
THE MARINERS' MUSEUM
PARCEL ID: 213000101
D.B. 59 PG. 499
D.B. 58 PG. 400
46.3 AC. (TAX RECORD)
RIVERSIDE HOSPITAL LEASE
DISTR. #060002786
EXISTING R/W
PROP. R/W
817 SQ. FT
0.0188 ACRES
PROPOSED TEMPORARY
CONSTRUCTION EASEMENT
1750 SQ. FT
0.0402 ACRES
PROPOSED TEMPORARY
CONSTRUCTION EASEMENT
1219 SQ. FT
0.0280 ACRES
PROPOSED VARIABLE
WIDTH EASEMENT
161 SQ. FT
0.0037 ACRES
PROPOSED VARIABLE
WIDTH EASEMENT
52 SQ. FT
0.0012 ACRES
WARWICK BOULEVARD / ROUTE 60
(EX. VARIABLE WIDTH R/W)
THE MARINERS' MUSEUM
PARCEL ID: 213000101
D.B. 59 PG. 499
D.B. 58 PG. 400
46.3 AC. (TAX RECORD)
PROPOSED TEMPORARY
CONSTRUCTION EASEMENT
0.0123 ACRES
PROP. PERMANENT SLOPE
& DRAINAGE EASEMENT
0.0716 ACRES
PROP. R/W
2480 SQ. FT
0.0569 ACRES
LAKE MAURY
LAKE MAURY
MATCH SHEET 3
SEE SHEET 1 OF 3 FOR NOTES, LEGEND,
AREA CHART, LINE & CURVE TABLES,
OWNER INFO, APPROVAL BLOCKS
AND CERTIFICATES
SCALE
0 25' 50'

EXHIBIT
1


MATCH SHEET 2
LAKE MAURY
WARWICK BOULEVARD / ROUTE 60
(EX. VARIABLE WIDTH R/W)
THE MARINERS' MUSEUM
002
001
GATEWOOD ROAD
OLD WARWICK ROAD
(EX. 30' R/W)
EXISTING R/W
PROPOSED TEMPORARY CONSTRUCTION EASEMENT
3321 SQ. FT
0.0762 ACRES
PROP. R/W
1205 SQ. FT
0.2572 ACRES
PROP. PERMANENT SLOPE & DRAINAGE EASEMENT
5137 SQ. FT
0.1179 ACRES
PROPOSED TEMPORARY CONSTRUCTION EASEMENT
4660 SQ. FT
0.1070 ACRES
PROPOSED VARIABLE WIDTH EASEMENT
1132 SQ. FT
0.0260 ACRES
PROPOSED VARIABLE WIDTH EASEMENT
746 SQ. FT
0.0171 ACRES
SEE NOTE 1
SEE SHEET 1 OF 3 FOR NOTES, LEGEND, AREA CHART, LINE & CURVE TABLES, OWNER INFO, APPROVAL BLOCKS AND CERTIFICATES
SCALE
0 25' 50'
PLAT SHOWING
RIGHT-OF-WAY & VARIOUS EASEMENTS TO BE ACQUIRED FROM
THE MARINERS' MUSEUM
BY THE CITY OF NEWPORT NEWS FOR
WARWICK BOULEVARD CORRIDOR IMPROVEMENTS
NEWPORT NEWS, VIRGINIA
Engineers, Surveyors
Construction Managers
For: CITY OF NEWPORT NEWS
SCALE: N.T.S.
NXLI.O.: 12-1-014T
DATE: SEPT 30, 2016
REVISED:
SHEET 3 OF 3