

**ORDINANCE NO. 7863-23**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO MAKE OFFERS TO ACQUIRE, BY VOLUNTARY SALE OR CONDEMNATION, PORTIONS OF CERTAIN PARCELS OF REAL PROPERTY HEREINAFTER MORE PARTICULARLY DESCRIBED, FOR THE CNI IVY AVENUE ROAD RECONSTRUCTION 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 PURCHASES 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 CNI Ivy Avenue Road Reconstruction Project (“the Project”), for permanent utility easement acquisitions on Parcels 01 through 05 for transformers and switch equipment for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the City of Newport News.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia, after a properly noticed Public Hearing on January 10, 2023, pursuant to Virginia Code §15.2-1813 and §15.2-1903.B:

Section 1. That the Council hereby authorizes the acquisition of the required interests on each parcel 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, Chapter 2, 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 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 and further to execute any documents necessary to accomplish this purpose.

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 EIGHT THOUSAND SIX HUNDRED TWENTY-SIX AND 00/100 DOLLARS (\$8,626.00) 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):

Parcel 01 - A permanent utility easement of 300 Square Feet, 0.0069 AC, for FIVE HUNDRED NINETEEN AND 00/100 DOLLARS (\$519.00) from ZION BAPTIST CHURCH TRUSTEES. The interests to be acquired affect a parcel identified as 614 20<sup>th</sup> Street, Newport News, Virginia, Tax Parcel ID #312040705, and more particularly described on a plat attached to this Ordinance as Exhibit 1.

Parcel 02 - A permanent utility easement of 225 Square Feet, 0.0052 AC, for SEVEN HUNDRED EIGHTY-NINE AND 00/100 DOLLARS (\$789.00) from E. ERNESTINE THOMPSON LIVING TRUST. The interests to be acquired affect a parcel identified as 1804 Ivy Avenue, Newport News, Virginia, Tax Parcel ID #312040768, and more particularly described on a plat attached to this Ordinance as Exhibit 2.

Parcel 03 - A permanent utility easement of 218 Square Feet, 0.005 AC, for THREE HUNDRED FORTY AND 00/100 DOLLARS (\$340.00) from JACQUELYN D. ROBINSON. The interests to be acquired affect a parcel identified as 1908 Ivy Avenue, Newport News, Virginia, Tax Parcel ID #312040714, and more particularly described on a plat attached to this Ordinance as Exhibit 3.

Parcel 04 - A permanent utility easement of 233 Square Feet, 0.0054 AC, for FOUR HUNDRED TWELVE AND 00/100 DOLLARS (\$412.00) from ILA Local 846, LLC. The interests to be acquired affect a parcel identified as 1911 Ivy Avenue, Newport News, Virginia, Tax Parcel ID #312040711, and more particularly described on a plat attached to this Ordinance as Exhibit 4.

Parcel 05 - A permanent utility easement of 300 Square Feet, 0.00689 AC, labeled Easement A on Exhibit 5, and a permanent utility easement of 5,175 square feet, 0.1188 AC, labeled Easement B on Exhibit 5, for SIX THOUSAND FIVE HUNDRED SIXTY-SIX AND 00/100 DOLLARS (\$6,566.00) from the CITY OF NEWPORT NEWS SCHOOL BOARD. The interests to be acquired affect a parcel identified as 726 16<sup>th</sup> Street, Newport News, Virginia, Tax Parcel ID #317000101, and more particularly described on a plat attached to this Ordinance as Exhibit 5.

Section 7. That the sum from Section 4 is hereby appropriated for this Project.

Section 8. That the City Manager is further authorized to execute any documents required to fully conclude these acquisitions.

Section 9. That this ordinance shall be in effect on and after the date of its adoption, January 10, 2023.

ORDINANCE NO. 7863-22

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON JANUARY 10, 2023

Mabel Washington Jenkins, MMC  
City Clerk

Phillip D. Jones  
Mayor

A true copy, teste:

City Clerk



N/F  
HEART AND SOUL COMMUNITY  
DEVELOPMENT CORP.  
621 180<sup>TH</sup> ST.  
PID: 312040746

S62° 14' 08" W 68.75'

N/F  
ZION BAPTIST CHURCH TRUSTEE  
6,875 SQ. FT. / 0.1578 AC.  
614 20<sup>TH</sup> ST.  
PID: 312040705

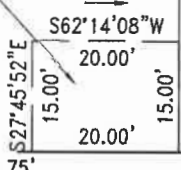
VIRGINIA STATE PLANE COORDINATE  
SOUTH ZONE 4502, NAD 83

N/F  
ZION BAPTIST  
CHURCH TRUSTEE  
614 20<sup>TH</sup> ST.  
PID: 312040707

S27° 45' 52" E 100.00'

N27° 45' 52" W 100.00'

UTILITY EASEMENT CONTAINING  
300 SQ. FT. / 0.0069 AC. ACQUIRED BY  
THE CITY OF NEWPORT NEWS



N62° 14' 08" E 68.75'

131.25 TO  
JEFFERSON AVE

20<sup>TH</sup> STREET  
60' R/W

GENERAL NOTES;

1. EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ONTO THE PROPERTY.
2. PHYSICAL IMPROVEMENTS OF THE SITE ARE NOT SHOWN.
3. THIS EXHIBIT WAS PREPARED TO SHOW UTILITY EASEMENT ACQUIRED BY THE CITY OF NEWPORT NEWS.
4. THIS EXHIBIT IS VOID UNLESS ATTACHED TO AND MADE A PART OF A RECORDED DEED OF EASEMENT.
5. THIS EXHIBIT IS BASED ON DEEDS, PLATS OF RECORD, AND A FIELD RUN SURVEY BY THIS OFFICE.



ADDRESS: 614 20<sup>TH</sup> ST



TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING PLATS IN THE CITY OF NEWPORT NEWS, VIRGINIA, HAVE BEEN COMPLIED WITH AND THIS SURVEY AND PLAT ARE CORRECT, INCLUDING AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TWENTY THOUSAND (20,000) FEET.

CITY OF NEWPORT NEWS  
DEPARTMENT OF ENGINEERING  
2400 WASHINGTON AVE. NEWPORT NEWS, VA.  
7th FLOOR

PHONE 757-933-2311 SHEET 1 OF 1

EXHIBIT SHOWING  
UTILITY EASEMENT  
CONTAINING 300 SQ. FT. / 0.0069 AC.  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
CITY OF NEWPORT NEWS, VIRGINIA

SCALE: 1"=20'  
DATE: 1/4/2023

DRN.BY: B. HOYT  
APR.BY: P. McMANUS

VIRGINIA STATE PLANE COORDINATE SYSTEM,  
SOUTH ZONE 4502, NAD 83 (NSRS 2007)

Easement Line Table		
Line #	Length	Direction
L1	15.00'	S42° 27' 52"E
L2	15.00'	S47° 32' 08"W

N/T  
E. ERNESTINE THOMPSON  
LIVING TRUST  
1804 IVY AVE  
PID. 312040755

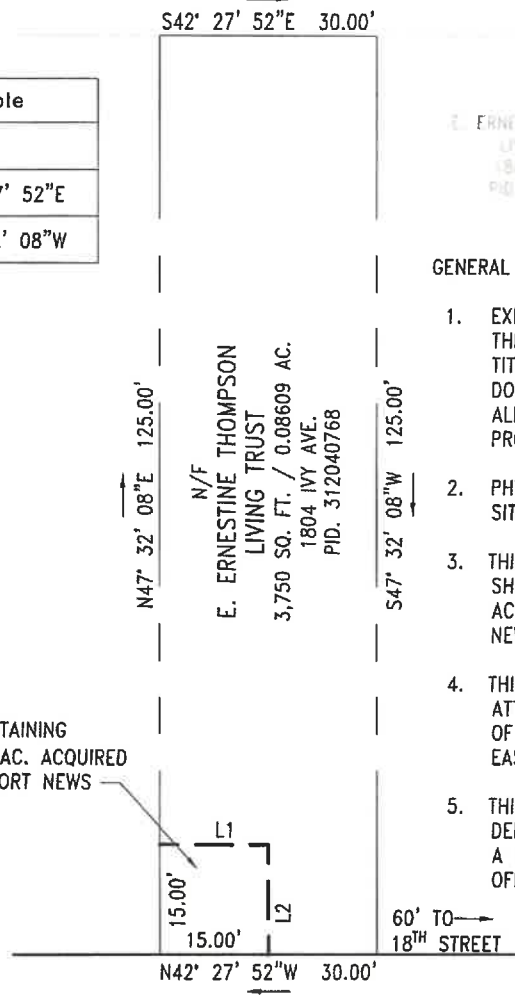
N/T  
HAYNE SWORTH, N.C. P.D. M.  
857 18<sup>TH</sup> ST  
PID. 312040768

N/T  
E. ERNESTINE THOMPSON  
LIVING TRUST  
1804 IVY AVE  
PID. 312040768

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UTILITY EASEMENT CONTAINING  
225 SQ. FT. / 0.0052AC. ACQUIRED  
BY THE CITY OF NEWPORT NEWS



60' TO  
18<sup>TH</sup> STREET

IVY AVE  
76.7' R/W



ADDRESS: 1804 IVY AVE.



CITY OF  
NEWPORT NEWS  
DEPT. OF ENGINEERING

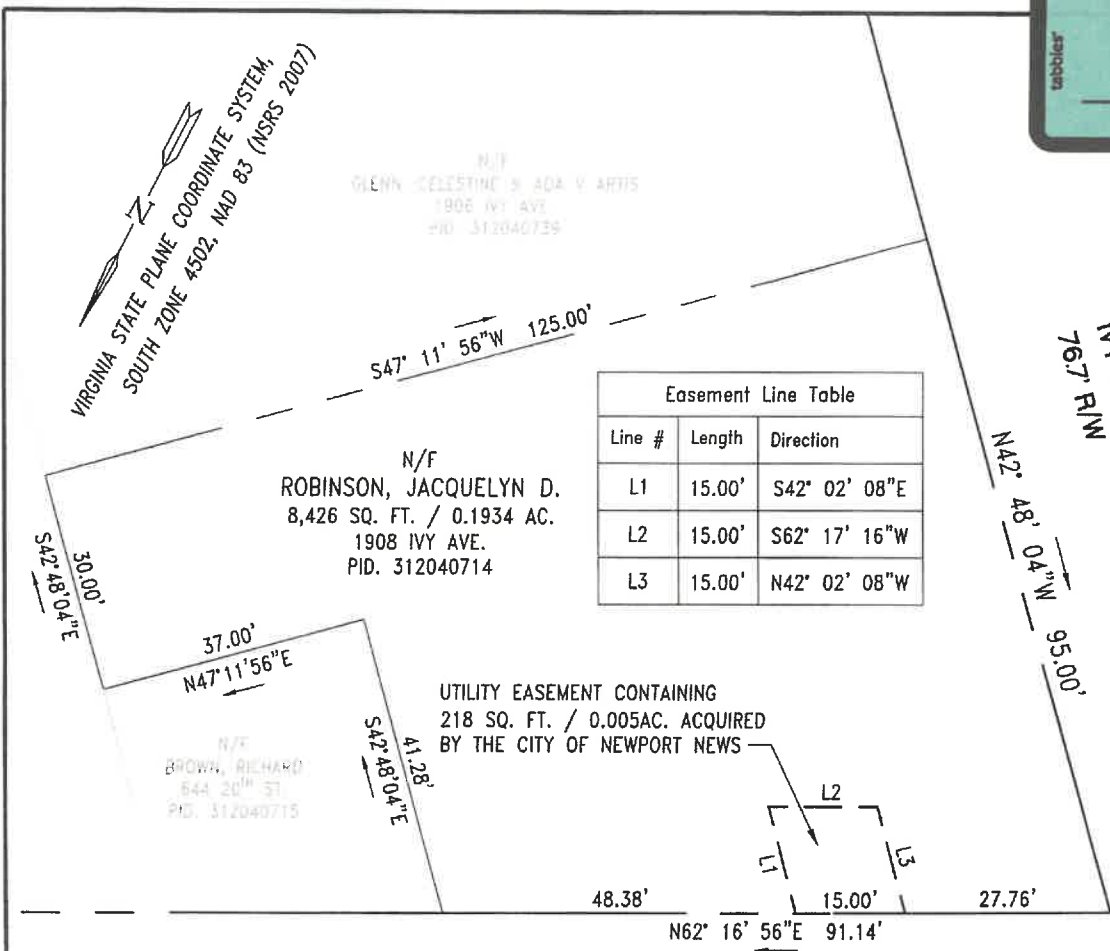
EXHIBIT SHOWING  
UTILITY EASEMENT  
CONTAINING 225 SQ. FT. / 0.0052 AC.  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
CITY OF NEWPORT NEWS, VIRGINIA

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING PLATS IN THE CITY OF NEWPORT NEWS, VIRGINIA, HAVE BEEN COMPLIED WITH AND THIS SURVEY AND PLAT ARE CORRECT, INCLUDING AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TWENTY THOUSAND (20,000) FEET.

CITY OF NEWPORT NEWS  
DEPARTMENT OF ENGINEERING  
2400 WASHINGTON AVE. NEWPORT NEWS, VA.  
7th FLOOR  
PHONE 757-933-2311 SHEET 1 OF 1

SCALE: 1"=20'  
DATE: 1/4/2023

DRN.BY: B. HOYT  
APR.BY: P. McMANUS

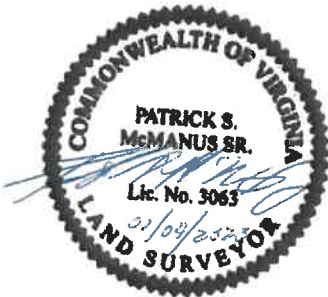


**20<sup>TH</sup> STREET**  
60' R/W

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ADDRESS: 1908 IVY AVE.



TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING PLATS IN THE CITY OF NEWPORT NEWS, VIRGINIA, HAVE BEEN COMPLIED WITH AND THIS SURVEY AND PLAT ARE CORRECT, INCLUDING AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TWENTY THOUSAND (20,000) FEET.

CITY OF NEWPORT NEWS  
DEPARTMENT OF ENGINEERING  
2400 WASHINGTON AVE. NEWPORT NEWS, VA.  
7th FLOOR  
PHONE 757-933-2311 SHEET 1 OF 1



**CITY OF NEWPORT NEWS**  
DEPT. OF ENGINEERING

EXHIBIT SHOWING  
UTILITY EASEMENT  
CONTAINING 218 SQ. FT. / 0.005 AC.  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
CITY OF NEWPORT NEWS, VIRGINIA

SCALE: 1"=20'  
DATE: 1/4/2023

DRN.BY: B. HOYT  
APR.BY: P. McMANUS



Parcel Line Table		
Line #	Length	Direction
L1	15.55'	N42° 59' 25"W
L2	15.55'	N62° 14' 18"E

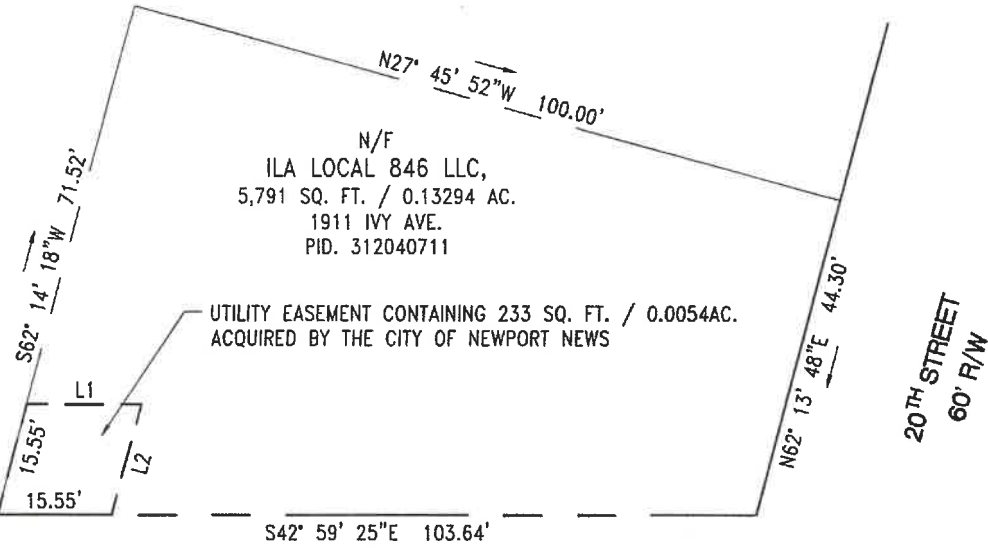
VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 4502, NAD 83 (NSRS 2007)

N/F  
UNITED HOUSE OF PRAY FOR ALL  
1901 IVY AVE.  
PID. 312040743

N/F  
ZION BAPTIST CHURCH TRUST  
624 20<sup>TH</sup> ST.  
PID. 312040710

N/F  
ILA LOCAL 846 LLC,  
5,791 SQ. FT. / 0.13294 AC.  
1911 IVY AVE.  
PID. 312040711

UTILITY EASEMENT CONTAINING 233 SQ. FT. / 0.0054AC.  
ACQUIRED BY THE CITY OF NEWPORT NEWS



IVY AVE  
76.7' R/W

GENERAL NOTES;

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ADDRESS: 1911 IVY AVE.

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING PLATS IN THE CITY OF NEWPORT NEWS, VIRGINIA, HAVE BEEN COMPLIED WITH AND THIS SURVEY AND PLAT ARE CORRECT, INCLUDING AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TWENTY THOUSAND (20,000) FEET.

CITY OF NEWPORT NEWS  
DEPARTMENT OF ENGINEERING  
2400 WASHINGTON AVE. NEWPORT NEWS, VA.  
7th FLOOR  
PHONE 757-933-2311 SHEET 1 OF 1



CITY OF  
NEWPORT NEWS  
DEPT. OF ENGINEERING

EXHIBIT SHOWING  
UTILITY EASEMENT  
CONTAINING 233 SQ. FT. / 0.0054 AC.  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
CITY OF NEWPORT NEWS, VIRGINIA

SCALE: 1"=20'  
DATE: 1/4/2023

DRN.BY: B. HOYT  
APR.BY: P. McMANUS

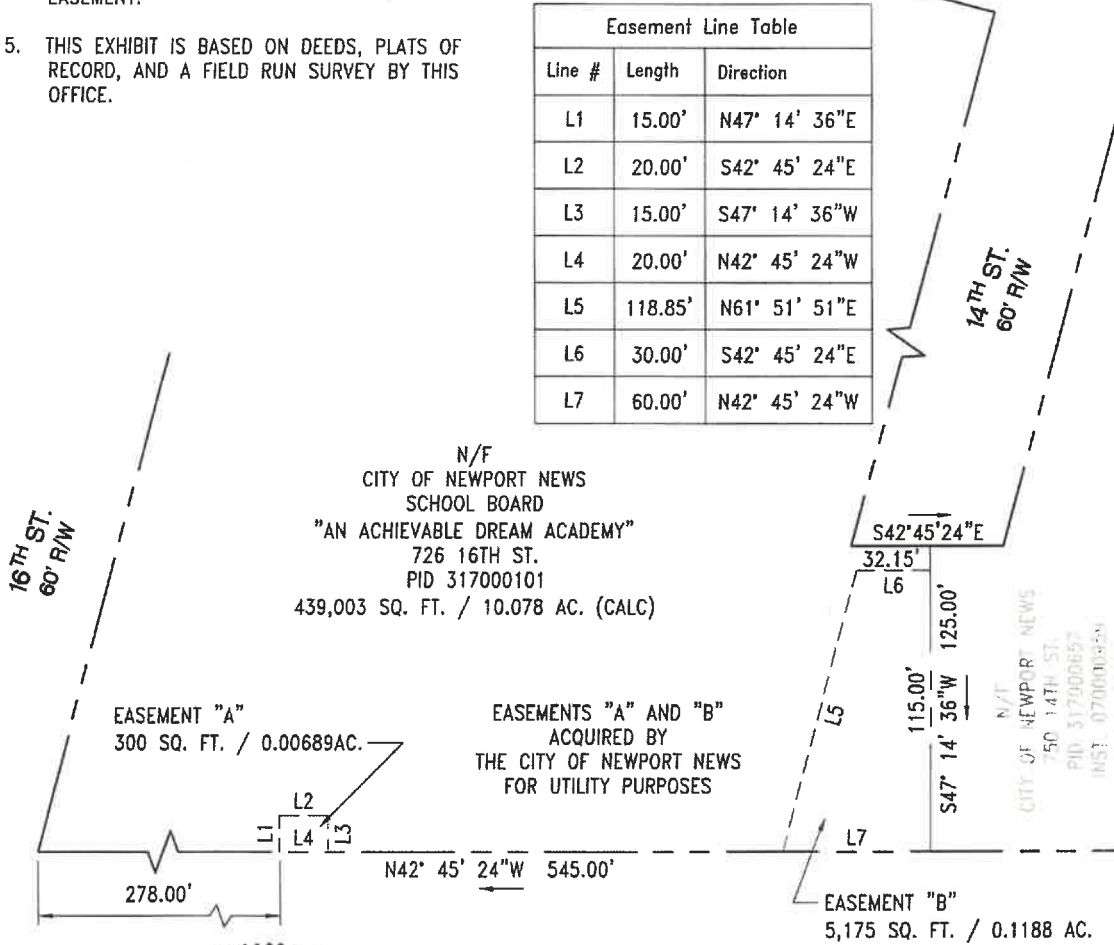
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VIRGINIA STATE PLANE COORDINATE SYSTEM,  
SOUTH ZONE 4502, NAD 83 (NSRS 2007)

MARSHALL AVE.  
80' R/W

Easement Line Table		
Line #	Length	Direction
L1	15.00'	N47° 14' 36"E
L2	20.00'	S42° 45' 24"E
L3	15.00'	S47° 14' 36"W
L4	20.00'	N42° 45' 24"W
L5	118.85'	N61° 51' 51"E
L6	30.00'	S42° 45' 24"E
L7	60.00'	N42° 45' 24"W



N/F  
CITY OF NEWPORT NEWS  
SCHOOL BOARD  
"AN ACHIEVABLE DREAM ACADEMY"  
726 16TH ST.  
PID 317000101  
439,003 SQ. FT. / 10.078 AC. (CALC)

EASEMENT "A"  
300 SQ. FT. / 0.00689 AC.

EASEMENTS "A" AND "B"  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
FOR UTILITY PURPOSES

EASEMENT "B"  
5,175 SQ. FT. / 0.1188 AC.



IVY AVE.  
76.7' R/W

ADDRESS: 726 16<sup>TH</sup> ST.



CITY OF  
NEWPORT NEWS  
DEPT. OF ENGINEERING

EXHIBIT SHOWING  
UTILITY EASEMENTS "A" & "B"  
CONTAINING 5,475 SQ. FT. / 0.12569 AC.  
ACQUIRED BY  
THE CITY OF NEWPORT NEWS  
CITY OF NEWPORT NEWS, VIRGINIA

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CITY OF NEWPORT NEWS  
DEPARTMENT OF ENGINEERING  
2400 WASHINGTON AVE. NEWPORT NEWS, VA.  
7th FLOOR  
PHONE 757-933-2311 SHEET 1 OF 1

SCALE: 1"=20'  
DATE: 1/4/2023

DRN. BY: B. HOYT  
APR. BY: P. McMANUS