

ORDINANCE NO. 7924-23

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO MAKE OFFERS TO ACQUIRE, BY PURCHASE OR CONDEMNATION, PORTIONS OF CERTAIN PARCELS OF REAL PROPERTY HEREINAFTER MORE PARTICULARLY DESCRIBED, FOR THE GOVERNOR DRIVE CHANNEL STABILIZATION 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 Governor Drive Channel Stabilization Project (“the Project”), for permanent drainage easements on Parcels 01 through 05 and temporary construction easements on Parcels 04 and 05 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 July 25, 2023, pursuant to Virginia Code §15.2-1903:

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 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 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 THIRTY-TWO THOUSAND EIGHT HUNDRED EIGHTY-FOUR 00/100 DOLLARS (\$32,884.00) 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:

Parcel 01 - A permanent drainage easement, containing 1347.40 S.F./0.03 AC, for TEN THOUSAND TWENTY-EIGHT AND 00/100 DOLLARS (\$10,028.00) from Neville A. Pearson, Jr., and Mark A. Pearson, Executors of the Estate of Betty W. Pearson. The interests to be acquired affect a parcel identified as 44 E Governor Drive, Newport News, Virginia, Tax Parcel ID # 178000334, and more particularly described on a plat attached to this Ordinance as Exhibit 1.

Parcel 02 - A permanent drainage easement, containing 1781.86 S.F./0.04 AC, for EIGHT THOUSAND TWO HUNDRED TWENTY-TWO AND 00/100 DOLLARS (\$8,222.00) from Elizabeth A. Hollowell and John R. Hollowell. The interests to be acquired affect a parcel identified as 42 E Governor Drive, Newport News, Virginia, Tax Parcel ID # 178000335, and more particularly described on a plat attached to this Ordinance as Exhibit 2.

Parcel 03 - A permanent drainage easement, containing 604.25 S.F./0.014 AC, for THREE THOUSAND FOUR HUNDRED SIXTY-THREE AND 00/100 DOLLARS (\$3,463.00) from Joseph Levering and Diana Levering. The interests to be acquired affect a parcel identified as 96 Shoemaker Circle, Newport News, Virginia, Tax Parcel ID # 178000337, and more particularly described on a plat attached to this Ordinance as Exhibit 3.

Parcel 04 - A variable width permanent drainage easement, containing 217 S.F./0.005 AC, for ONE THOUSAND THREE HUNDRED SIXTY-TWO AND 00/100 DOLLARS (\$1,362.00), and a permanent drainage easement, containing 826 S.F./0.019 AC, for FOUR THOUSAND TWO HUNDRED FORTY-NINE AND 00/100 DOLLARS (\$4,249.00), and a variable width temporary construction easement, containing 171 S.F./ 0.004 AC, for FOUR HUNDRED TWO AND 00/100 DOLLARS (\$402.00) from John D. McDonough and Donna E. McDonough. The interests to be acquired affect a parcel identified as 94 Shoemaker Circle, Newport News, Virginia, Tax Parcel ID # 178000338, and more particularly described on a plat attached to this Ordinance as Exhibit 4.

Parcel 05 - A permanent drainage easement, containing 826.41 S.F./0.019 AC, for THREE THOUSAND NINE HUNDRED SEVENTEEN AND 00/100 DOLLARS (\$3,917.00), and a variable width temporary construction easement, containing 576.20 S.F./0.013 AC, for ONE THOUSAND TWO HUNDRED FORTY-ONE and 00/100 DOLLARS (\$1,241.00) from Timothy Batchelor and Lindsay Sumner. The interests to be acquired affect a parcel identified as 93 Shoemaker Circle, Newport News, Virginia, Tax Parcel ID # 178000339, 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 this ordinance shall be in effect on and after the date of its adoption, July 25, 2023.

ORDINANCE NO. 7924-23

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON JULY 25, 2023

Mabel Washington Jenkins,
MMC City Clerk

Phillip D. Jones
Mayor



A true copy, teste:

City Clerk

NOTES:

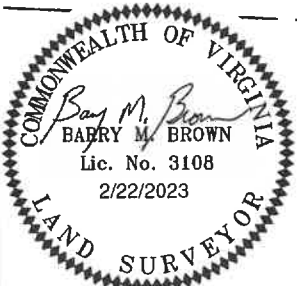
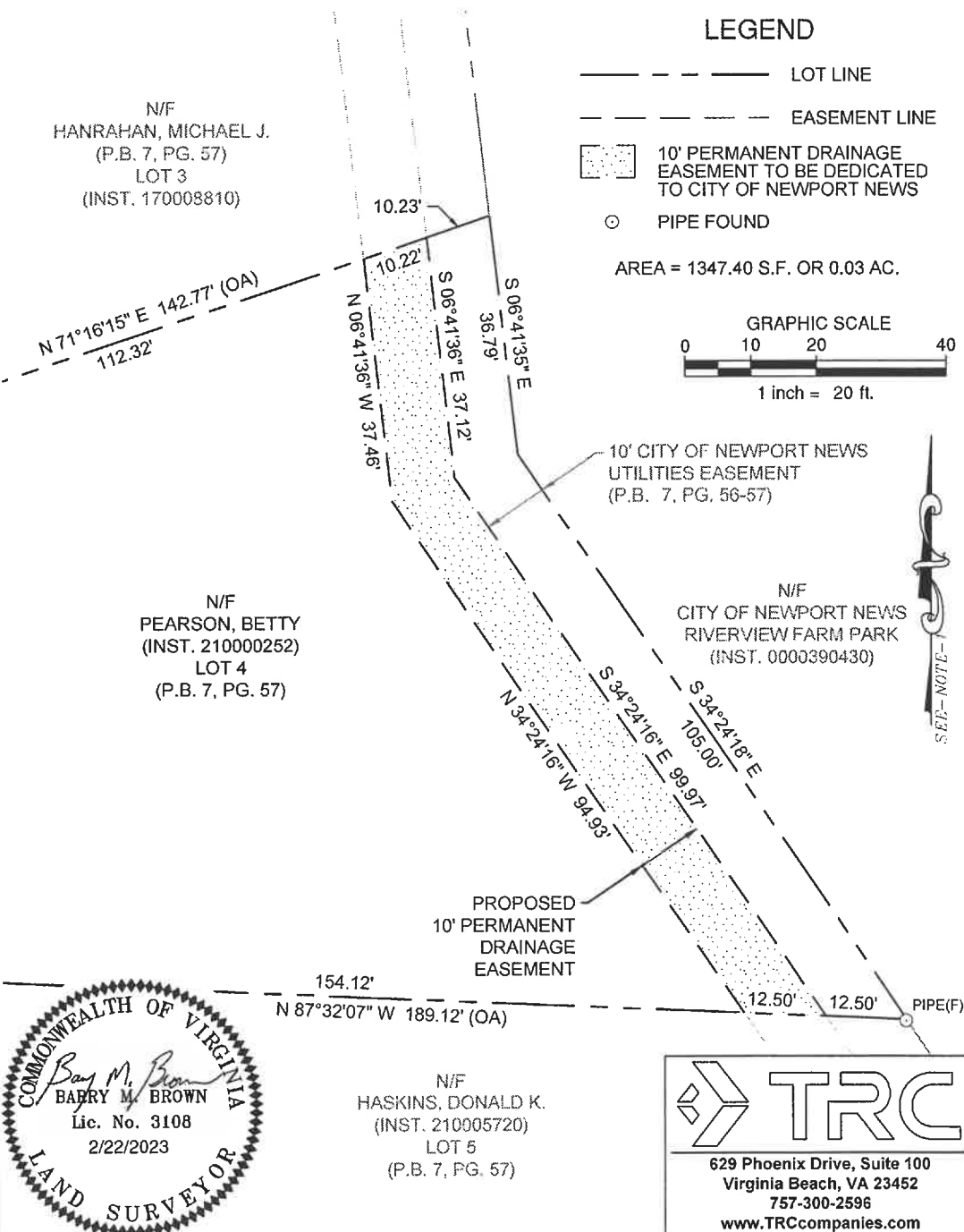
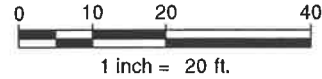
- 1.) SOURCE OF MERIDIAN: NAD83 (NSRS2007), VIRGINIA SOUTH (FTUS), BASED UPON CITY OF NEWPORT NEWS GEODETIC SURVEY CONTROL NETWORK STATIONS #49001 AND #49002.
- 2.) THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT AND COMPLETE TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES THAT MAY AFFECT THE PROPERTY AREA SHOWN.
- 3.) THIS EXHIBIT WAS PREPARED FOR PERMANENT DRAINAGE EASEMENT DEDICATION PURPOSES ONLY AND DOES NOT INTEND TO SHOW ANY/ALL OTHER EASEMENTS OR ENCUMBRANCES THAT MAY AFFECT THE PROPERTY AREA SHOWN.
- 4.) THIS EXHIBIT DOES NOT INTEND TO REPRESENT A BOUNDARY SURVEY OR SUBDIVISION OF LAND.
- 5.) INFORMATION SHOWN IS BASED ON VARIOUS DEEDS AND PLATS OF RECORD AND FIELD MEASUREMENTS.

LEGEND

- LOT LINE
- - - - - EASEMENT LINE
-  10' PERMANENT DRAINAGE EASEMENT TO BE DEDICATED TO CITY OF NEWPORT NEWS
-  PIPE FOUND

AREA = 1347.40 S.F. OR 0.03 AC.

GRAPHIC SCALE




629 Phoenix Drive, Suite 100
Virginia Beach, VA 23452
757-300-2596
www.TRCCompanies.com

EXHIBIT PLAT SHOWING
PERMANENT DRAINAGE EASEMENT
TO BE DEDICATED TO CITY OF NEWPORT NEWS
BY BETTY PEARSON
CITY OF NEWPORT NEWS, VIRGINIA

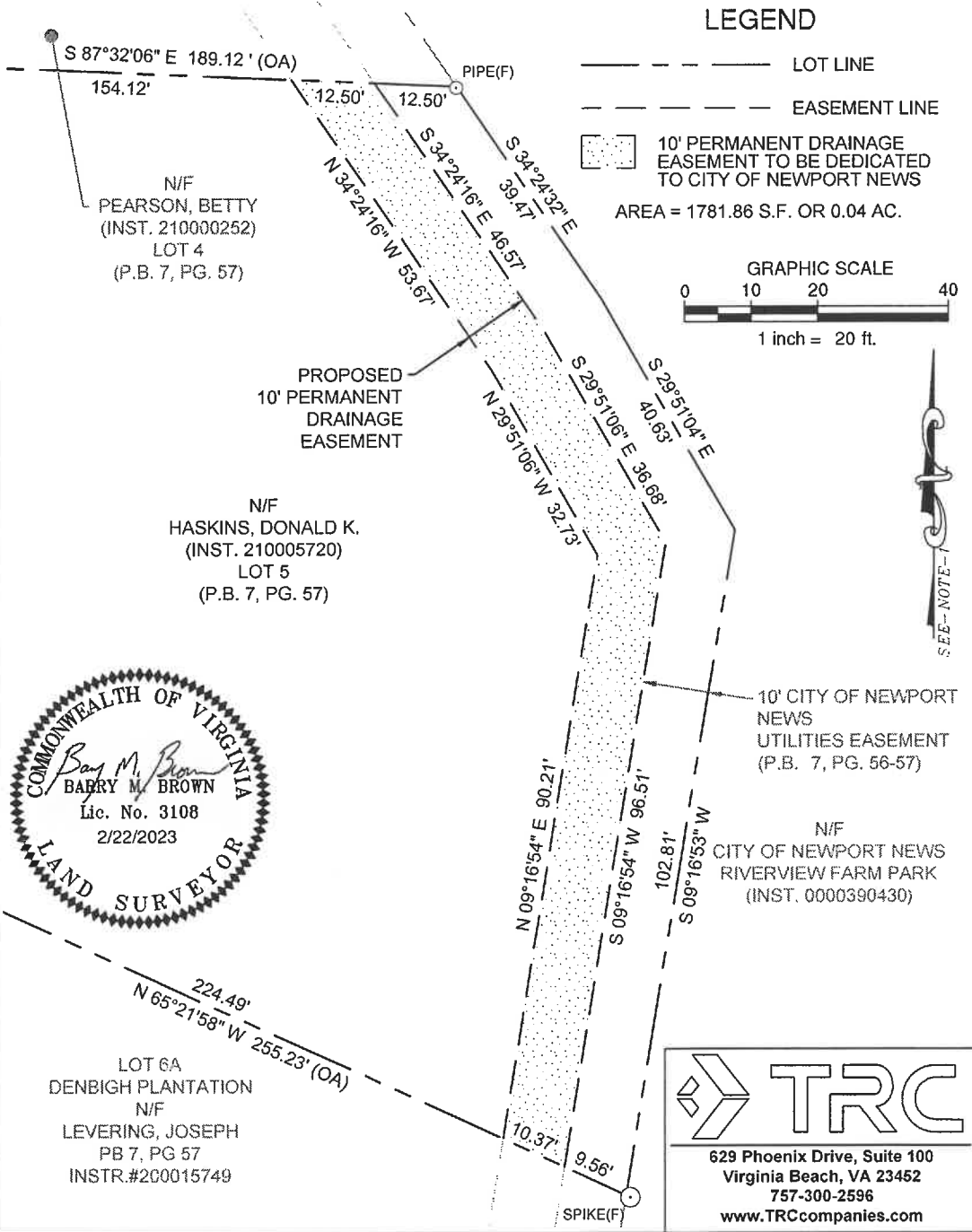
DRAWN:	JRF	SCALE:	1" = 20'
CHECKED:	BMB	DATE:	2/22/2023

PROJECT: 016824

P:\2023\016824 - RiverView Farm Park\05-SVY\PROPOSED EASEMENT PLATS\dwg\016824 - Proposed Easement Plat - LOT 4.dwg February 22, 2023 9:56:35 AM

NOTES:

- 1.) SOURCE OF MERIDIAN: NAD83 (NSRS2007), VIRGINIA SOUTH (FTUS), BASED UPON CITY OF NEWPORT NEWS GEODETIC SURVEY CONTROL NETWORK STATIONS #49001 AND #49002.
- 2.) THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT AND COMPLETE TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES THAT MAY AFFECT THE PROPERTY AREA SHOWN.
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www.TRCompanies.com

EXHIBIT PLAT SHOWING
PERMANENT DRAINAGE EASEMENT
TO BE DEDICATED TO CITY OF NEWPORT NEWS
BY DONALD K. HASKINS
CITY OF NEWPORT NEWS, VIRGINIA

DRAWN: JRF SCALE: 1" = 20'
CHECKED: BMB DATE: 2/22/2023

PROJECT: 016824

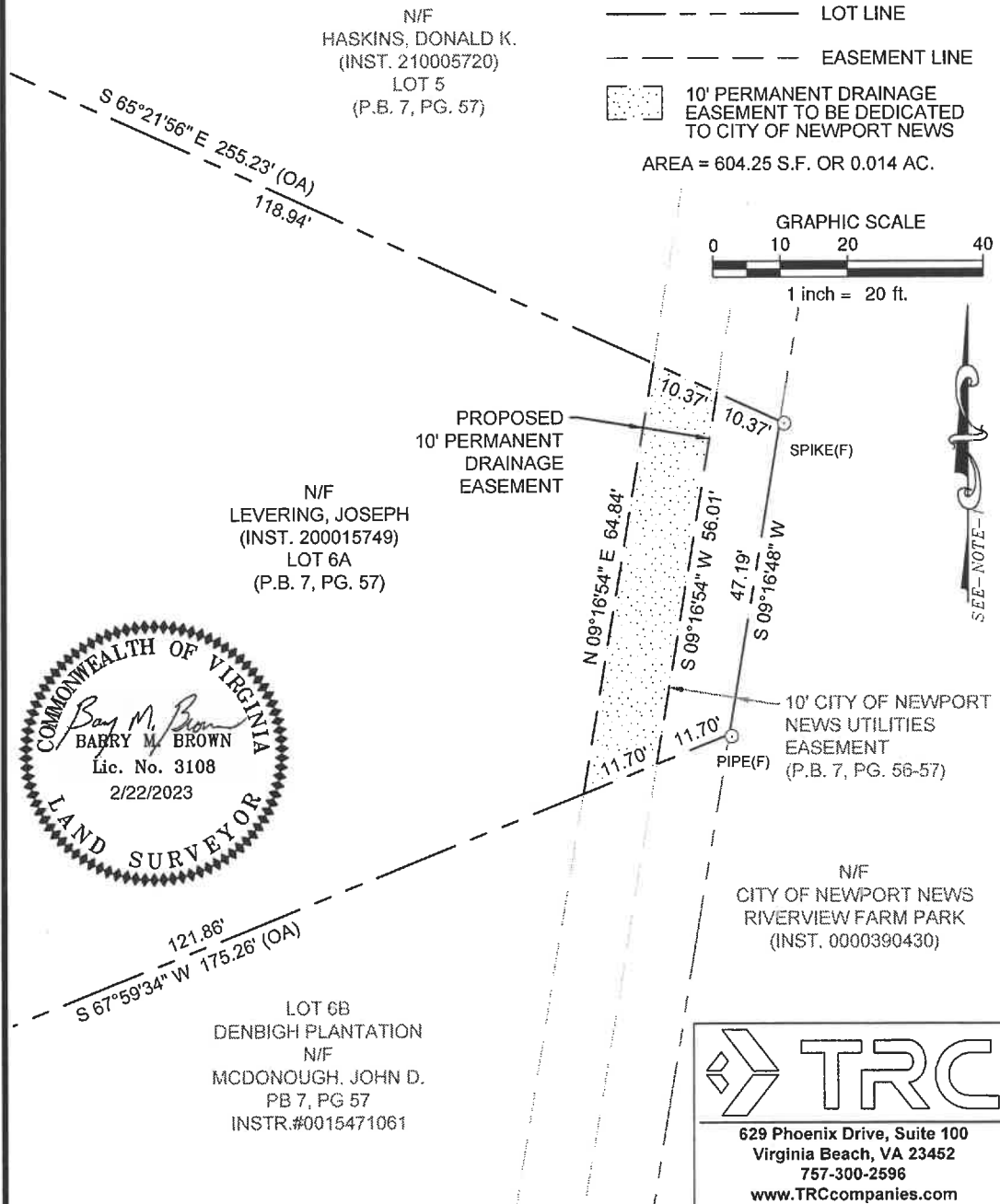
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NOTES:

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LEGEND

- LOT LINE
- EASEMENT LINE
- 10' PERMANENT DRAINAGE EASEMENT TO BE DEDICATED TO CITY OF NEWPORT NEWS
AREA = 604.25 S.F. OR 0.014 AC.



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P:\2023\011924 - Riverview Farm Park\05-SVV\PROPOSED EASEMENT PLATS\dwg\016824 - Proposed Easement Plat - LOT 6A.dwg February 22, 2023 10:07:21 AM

EXHIBIT PLAT SHOWING
PERMANENT DRAINAGE EASEMENT
TO BE DEDICATED TO CITY OF NEWPORT NEWS
BY JOSEPH LEVERING
CITY OF NEWPORT NEWS, VIRGINIA

DRAWN:	JRF	SCALE:	1" = 20'
CHECKED:	BMB	DATE:	2/22/2023

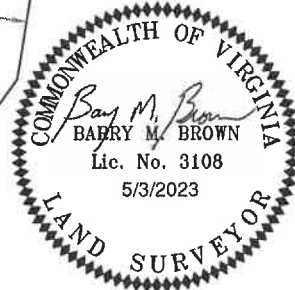
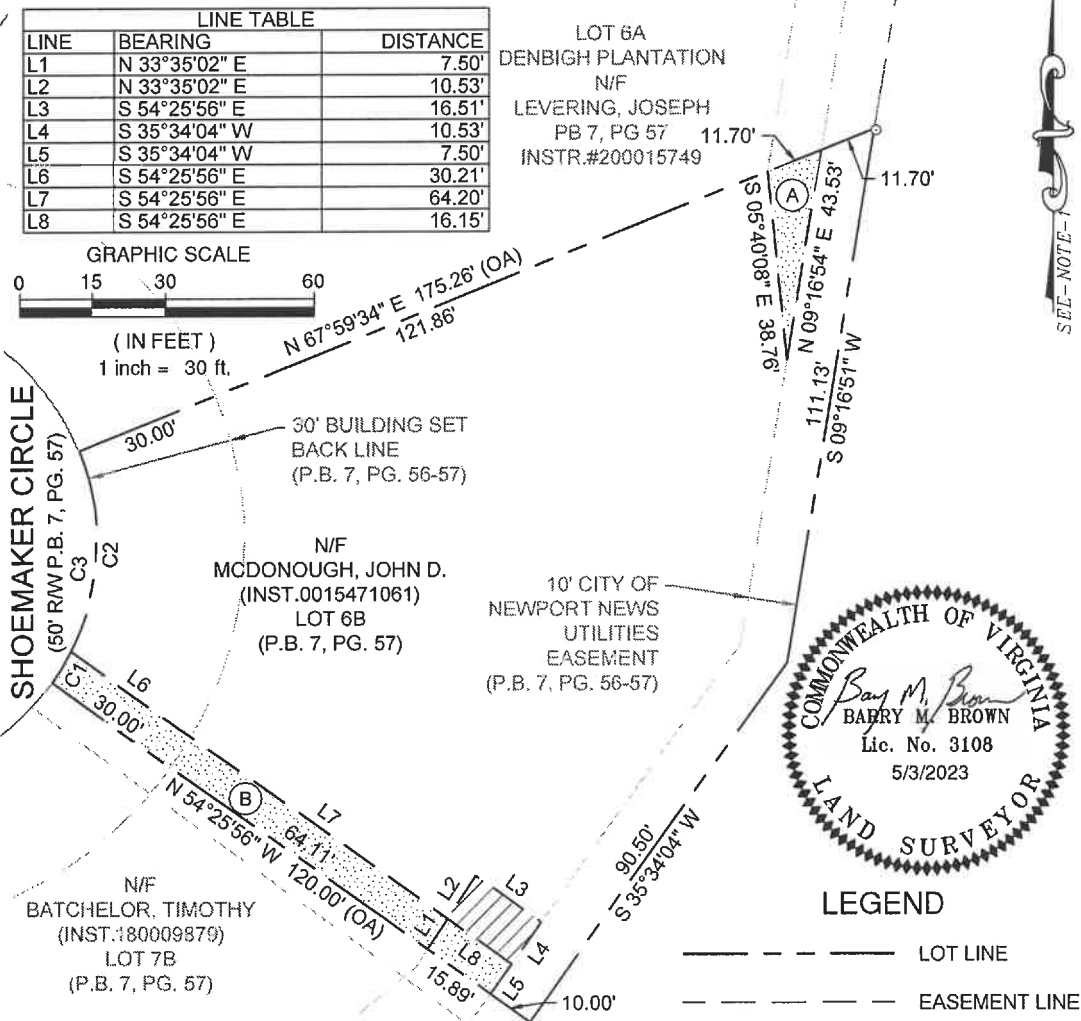
PROJECT: 016824

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- 3.) THIS EXHIBIT WAS PREPARED FOR TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT DRAINAGE EASEMENT DEDICATION PURPOSES ONLY AND DOES NOT INTEND TO SHOW ANY/ALL OTHER EASEMENTS OR ENCUMBRANCES THAT MAY AFFECT THE PROPERTY AREA SHOWN.
- 4.) THIS EXHIBIT DOES NOT INTEND TO REPRESENT A BOUNDARY SURVEY OR SUBDIVISION OF LAND.
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CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	50.00'	7.53'	8°37'37"	7.52'	N 31°15'13" E
C2	50.00'	42.71'	48°56'39"	41.42'	N 02°28'05" E
C3	50.00'	50.24'	57°34'16"	48.15'	N 06°46'53" E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 33°35'02" E	7.50'
L2	N 33°35'02" E	10.53'
L3	S 54°25'56" E	16.51'
L4	S 35°34'04" W	10.53'
L5	S 35°34'04" W	7.50'
L6	S 54°25'56" E	30.21'
L7	S 54°25'56" E	64.20'
L8	S 54°25'56" E	16.15'



LEGEND

--- LOT LINE

- - - - - EASEMENT LINE

- (A)** VARIABLE WIDTH PERMANENT DRAINAGE EASEMENT TO BE DEDICATED TO CITY OF NEWPORT NEWS
AREA = 217 S.F. OR 0.005 AC.
- (B)** VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT TO BE DEDICATED TO CITY OF NEWPORT NEWS
AREA = 171 S.F. OR 0.004 AC.
- (C)** 7.50' PERMANENT DRAINAGE EASEMENT TO BE DEDICATED TO CITY OF NEWPORT NEWS
AREA = 826 S.F. OR 0.019 AC.

TRC

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Virginia Beach, VA 23452
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www.TRCCompanies.com

EXHIBIT PLAT SHOWING
TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT DRAINAGE EASEMENT
TO BE DEDICATED TO CITY OF NEWPORT NEWS
BY JOHN D. MCDONOUGH
CITY OF NEWPORT NEWS, VIRGINIA

DRAWN: JRF SCALE: 1" = 30'
CHECKED: BMB DATE: 5/3/2023

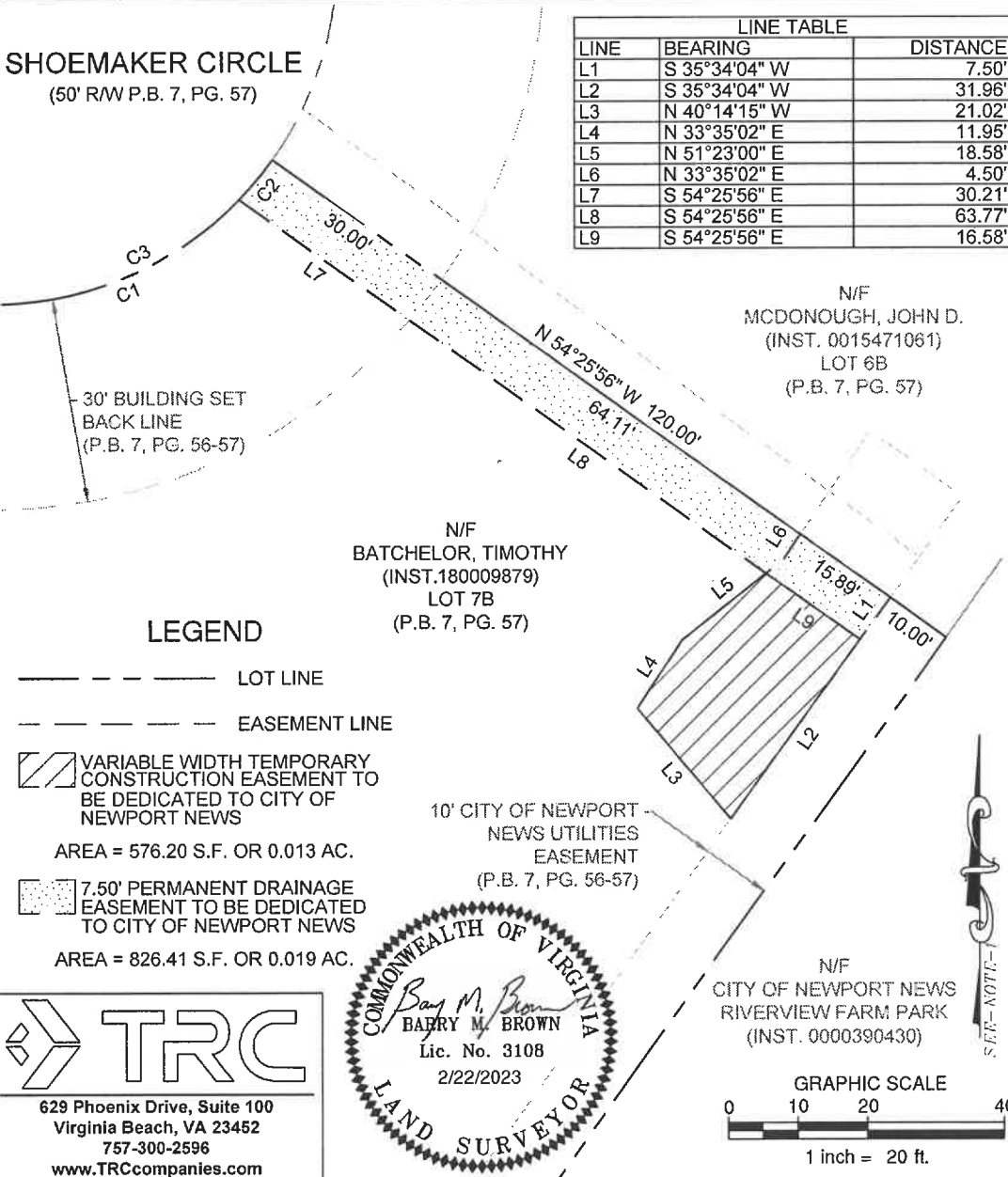
PROJECT: 016824

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CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	50.00'	41.43'	47°28'34"	40.26'	N 67°55'50" E
C2	50.00'	7.53'	8°37'37"	7.52'	N 39°52'45" E
C3	50.00'	48.96'	56°06'11"	47.03'	N 63°37'02" E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 35°34'04" W	7.50'
L2	S 35°34'04" W	31.96'
L3	N 40°14'15" W	21.02'
L4	N 33°35'02" E	11.95'
L5	N 51°23'00" E	18.58'
L6	N 33°35'02" E	4.50'
L7	S 54°25'56" E	30.21'
L8	S 54°25'56" E	63.77'
L9	S 54°25'56" E	16.58'



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COMMONWEALTH OF VIRGINIA
Barry M. Brown
Barry M. Brown
Lic. No. 3108
2/22/2023
LAND SURVEYOR

EXHIBIT PLAT SHOWING
TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT
DRAINAGE EASEMENT
TO BE DEDICATED TO CITY OF NEWPORT NEWS
BY TIMOTHY BATCHELOR
CITY OF NEWPORT NEWS, VIRGINIA

DRAWN: JRF SCALE: 1" = 20'
CHECKED: BMB DATE: 2/22/2023

PROJECT: 016824

P:\2023016824 - Riverview Farm Parcels-SVV\PROPOSED EASEMENT PLATS\Subplot16824 - Proposed Easement Plat - LOT 7B.dwg February 22, 2023 10:28:47 AM