

ORDINANCE NO. 6629-09

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO MAKE AN OFFER TO PURCHASE CERTAIN REAL PROPERTY HEREINAFTER MORE PARTICULARLY DESCRIBED, SITUATE, LYING AND BEING IN THE CITY OF NEWPORT NEWS, VIRGINIA, FOR STORMWATER MANAGEMENT PURPOSES; AND AUTHORIZING THE ACTING 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 benefit would result from the acquisition of certain real property hereinafter more particularly described, for stormwater management purposes, and 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:

Section 1. That the Council hereby authorizes the Acting City Manager, or his designee, to make an offer to purchase the following property by general warranty deed, inclusive of payment of any liens, judgments, taxes or other money claims outstanding against the property:

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, containing 9.5 acres, more or less, as shown on that certain plat entitled, "PLAT OF THE PROPERTY OF S & R ASSOCIATES, INCORPORATED, 9.5 ACRES ±, NEWPORT NEWS, VIRGINIA," made by Coenen & Associates, Engineers-Planners-Surveyors, dated June 15, 1973, and recorded in the Clerk's Office of the Circuit Court for the City of Newport News, Virginia, in Deed Book 850, page 518, to which reference is here made.

Together with a right of way for ingress and egress to and from the above described property over, along and across that certain fifty (50) foot right of way shown and designated on the aforesaid plat as Pocahantas Drive, which said right of way extends to the public street known and designated as Denbigh Boulevard, which said right of way adjoins and abuts that right of way shown on the aforesaid plat as a triangular piece or parcel of land.

It being the same property conveyed unto Carl A. Barrs and Alice C. Barrs, husband and wife, by deed dated September 5, 1973, from S & R Associates, Incorporated, a Virginia corporation, and recorded in the aforesaid Clerk's Office in Deed Book 850, page 516.

It being the same property conveyed unto Carl A. Barrs by deed dated January 9, 2001, from Alice C. Barrs, and recorded in the aforesaid Clerk's Office in Deed Book 1630, page 1246.

Together further with a right of way for ingress and egress fifty (50) feet in width from the above described property over property designated as "Other Property of S & R Associates, Incorporated" as shown on the above described plat, said right of way being designated "R/W For Ingress and Egress."

It being the same right of way conveyed unto Carl A. Barrs and Alice C. Barrs, husband and wife, by deed dated September 5, 1973, from Trailux Corporation, a Virginia corporation, and recorded in the aforesaid Clerk's Office in Deed Book 850, page 519.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

The parcel has a common street address of 489 Denbigh Boulevard and Assessor's Tax I.D. #099.00-01-01.

Section 2. That the Acting City Manager is hereby authorized and directed to act for and on behalf of the City of Newport News in offering to purchase the property for \$95,000.00, which is the assessed value of the property, provided that any outstanding claims against the property for taxes or other liens shall be paid by the seller.

Section 3. That in order to provide funds to defray the costs incident to the acquisition of said property, funds previously appropriated for stormwater management acquisitions are hereby authorized for such purposes.

Section 4. The Acting City Manager is hereby authorized to execute and the City Clerk attest on behalf of the City of Newport News all documents, permits, or authorizations necessary to effectuate the acquisition of the property described herein after same have been reviewed and approved by the City Attorney.

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PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON SEPTEMBER 22, 2009

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk