

ORDINANCE NO. 6626-09

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO MAKE OFFERS TO PURCHASE CERTAIN REAL PROPERTY HEREINAFTER MORE PARTICULARLY DESCRIBED, SITUATE, LYING AND BEING IN THE CITY OF NEWPORT NEWS, VIRGINIA, FOR THE RICHNECK ROAD AREA REGIONAL BMP PROJECT, TO PROVIDE FUNDS FOR THESE 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 necessity exists for the acquisition of certain real property hereinafter more particularly described, for regional stormwater BMP purposes, in furtherance of the Richneck Road Area Regional BMP Project (the Project), 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, after a properly noticed Public Hearing on September 8, 2009 pursuant to Virginia Code §15.2-1903 (1950, as amended):

Section 1. That the Council hereby authorizes the acquisition of unencumbered fee simple title by general warranty deed or other interests in part of the properties (the Properties) known as 494 and 496 Richneck Road, owned by Myra S. Perkins and John H. Perkins, as further 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 Titles 15.2 and 25.1 of the Code of Virginia, 1950, as amended, an interest in the Property located in the City of Newport News, Virginia, together with all rights appurtenant thereto, if appropriate, to implement the Project, the said Property, the interest to be acquired, and a preliminary indication of ownership being more particularly described in Section 6 of this ordinance.

Section 3. That the Acting 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 Property 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 TWO HUNDRED EIGHTY-FIVE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$285,500.00), or so much thereof as may be necessary, is hereby designated from funds appropriated for acquisition of the hereinafter described Property.

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 the Property 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, or interests therein, and a description of said Property and the interest sought by the City (the interest to be acquired being fee simple ownership unless otherwise indicated):

Parcel 1 - fee simple acquisition from MYRA S. & JOHN H. PERKINS, for ONE HUNDRED EIGHTY-TWO THOUSAND AND 00/100 DOLLARS (\$182,000.00). The interest(s) to be acquired is that portion of a parcel identified as "494 Richneck Road," Tax Parcel 060-00-04-23, Deed Book 2164, page 85, the actual dimensions of said portion being set forth as "Parcel B" in a plat entitled "Plat of Property of Myra S. & John H. Perkins, DB 2164, Pg. 085, Parcel "A" and Parcel "B", City of Newport News, Virginia", dated June 30, 2009, attached as Exhibit 1, said Parcel B containing 217,272 Sq. Ft., 4.99 AC., to be acquired for drainage.

Parcel 2 - fee simple acquisition from MYRA S. & JOHN H. PERKINS, for ONE HUNDRED THREE THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$103,500.00). The interest(s) to be acquired is that portion of a parcel identified as "496 Richneck Road," Tax Parcel 060-00-04-22, Deed Book 1003, page 475, the actual dimensions of said portion being set forth as "Parcel B" in a plat entitled "Plat of Property of Myra S. & John H. Perkins, DB 1003, Pg. 475, Parcel "A" and Parcel "B", City of Newport News, Virginia", dated June 30, 2009, attached as Exhibit 2, said Parcel B containing 123,166 Sq. Ft., 2.83 AC., to be acquired for drainage.

Section 7. That this ordinance shall be in effect on and after the date of its adoption, September 8, 2009.

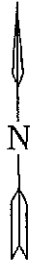
PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON SEPTEMBER 8, 2009

Mabel Washington Jenkins, CMC  
City Clerk

Joe S. Frank  
Mayor

A true copy, teste:

City Clerk



COMMON AREA

N/F  
PROP. OF  
JOHN HENRY PERKINS, UX

S 46°51'09" E  
172.33'

N 37°20'36" E  
95.00'

S 66°51'54" E  
228.63'

367.89'

S 74°26'54" E  
100.01'

N 19°30'06" E  
193.36'

395.46'

166.83'

N 24°37'16" E

N 19°30'06" E  
192.37'

PARCEL "A"  
108,031 SQ. FT.  
2.48 AC  
TO REMAIN WITH  
OWNER

PARCEL "B"  
217,272 SQ. FT.  
4.99 AC  
TO BE ACQUIRED  
FOR DRAINAGE

228.98'

654.75'

471.34'

S 35°19'48" W

425.77'

N 74°16'39" W

714.74'

S 24°23'22" W

N/F  
PROP. OF  
BUTCH & MELISSA DICKS

N/F  
PROP. OF  
BUTCH & MELISSA DICKS

COLONY PINES SEC. 12  
MELROSE TERRACE 50' R/W

**NOTE:**

PLAT CREATED BY RECORDED DATA  
WITHOUT BENEFIT OF PHYSICAL SURVEY.

494 RICHMECK ROAD



CITY OF  
NEWPORT NEWS  
DEPT. OF ENGINEERING

PLAT OF PROPERTY OF

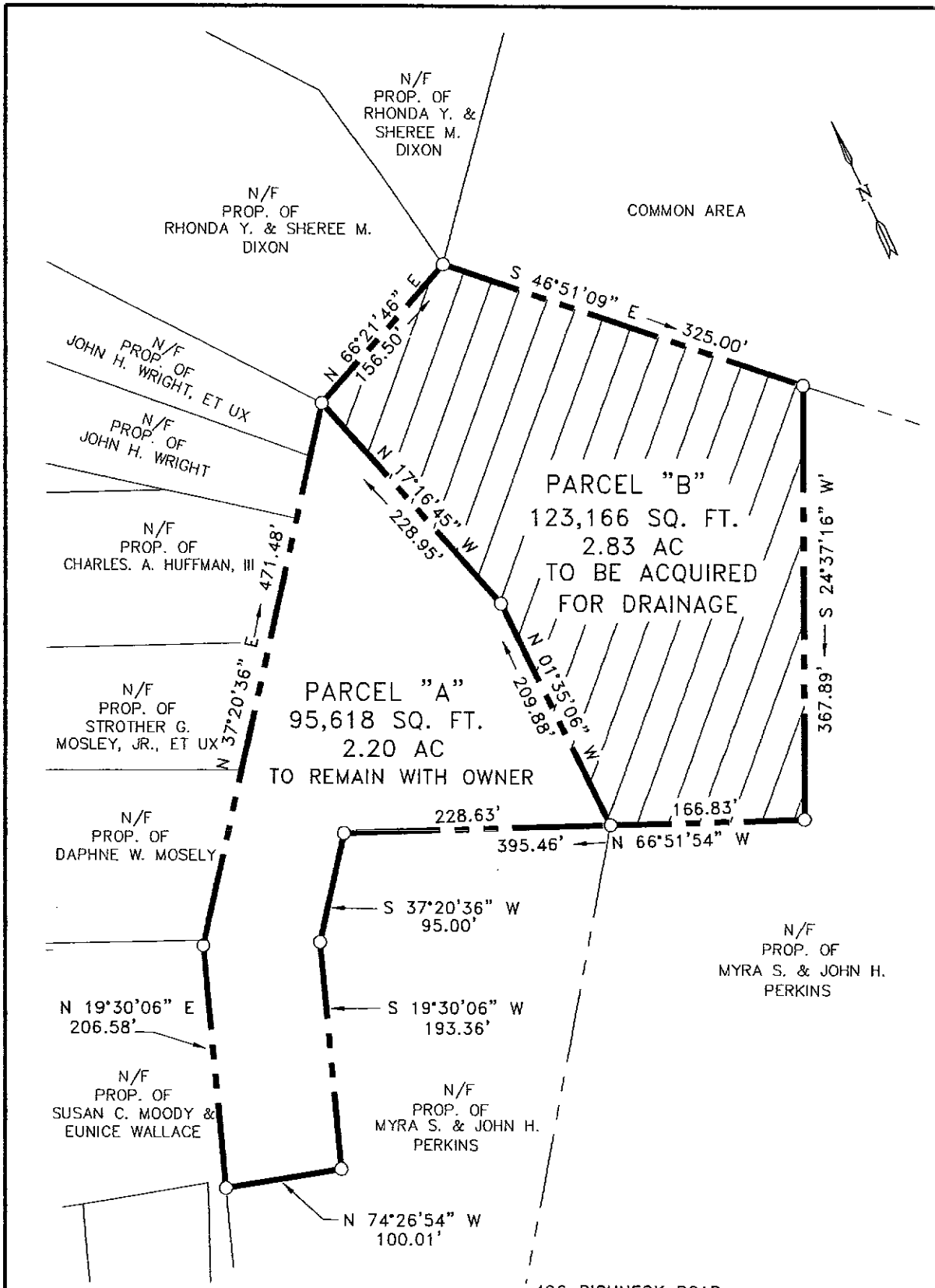
MYRA S. & JOHN H. PERKINS  
DB 2164 PG 085

PARCEL "A" & PARCEL "B"

CITY OF NEWPORT NEWS, VIRGINIA


SCALE: 1"=150'  
DATE: 6/30/09

DRN.BY: SWS  
APR.BY:



**NOTE:**  
PLAT CREATED BY RECORDED DATA  
WITHOUT BENEFIT OF PHYSICAL SURVEY.

496 RICHNECK ROAD

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

PLAT OF PROPERTY OF  
**JOHN HENRY PERKINS, UX**  
DB 1003 PG 475  
**PARCEL "A" & PARCEL "B"**  
CITY OF NEWPORT NEWS, VIRGINIA

SCALE: 1"=100'	DRN.BY: SWS
DATE: 6/30/09	APR.BY: