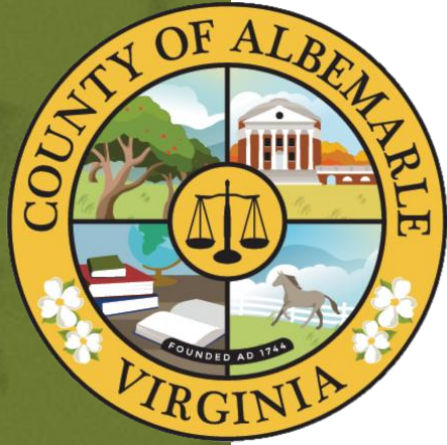
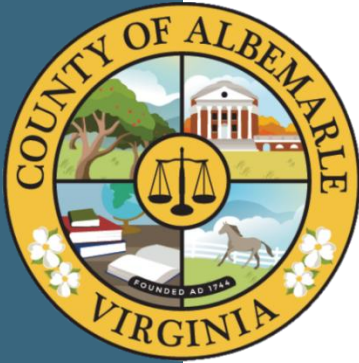




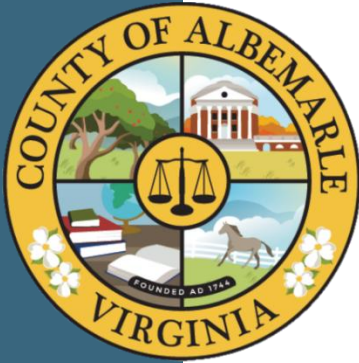
Public Hearing

Proposed Acquisitions of Portions of 2224 Dominion Drive



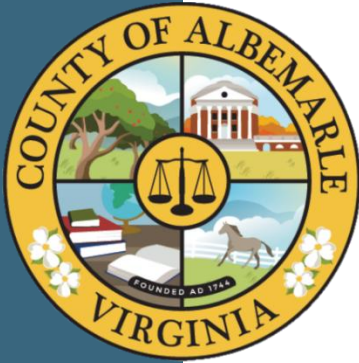
Overview

- The Project
- The Parcel
- Right of Way (ROW) Negotiations
- Recommended Process
- Suggested Motion



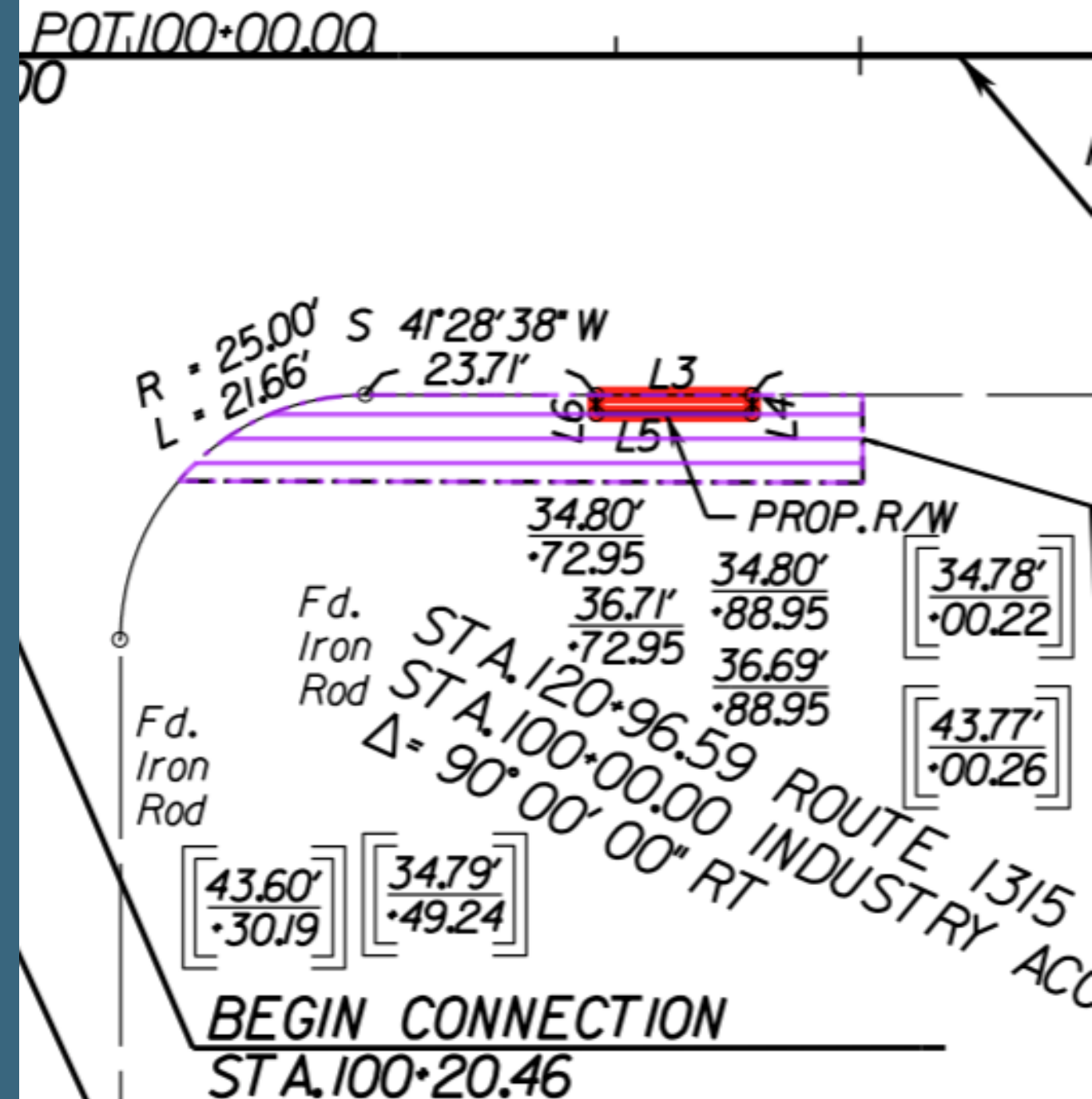
The Project

- UPC 113183 Commonwealth Drive / Dominion Drive Sidewalk Improvements (VDOT Revenue Sharing)
- This project will provide approximately 2,500 feet of sidewalk on Commonwealth Drive and along Dominion Drive, as well as concrete pads for bus shelters
- This project embraces Strategic Plan goal 3 enhancing multimodal connectivity



The Parcel

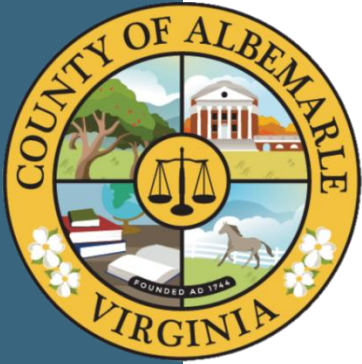




Tax Map Parcel 061W0-03-00-01600
 Project Parcel 012
 2224 Commonwealth Drive

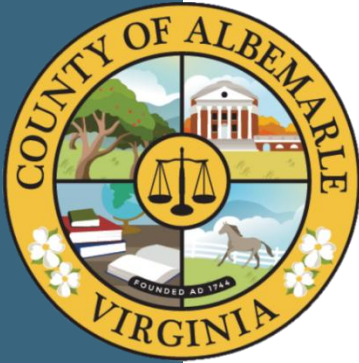
31 square feet of Permanent Fee Take (red)

541 square feet of Permanent Utility Easement (purple stripe)



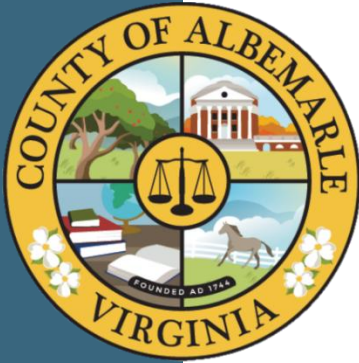
2224
Commonwealth
Drive





Highlights ROW Negotiation Report

- 10/01/2024 – Offer to Landowner \$3,705.00
- 10/24/2024 – Landowner counteroffer of \$11,500 for legal fee *estimate to review* the offer package
- 2/27/2025 – Note from Property Owner: legal fees were a quote and an exact amount could not be given
- 04/08/2025 – Latest County Offer \$8,705.00
- 04/08/2025 – Note from Property Owner: Eminent domain would be the cheapest approach
- 04/22/2025 – Impasse Letter Issued

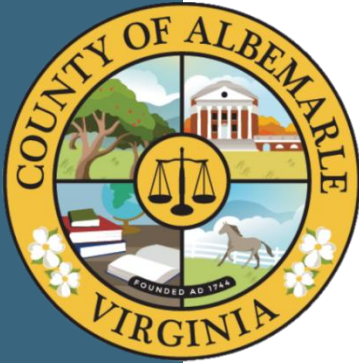


Legal Fees not Recoverable

Attorney's fees incurred on behalf of the landowner, as a general rule, are not recoverable unless there is a statute that specifically provides for recovery. There is no such statute in eminent domain except in inverse condemnation.

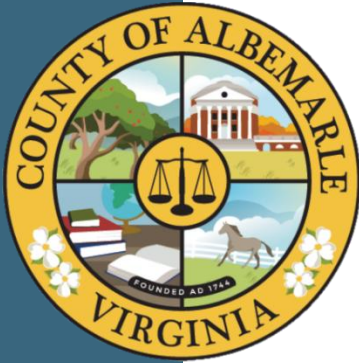
VDOT ROW Manual, Chapter 4 – Appraisal, Section 4.3.22 Non-Compensable Damages, Item J.

Special Projects Coordinator, Right of Way & Utilities, Western Region,
VDOT



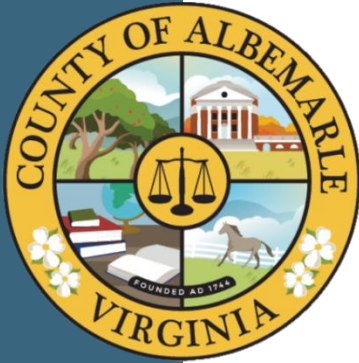
Potential Agreement

- A representative of the landowner reached out to the County ROW Agent by email on 8/27/25.
- It is possible an agreement might be reached for the latest County offer of \$8,705.
- The Board of Supervisors can still adopt the resolution authorizing condemnation, and if an agreement is reached, the condemnation process could be ended.



Recommended Process

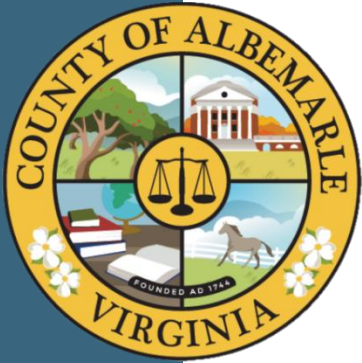
- Board adopts proposed resolution (Attachment C).
- County of Albemarle files Certificate of Take and deposits original estimated value of the take and easement (\$3,705) with the Albemarle County Circuit Court.
- County of Albemarle immediately acquires clear title and can proceed with the project.
- Albemarle County Circuit Court ultimately determines value of the Parcel, including cost to cure, and proper recipients of payment.



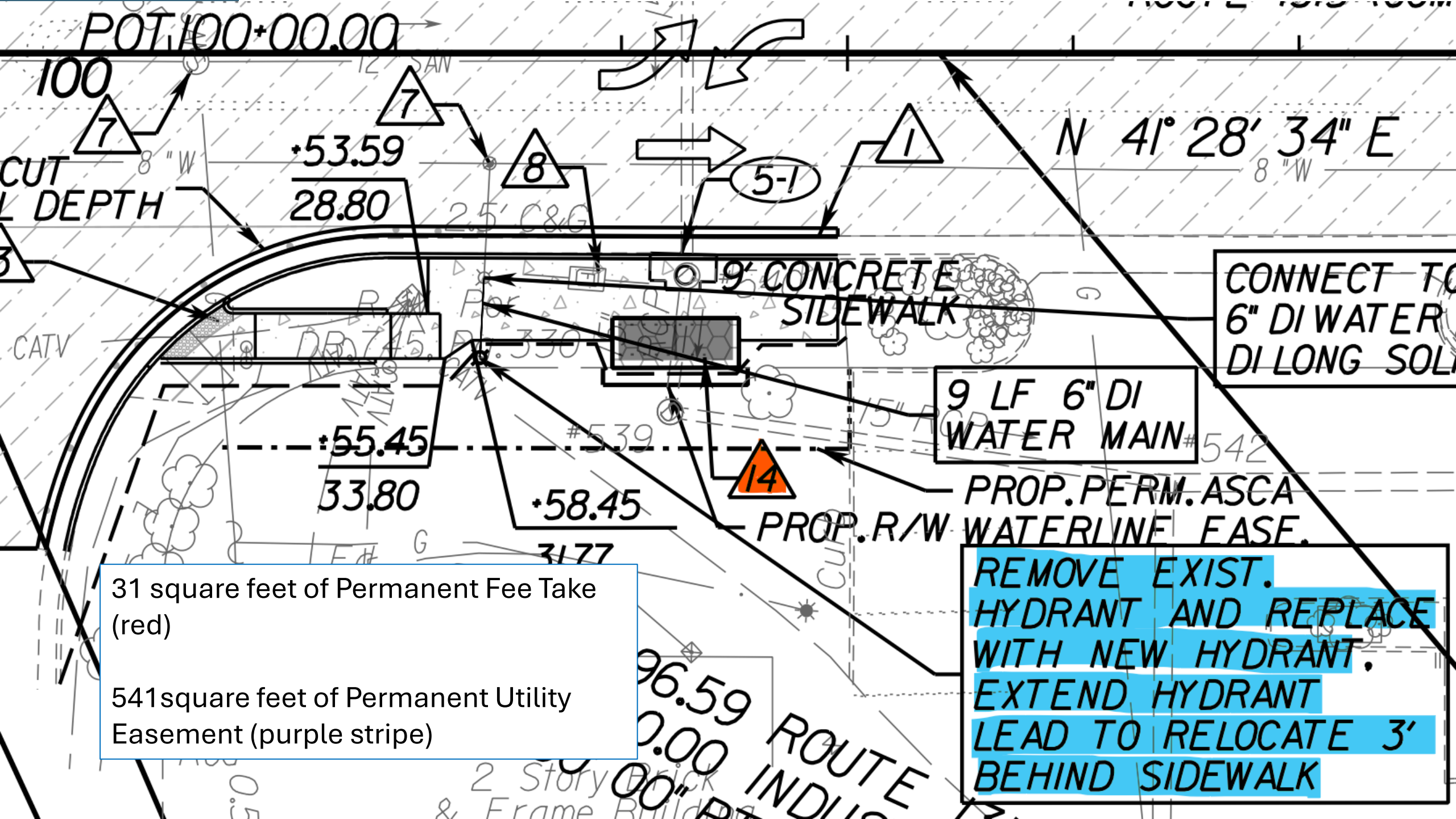
Suggested Motion

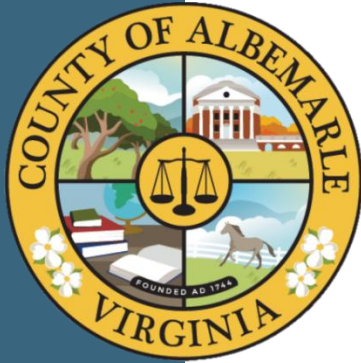
“I move that the Board adopt the proposed resolution attached to the staff report as Attachment C.”

This resolution authorizes the acquisition by condemnation of portions of this parcel (2224 Commonwealth Drive) for the purposes of constructing roadway connectivity improvements.



Thank you!





2224
Commonwealth
Drive

