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File #: 16-487 Version: 1 Name:
Type: Resolution Status: Public Hearing
File created: 7/22/2016 In control: [Board of Supervisors](#)
On agenda: 8/3/2016 Final action:
Title: Virginia Electric and Power Company Easement on County-Owned Parcel
Attachments: 1. [16-487 Att.A Map](#), 2. [16-487 Att.B Deed](#), 3. [16-487 Att.C Plat](#), 4. [16-487 Att.D Resolution](#)

[History \(0\)](#) [Executive Summary](#)**AGENDA DATE:** 8/3/2016**TITLE:**

Virginia Electric and Power Company Easement on County-Owned Parcel

SUBJECT/PROPOSAL/REQUEST: Public hearing to consider granting easement to Virginia Electric and Power Company on County-owned property located at the intersection of Old Trail Drive and Jarmans Gap Road**ITEM TYPE:** Regular Action Item**STAFF CONTACT(S):** Foley, Kamptner**PRESENTER (S):** Greg Kamptner**LEGAL REVIEW:** Yes**REVIEWED BY:** Thomas C. Foley

BACKGROUND: In conjunction with the recordation of the final subdivision plat for the Old Trail Carriage Park Subdivision in 2007, two pieces of land composing a single tax parcel (TMP 055E0-00-00-000A1, hereinafter "Parcel 55E-A1"), totaling 2.398 acres, were dedicated to the County for public use as open space. The two pieces of Parcel 55E-A1 are separated by Old Trail Drive near its intersection with Jarmans Gap Road (Attachment A). Unaware that title in Parcel 55E-A1 transferred to the County upon recordation of the Old Trail Carriage Park subdivision plat, the State Commissioner of Highways (the "State") commenced a condemnation action in 2010 against March Mountain Properties, the prior owner of Parcel 55E-A1, to establish a stormwater management facility and to relocate utilities as part of the Jarmans Gap Road project. The State recorded a certificate of take identifying March Mountain Properties, which purportedly transferred title to the State. The State installed the stormwater management facility and the utilities were relocated on Parcel 55E-A1 in conjunction with the improvements to Jarmans Gap Road. When the County learned of the taking, it informed the State that it was the owner of Parcel 55E-A1. On November 12, 2014, the Board approved the proposed conveyance of a fee simple interest in the portion of Parcel 55E-A1 to the State on which the stormwater management facility is located. That conveyance has not yet been completed. The proposed utility easement for Virginia Electric and Power Company is another step in correcting the erroneous taking.

STRATEGIC PLAN: Goal 2: Critical Infrastructure: Prioritize, plan and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

DISCUSSION: Virginia Code § 15.2-1800 requires that the Board hold a public hearing prior to conveying any interest in County-owned real property. The proposed deed of easement (Attachment B) would allow Virginia Electric and Power Company to install and maintain electric lines and related facilities and structures within the easement. The lines, facilities, and structures were previously relocated as part of the Jarmans Gap Road project and the deed of easement allows the utilities to continue and be maintained in their current location along the northern edge of Parcel 55E-A1 as shown on Attachment C. The Department of Facilities and Environmental Services has confirmed that granting the easement would not interfere with the County's use of Parcel 55E-A1.

BUDGET IMPACT: There is no budget impact.

RECOMMENDATION:

Staff recommends that, following the public hearing, the Board adopt the attached Resolution (Attachment D) to approve the proposed conveyance and to authorize the County Executive and the County Attorney to sign the necessary documents to complete the conveyance of the easement, once those documents are approved as to content and form by the County Attorney.

ATTACHMENTS:

- A - Map
- B - Deed of Easement
- C - Plat
- D - Resolution