



# Albemarle County

## Legislation Text

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**File #:** 17-115, **Version:** 1

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**AGENDA DATE:** 2/1/2017

**TITLE:**

VDOT Compensation Agreements for Route 29 and Hillsdale Drive Takings

**SUBJECT/PROPOSAL/REQUEST:** Proposed compensation agreements with VDOT for its taking of County-owned properties along Route 29 and Hillsdale Drive

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Walker, Letteri, Kamptner, Herrick, Burrell

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:** The County owns four parcels along Route 29 and Hillsdale Drive located in the path of recent Virginia Department of Transportation (VDOT) improvements to those roads:

- Tax Map Parcel Number 046B5-00-00-001C0: A 4.75-acre parcel at the southeast corner of Ashwood Boulevard and Route 29.
- Tax Map Parcel Number 04600-00-00-00-5A0: A 4.54-acre greenway parcel along the southern edge of Hollymead Town Center.
- Tax Map Parcel Number 061Z0-03-00-011A1: A 1.13-acre parcel at the northwest corner of Hillsdale and Greenbrier Drives.
- Tax Map Parcel Number 04500-00-00-094B1: A 0.76-acre parcel across Route 29 from Albemarle Square.

Attachment A summarizes the subject County parcels and VDOT's acquired interest(s) in each. Attachments B-G show the specific locations of each VDOT interest.

VDOT has exercised its right to acquire the listed property interests by eminent domain by filing six Certificates of Take. By operation of law, those Certificates immediately transferred ownership of the desired property interests to VDOT. With the ownership of those property interests now vested in VDOT, the only remaining issue is the amount of just compensation due the County for the interests taken.

VDOT is offering the County a total of \$669,787 as compensation for the six affected County properties, as detailed on Attachment A. The vast majority of this compensation stems from VDOT's taking of a 1.59-acre (69,379 square foot) permanent stormwater easement from the County's 4.75-acre parcel at the intersection of Route 29 and Ashwood Boulevard. VDOT initially offered \$416,275 for this permanent easement, but has subsequently agreed to offer \$624,411, consistent with the County's assessment of the underlying Parcel.

**STRATEGIC PLAN:** 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:** With ownership of these six property interests already having transferred to VDOT, the only

remaining issue is the amount of just compensation to the County. The County Assessor has reviewed VDOT's valuation of these properties, and believes that VDOT's offer of compensation reflects their fair market value. The County Attorney's Office has reviewed and approved the substance and form of the six attached settlement agreements (Attachments H-M) prepared by VDOT.

**BUDGET IMPACT:** The County would receive \$669,787 in one-time revenue if the Board approves the County's acceptance of VDOT's compensation offer for these properties.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment N) (a) approving the proposed agreements (Attachments H-M) in which the County accepts total compensation of \$669,787 for VDOT's taking of the property interests identified in the six Certificates of Take and (b) authorizing the County Executive to sign the VDOT agreements and any necessary related documents once they have been approved as to substance and form by the County Attorney.

- A - Summary Table
- B - VDOT C-715075 Map
- C - VDOT C-716005 Map
- D - VDOT C-716021 Map
- E - VDOT C-715076 Map
- F - VDOT C-715077 Map
- G - VDOT C-715057 Map
- H - VDOT C-715075 Proposed Agreement
- I - VDOT C-716005 Proposed Agreement
- J - VDOT C-716021 Proposed Agreement
- K - VDOT C-715076 Proposed Agreement
- L - VDOT C-715077 Proposed Agreement
- M - VDOT C-715057 Proposed Agreement
- N - Resolution