



# Albemarle County

## Legislation Details (With Text)

**File #:** 21-294      **Version:** 1      **Name:**  
**Type:** Deed      **Status:** Public Hearing  
**File created:** 5/5/2021      **In control:** Board of Supervisors  
**On agenda:** 6/2/2021      **Final action:**  
**Title:** Public Hearing to Consider Easements Adjacent to 999 Rio Road East. To consider granting a water and sewer line easement and a temporary construction easement to the Albemarle County Service Authority and Windmill Ventures LLC, across an emergency access strip owned by the County (Parcel 062F0-00-00-000E2). This easement is for a water and sewer line to service the adjacent 999 Rio Road East property.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Proposed Deed, 2. Att.B - Plat, 3. Att.C - Resolution

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 6/2/2021

**TITLE:**

Public Hearing to Consider Easements Adjacent to 999 Rio Road East

**SUBJECT/PROPOSAL/REQUEST:** Public hearing to consider a request for a water/sewer easement and a temporary construction easement across County property adjacent to 999 Rio Road East

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Herrick

**PRESENTER (S):** Andy Herrick

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The developer of 999 Rio Road East has approached County staff to request a water and sewer line easement across the adjacent County-owned Parcel 062F0-00-00-000E2, which serves as an emergency access between Rio Road East and Shepherds Ridge Road. The developer has requested water and sewer service to 999 Rio Road East to allow development consistent with the Neighborhood Model District (NMD) density that the Board approved for that property on March 4, 2020.

**STRATEGIC PLAN:** Thriving Development Areas - Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods.

**DISCUSSION:** Virginia Code § 15.2-1800 requires that the Board hold a public hearing prior to conveyance of

almost any interest in County-owned real property. Staff has reviewed and approved the proposed deed of easement (Attachment A). The developer of 999 Rio Road East has submitted a plat depicting the exact location and dimensions of the requested easement (Attachment B).

The proposed deed would grant both a temporary construction easement to the developer (for construction) and a permanent water and sewer easement to the Albemarle County Service Authority (ACSA) for maintenance. The deed would require the restoration of any damage(s) to County property, and ensure that the County's emergency access continues to take priority.

**BUDGET IMPACT:** The County would receive the estimated fair market value for the easement. However, given both the limited size and scope of the requested easement, that value (\$4.05) is minimal.

**RECOMMENDATION:**

Staff recommends that, after holding the public hearing, the Board adopt the attached resolution (Attachment C) to approve the proposed easements and to authorize the County Executive to sign the deed of easement and any other related documents on behalf of the County after those documents have been approved in substance and form by the County Attorney.

**ATTACHMENTS:**

A - Deed of Easement

B - Plat

C - Resolution