

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 15, 2023
Action Required:	City Council is to accept the Temporary Construction Easements as described in the Deed of Easement by adoption of the attached resolution.
Presenter:	Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Michael Goddard, Facilities Development Manager Allyson Davies, Senior Deputy City Attorney
Title:	Authorizing the Acceptance of Conveyance of Temporary Construction Easement and approving contract with Redland Club (1 reading)

Background

The City of Charlottesville previously approved an MOU with the County of Albemarle in December of 2018 to, in part, facilitate the development of a new general district court complex. The “General District Court Project” is the County’s relocation and expansion of its General District Court and other offices from Court Square to the property located at 350 Park Street, as well as the relocation of the City of Charlottesville General District Court. The project is part of the property identified as City Parcel Identification Numbers 530109000 and 530108000, and which is jointly owned by the City and the County (the “Project Property”).

The General District Court Project will also renovate the Levy Opera House building. In order to move forward with this project, the City and County require a temporary construction easement. City Council will need to accept the Temporary Construction Easements as described in the Deed of Easement included in this agenda item. The City and County are to acquire the Temporary Construction Easements in accordance with the Sales Contract, payment of which is to be undertaken by the County in accordance with the Memorandum of Understanding to Facilitate the Expansion, Renovation, and Efficient and Safe Operation of the Albemarle Circuit Court, the Albemarle General District Court, and the Charlottesville General District Court..

Redland desires and intends to convey a portion of their property to the City of Charlottesville and Albemarle County as a temporary construction easement. The easement is approximately 1,828 square feet, more or less, and is required to continue the project.

Discussion

The City and County require a temporary construction easement to continue work on the new General District Court Complex. Redland requests that the conveyance of a portion of the property be in the form of a temporary construction easement of approximately 1,828 square feet.

Redland, the City and the County have agreed to a price to be paid for the Temporary Construction Easements of

\$15,974.58, plus additional payments in the event construction is not complete within twelve (12) months. A sales agreement with the specific terms and conditions of the Temporary Construction Easement is below under Attachment B.

Virginia Code Section 15.2-1803 requires that any deed making a conveyance to a locality be accepted by its governing body. This section states in relevant part: "Every deed purporting to convey real estate to a locality shall be in a form approved by the attorney for the locality,...No such deed shall be valid unless accepted by the locality, which acceptance shall appear on the face thereof or on a separately recorded instrument and shall be executed by a person authorized to act on behalf of the locality."

Staff recommend that the City Council accept the Temporary Construction Easements as described in the Deed of Easement and to acquire the easement in accordance with the attached Sales Contract. The County will be making the payment in accordance with the 2018 Memorandum of Understanding to Facilitate the Expansion, Renovation, and Efficient and Safe Operation of the Albemarle Circuit Court, the Albemarle General District Court, and the Charlottesville General District Court, between the City and the County (the "Courthouse MOU").

Alignment with City Council's Vision and Strategic Plan

The new General District Court House project aligns with the vision to be flexible and progressive in anticipating and responding to the needs of our citizens.

Community Engagement

N/A

Budgetary Impact

The budgetary impact is \$15,974.58 payable to the property holder providing the temporary easement for use during construction of the General District Court building. Such an impact is added to the total cost of the project.

Recommendation

Adopt the Resolution

Alternatives

Do not adopt the Resolution and require additional negotiation as to how to move forward with construction of the General District Court complex.

Attachments

1. Resolution - Redland Club easement 4888-5254-5378 v.1