



Legislation Details (With Text)

**File #:** 22-0226      **Version:** 1      **Name:** 4B & 4A Hall Road Encroachment Agreement  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/25/2022      **In control:** City Council Legislative Session  
**On agenda:** 8/10/2022      **Final action:** 8/10/2022  
**Title:** Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Quality Carpenters, Inc. to Allow an Encroachment into the City's Property for Installation of Water, Sewer and Other City Approved Utility Connections and for Ingress/Egress within and across City Property

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Encroachment Agreement, 2. Presentation

Date	Ver.	Action By	Action	Result
8/10/2022	1	City Council Legislative Session	approved	Pass

Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Quality Carpenters, Inc. to Allow an Encroachment into the City's Property for Installation of Water, Sewer and Other City Approved Utility Connections and for Ingress/Egress within and across City Property

**PURPOSE/BACKGROUND:**

Quality Carpenters, Inc. (the "Licensee"), is the owner of property located at Hall Road, Lot 4B (LRSN 13003143) and Lot 4A (LRSN 13003142), (collectively "Licensee's Parcel"). The City of Hampton (the "City") is owner of three certain parcels of land at or near Hall Road (currently designated as LRSN 13003141, LRSN 13000880, and LRSN 13000881) (collectively the "City Property"). The Licensee plans to develop and construct single family dwellings on Licensee's Parcel and has requested permission to encroach into 8,708 +/- square feet of the City Property (the "Licensed Area") to install water, sewer and other City approved utility connections and for ingress/egress access within and across the City Property to the Licensed Area (the "Licensed Improvement") as requested on their encroachment application and as further illustrated on Exhibit "A" attached to the Encroachment Agreement presented to Council for approval.

The request was routed to City staff and local utility companies, and none had any objections, but some recommend certain conditions that are included in the attached Encroachment Agreement. Therefore, pursuant to Hampton City Code § 34-86, City staff recommend approval of the Encroachment Agreement.

**Discussion:**

See Purpose/Background above.

**Impact:**

See Purpose/Background above.

**Recommendation:**

Approve the Resolution.

**WHEREAS**, The City of Hampton (the “City”) is owner of three certain parcels of land at or near Hall Road (currently designated as LRSN 13003141, LRSN 13000880, and LRSN 13000881) (collectively the “City Property”);

**WHEREAS**, Quality Carpenters, Inc. (the “Licensee”), is the owner of property located at Hall Road, Lot 4B (LRSN 13003143) and Lot 4A (LRSN 13003142) (collectively “Licensee’s Parcel”);

**WHEREAS**, the Licensee plans to develop and construct single family dwellings on Licensee’s Parcel;

**WHEREAS**, Licensee requested that the City grant Licensee permission to encroach into a 8,708 +/- square foot area of the City Property (the “Licensed Area”) to install water, sewer and other City approved utility connections and for ingress/egress access within and across the City Property to the Licensed Area (the “Licensed Improvement”), as illustrated on Exhibit “A” attached to the Encroachment Agreement and presented herewith to Council for approval; and

**WHEREAS**, City staff have reviewed the request and recommend granting the Licensee a non-exclusive revocable license, subject to certain terms and conditions and the execution of the Encroachment Agreement attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Hampton, Virginia, as follows:

1. That the Encroachment Agreement between the City of Hampton and Quality Construction, Inc. is hereby approved; and
2. That the City Manager, or her authorized designee, is hereby authorized to execute the Encroachment Agreement, in substantially the same form as set forth in this Resolution, and to take any and all actions necessary to carry out the purposes of this Resolution, subject to approval by the City Attorney.