



Legislation Details (With Text)

**File #:** 21-0202      **Version:** 1      **Name:** Right of Way Agreement - 901 E. Little Back River Road  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/20/2021      **In control:** City Council Legislative Session  
**On agenda:** 9/22/2021      **Final action:** 9/22/2021

**Title:** Resolution Authorizing Execution of a Right of Way Agreement Granting a Variable Width Easement to Dominion Energy Virginia Over Property Located at 901 E. Little Back River Road in Order to Provide Underground Electrical Services and Utilities to a Public Facility Located on Property Owned by the City of Hampton, Virginia for Public Use for Gosnold's Hope Park

**Sponsors:**

**Indexes:** Community Recreational Enhancements, DO NOT USE - 21 - Good Government, Love Your City

**Code sections:**

**Attachments:** 1. Exhibit A 901 E. Little Back River Road - 8-2021

Date	Ver.	Action By	Action	Result
9/22/2021	1	City Council Legislative Session	approved	Pass

Resolution Authorizing Execution of a Right of Way Agreement Granting a Variable Width Easement to Dominion Energy Virginia Over Property Located at 901 E. Little Back River Road in Order to Provide Underground Electrical Services and Utilities to a Public Facility Located on Property Owned by the City of Hampton, Virginia for Public Use for Gosnold's Hope Park

**PURPOSE/BACKGROUND:**

Dominion Energy Virginia (“Dominion”) has requested the City’s execution of a Right of Way Agreement to enable Dominion to lay, construct, operate, and maintain one or more lines of underground conduits and cables (the “Project”) on City owned property located at 901 E. Little Back River Road, Hampton, Virginia, 23669 and commonly known as Gosnold’s Hope Park (“GHP”).

GHP is the second largest developed park in the City. Consisting of 105 acres, GHP offers amenities such as picnic shelters, RV/camper sites, restrooms, a public boat ramp with kayak launch area, a fitness trail, athletic fields, a playground, and a BMX track.

The Project proposed by Dominion will be done at no cost to the City. And, because existing aboveground utilities will be relocated underground, the Project will help maintain power in the area during storms and improve the overall aesthetic appearance of GHP.

The request was routed to City staff and none had any objections. Therefore, City staff recommends approval of the Right of Way Agreement.

**Discussion:**

See Purpose/Background above.

**Impact:**

See Purpose/Background above.

**Recommendation:**

Approve the Resolution.

**WHEREAS**, the City of Hampton (“City”) is the owner of a certain parcel of property designated as 901 E. Little Back River Road (LRSN 9000453) which encompasses Gosnold’s Hope Park (the “Property”);

**WHEREAS**, Dominion Energy Virginia (“Dominion”) has agreed, at no cost to the City, to place the current above ground electrical utilities underground, which will protect the electrical services on the Property from hurricanes and other storms, and will enhance the aesthetics of the Property;

**WHEREAS**, Dominion’s project requires the transmission of electric power by one or more circuits, requiring the laying, constructing, operation and maintenance of one or more lines of underground conduits and cables, which Dominion has agreed to do in exchange for an easement over the area where the circuits, conduits and cables will be located;

**WHEREAS**, accordingly, Dominion has requested that the City grant a variable width easement for the laying, constructing, operation and maintenance of said underground conduits and cables over the Property (the “Easement”);

**WHEREAS**, the Easement is shown on the plat attached hereto and entitled, “Plat To Accompany Right-of-Way Agreement”, plat number 17-19-0865, dated 08/27/2021, a copy of which is attached hereto as **EXHIBIT A**; and

**WHEREAS**, the City finds that dedication of the Easement to facilitate construction of the above-described improvements is in the best interest of the City of Hampton and its citizens.

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

That the City Manager, or her authorized designee, is authorized to execute the Right of Way Agreement and/or other documents and plats in substantially the same form and content as that which is attached as **EXHIBIT A**, subject to approval of the City Attorney; to execute any other related documents; and to perform other such actions as may be necessary or desirable for the purposes identified herein and that may be necessary to effectuate the intent of this resolution.