



Legislation Text

File #: 24-0285, **Version:** 1

Resolution Authorizing Execution of a Right of Way Agreement Granting Easements to Dominion Energy Virginia Over City Property Located at 2935 N. Armistead Avenue (LRSN: 6001304); 2927 N. Armistead Avenue (LRSN: 6000802); 2921 N. Armistead Avenue (LRSN: 6000803); 2917 N. Armistead Avenue (LRSN: 6000804); and 2909 N. Armistead Avenue (LRSN: 6000805) in Order to Provide Electrical Services and Utilities to Langley Air Force Base

PURPOSE/BACKGROUND:

For more than a year, Dominion Energy Virginia (“Dominion”) and Langley Air Force Base (“LAFB”) have been working on a project to upgrade the electrical services provided to LAFB. Dominion has identified five (5) City of Hampton (“City”) properties that they will need easements across to provide the needed services. The City properties that will be affected are 2935 N. Armistead Avenue (LRSN: 6001304); 2927 N. Armistead Avenue (LRSN: 6000802); 2921 N. Armistead Avenue (LRSN: 6000803); 2917 N. Armistead Avenue (LRSN: 6000804); and 2909 N. Armistead Avenue (LRSN: 6000805) (the “City Properties”). Dominion has requested that the City grant the easements to Dominion, fifteen (15) foot in width, across the City Properties for the purposes of transmitting and distributing electric power and to install necessary electrical facilities including electric lines and conduit (the “Easements”). The Easements are further described in Dominion’s proposed Right of Way Agreement that is attached to this Resolution for City Council’s consideration and approval, and as shown on the plat(s) attached thereto titled “PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT,” dated “3.1.2023,” and being Plat(s) Numbered 22-23-0019. The Easements would be granted for an initial term of five (5) years.

City staff recommends approval of the Resolution. This matter requires a public hearing pursuant to §§15.2-1800 and 15.2-2100 of the Code of Virginia of 1950, as amended, which was duly advertised pursuant to Code of Virginia §15.2-1813. It should be noted that Dominion originally requested an easement across 50 Nettles Lane (LRSN: 6000808) and that parcel appeared in the Notice of Public Hearing, but Dominion has since withdrawn their easement request for that parcel.

Discussion:

/see Purpose/Background above.

Impact:

See Purpose/Background above.

Recommendation:

Conduct public hearing and approve Resolution.

WHEREAS, the City of Hampton (“City”) is the owner of five (5) certain parcels of property

designated as 2935 N. Armistead Avenue (LRSN: 6001304); 2927 N. Armistead Avenue (LRSN: 6000802); 2921 N. Armistead Avenue (LRSN: 6000803); 2917 N. Armistead Avenue (LRSN: 6000804); and 2909 N. Armistead Avenue (LRSN: 6000805) (the “City Properties”);

WHEREAS, for more than a year, Dominion Energy Virginia (“Dominion”) and Langley Air Force Base (“LAFB”) have been working on a project to upgrade the electrical services provided to LAFB;

WHEREAS, Dominion has requested that the City grant easements to Dominion, fifteen (15) foot in width, across the City Properties for the purposes of transmitting and distributing electric power and to install electrical facilities, including electric lines and conduit, required for the project with LAFB (the “Easements”);

WHEREAS, the Easements are described in Dominion’s proposed Right of Way Agreement, a copy of which is attached hereto for City Council’s approval, and shown on the plat(s) attached thereto titled “PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT,” dated “3.1.2023,” and being Plat(s) Numbered 22-23-0019;

WHEREAS, the Easements will be granted for an initial term of five (5) years; and

WHEREAS, the City finds that the granting of the Easements to Dominion for the project to upgrade electrical services to LAFB 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 to this Resolution, 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.