



## Legislation Text

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File #: 21-0201, Version: 1

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Resolution Authorizing Execution of a Right of Way Agreement Granting a 20' X 270' Easement (Totaling 5,400 Square Feet +/-) to Dominion Energy Virginia Over Property Located at 1908 Coliseum Drive (LRSN 7001217) in Order to Provide Electrical Services and Utilities to a Public Facility Located on Property Owned by the City of Hampton, Virginia for Public Use for the Hampton Virginia Aquaplex

**PURPOSE/BACKGROUND:**

The City owns property at the northeast quadrant of the intersection of Coliseum Drive and Pine Chapel Road (the former Best Products site), specifically identified as 1908 Coliseum Drive (LRSN 7001217), which is the site for the new Hampton Virginia Aquaplex.

On or about July 8, 2020, the City entered into a Comprehensive Agreement with Clancy & Theys Construction Co. for the design and construction of a state of the art Aquatics Center which requires electrical power service. Dominion Energy requests a 20' x 270' utility easement (Totaling 5,400+/- Square Feet) for the transmission and distribution of electrical power on the property as depicted on the sketch attached to the Right of Way Agreement. Staff recommends approval of the easement and attached agreement.

This item is exempt from the public hearing requirement under § 15.2-1800(B).

**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 1908 Coliseum Drive (7001217) (the “Property”);

**WHEREAS**, the City is constructing the Hampton Virginia Aquaplex as part of its 5-Year Capital Improvement Plan;

**WHEREAS**, the City’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 Energy Virginia (“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 an easement for use of an approximately 5,400 +/- square foot area 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 22-21-0031, dated 03/30/2021, 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.