



## Legislation Text

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**File #:** 18-0290, **Version:** 1

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Resolution Approving a 5' Wide Gas Easement (Totaling 1,897 Square Feet) and a 15' Wide Temporary Construction Easement (Totaling 5,503 Square Feet), Both Areas More or Less, to Virginia Natural Gas, Inc. ("VNG") on City Properties Located at 35 and 47 Water Street (LRSNs 12001133 and 12001132, Respectively) to Install and Maintain One Line of Underground Pipe or Conduit for Gas Transportation or Distribution to Replace the Existing Above-Ground Gas Pipeline Enclosed in a Steel Conduit and Mounted on the E. Mellen Street Bridge and Granting an Easement to CoxCom, LLC to Utilize the Conduit Abandoned by VNG

### **PURPOSE/BACKGROUND:**

To better serve the Hampton community, Virginia Natural Gas ("VNG") is improving its natural gas infrastructure by installing new facilities and distribution lines. One project VNG is undertaking, identified as AFE 158767-4076 E. Mellen Street Bridge Renewal," (i) removes the existing natural gas pipeline mounted on the E. Mellen Street Bridge (the "Bridge") that supplies gas to the Fort Monroe area, and (ii) replaces the existing pipeline to a more secure, enclosed location submerged under Mill Creek so as not to be exposed to climate conditions and passing watercraft (the "Project").

Previously, VNG had a gas pipeline enclosed in a steel conduit mounted on the Bridge but abandoned the conduit and sold it to CoxCom, LLC, doing business as Cox Communications, Inc. ("Cox"). The City did not approve Cox's occupation on the Bridge at that time. However, attached to this resolution is an easement granting permission to Cox for this use.

The Project requires access through City-owned properties located at 35 and 47 Water Street (LRSNs 12001133 and 12001132, respectively) (the "Properties") as illustrated on the attached aerial photograph. To implement the Project, VNG requests permanent and temporary construction easements on the Properties to install, operate, and maintain one line of underground pipe or conduit, together with necessary equipment and appurtenances, to transport or distribute natural gas or any other gases or substances. Staff recommends approval of the easements under the terms of the attached Deeds of Gas Easement and Temporary Construction Easement.

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

### **Discussion:**

N/A

### **Impact:**

N/A

**Recommendation:**

Approve Resolution

Execute Deeds of Gas Easement and Temporary Construction Easement with Virginia Natural Gas  
Execute Deed of Permanent Utility Easement Dedication with CoxCom, LLC

**WHEREAS**, to better serve the Hampton community, Virginia Natural Gas ("VNG") is improving its natural gas infrastructure by installing new facilities and distribution lines;

**WHEREAS**, one project VNG is undertaking, identified as AFE 158767-4076 E. Mellen Street Bridge Renewal," (i) removes the existing natural gas pipeline mounted on the E. Mellen Street Bridge that supplies gas to the Fort Monroe area, and (ii) replaces the existing pipeline to a more secure, enclosed location submerged under Mill Creek so as not to be exposed to climate conditions and passing watercraft (the "Project");

**WHEREAS**, previously, VNG had a gas pipeline enclosed in a steel conduit mounted on the Bridge but abandoned the conduit and sold it to CoxCom, LLC, doing business as Cox Communications, Inc. ("Cox");

**WHEREAS**, the City did not approve Cox's occupation on the Bridge at that time; however, attached to this resolution is an easement granting permission to Cox for this use;

**WHEREAS**, the Project requires access through City-owned properties located at 35 and 47 Water Street (LRSNs 12001133 and 12001132, respectively) (the "Properties") as illustrated on the attached aerial photograph;

**WHEREAS**, to implement the Project, VNG requests permanent and temporary construction easements on the Properties to install, operate, and maintain one line of underground pipe or conduit, together with necessary equipment and appurtenances, to transport or distribute natural gas or any other gases or substances;

**WHEREAS**, staff recommends approval of the easements under the terms of the attached Deeds of Gas Easement and Temporary Construction Easement;

**WHEREAS**, this item is exempt from the public hearing requirement under Va. Code § 15.2-1800(B) (ii); and

**WHEREAS**, grant of the easements to Virginia Natural Gas, Inc. is deemed fair and reasonable; and the terms of the deeds, copies of which are attached to this Resolution, are reasonable and acceptable.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA:**

1. That the deeds of gas easement (totaling 1,897 square feet) and temporary construction easement (totaling 5,503 square feet), both areas more or less, on City properties located at 35 and 47 Water Street (LRSNs 12001133 and 12001132) to Virginia Natural Gas, Inc. and the deed granting a utility easement to CoxCom, LLC (totaling 295 square feet, more or less, are approved; and

2. That the City Manager or her designee is hereby authorized to execute the deed of easements between the City of Hampton and Virginia Natural Gas, Inc. and the deed of permanent utility easement between the City of Hampton and CoxCom, LLC as set forth in this Resolution.