



## Legislation Text

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**File #:** 21-0266, **Version:** 1

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Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Phillips - Brown LLC to Allow an Encroachment Into a Portion of City Line Road for the Installation of Conduit and Cable.

### **PURPOSE/BACKGROUND:**

Phillips - Brown LLC, ("Licensee") owns the property located at 5000 City Line Road (LRSN 1000079) ("Licensee's Parcel"). City Line Road, a public right-of-way divides the City of Hampton and the City of Newport News. Licensee requests permission to encroach into a 126 +/- square foot area of the City Right-of-Way as requested in 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, Phillips - Brown LLC owns property in Hampton, Virginia, referred to as 5000 City Line Road, Hampton, Virginia 23661, LRSN 1000079 (the "Licensee's Parcel");

WHEREAS, Phillips - Brown LLC has requested permission to encroach into a 126+/- square foot area of the City of Hampton ("City") Right-of-Way adjacent to 5000 City Line Road to install conduit and cable; and

WHEREAS, City staff have reviewed the request and recommend granting Phillips - Brown LLC 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 Phillips - Brown LLC 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.