

## RESOLUTION

### CONDEMNATION IN IRONBOUND SQUARE -

#### WATFORD LANE STORMWATER DETENTION BASIN

WHEREAS, a stormwater detention basin is needed for the Ironbound Square Elderly Housing Project; and

WHEREAS, the detention basin needs to be located on the real property commonly known as 120 Watford Lane and designated as Parcel No. (1-109) on James City County Real Estate Tax Map No. (39-2) (the "Property"); and

WHEREAS, after holding a public hearing, in the opinion of the Board of Supervisors of James City County, Virginia, a public necessity exists for the acquisition of the Property for the construction of a stormwater detention basin for public purposes and for the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The acquisition of the hereinafter described property for stormwater drainage purposes is declared to be a public necessity and to constitute an authorized public undertaking pursuant to §15.2-1901.1, Code of Virginia (1950), as amended; and it is further declared that the acquisition and use of such property by the County will constitute a public use as defined by § 15.2-1900, Code of Virginia (1950), as amended.
2. The County elects to use the procedures set forth in §§ 25.1-300 et seq., as authorized by §15.2-1904A, Code of Virginia (1950), as amended.
3. A public necessity exists that the County enter upon and take the hereinafter described property for the purposes described herein above before the conclusion of condemnation proceedings, and the County declares its intent to so enter and take the property under those powers granted pursuant to §§15.2-1902, 15.2-1904 and 15.2-1905 Code of Virginia (1950), as amended.
4. The County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan be, and they hereby are, authorized and directed to acquire by voluntary acquisition or, if necessary, by condemnation in the manner provided by Title 25, Code of Virginia (1950), as amended, and by Title 15 (§ 15.2-1900 et seq.), Code of Virginia (1950), as amended, the hereinafter-described property.
5. The names of the present owners of the property to be acquired are: Jerome Randolph, Jr., Executor for the Estate of Eugene Robinson, deceased; the heirs of George Robinson, deceased, who are Carrie Robinson, Recia Lord, and Robin

Young; the heir of Willie Robinson, Jr., deceased, who is Leisa Robinson; and the heirs of Evelyn Robinson Randolph, deceased, who are Jerome Randolph, Jr., Lewis E. Randolph, the heirs of Jean Randolph Lewis, deceased, who are Marlon Lewis, Joey Nathan Lewis, and Benita Lewis, the heirs of Carolyn Randolph Copeland, deceased, who are James K. Copeland, Jr., and Eric G. Copeland, and the heirs of Joan Randolph Wallace, deceased, who are Kimberly Randolph, Michael D. Randolph, and Ramona Randolph, and other unknown heirs.

6. A substantial description of the property is: A CERTAIN lot of land; situate in Jamestown District, James City County, Virginia, being a portion of the tract known as "Mill Neck", situate east of Ironbound Road, bounded and described as follows: Beginning at a point on the easterly side of a 14-foot alley, which point is 364 feet east of Ironbound Road and which point is the northwesterly corner of the lot of George Wallace; thence in a northerly direction along said alley the distance of 125 feet to the southerly line of the lot of Dorothy Bartlett; said lot then extends back in an easterly direction the distance of 175 feet, and is bounded on the north by the Bartlett lot, on the south by the lot of George Wallace, on the west by the said alley, and on the east by the remaining land of Wallace R. Parker; and is a portion of the same property as that conveyed to the said Wallace R. Parker by deed from Samuel Harris and wife, dated May 28, 1889, and recorded in James City Deed Book 5, Page 190.

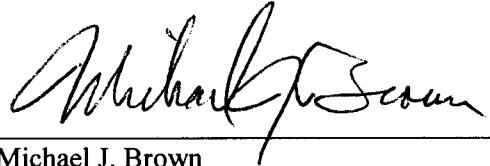
LESS AND EXCEPT all that certain tract situate in James City County, Virginia as shown and set forth on that plat entitled: "A Plat for Conveyance and Easement to James City County Sanitary District No 3," from: Willie and Eugene Robinson, dated February 18, 1975, Revised March 1, 1976, made by Deward M. Martin and Associates, Inc., Drawing No J02-11-0, under that certain Certificate of Take, recorded April 8, 1976, in Deed Book 167, Page 725.

LESS AND EXCEPT all that certain lot, piece or parcel of land lying and situate in Berkeley District, James City County, Virginia, shown and designated as Parcel A (New R/W 0.005 acre +), Parcel B (Exist. Private R/W) and Parcel C (Slope Easement) on that certain plat entitled "PLAT FOR CONVEYANCE AND DEDICATION OF RIGHT- OF-WAY, FROM: WILLIE AND EUGENE ROBINSON, TO: JAMES CITY COUNTY, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA", dated January 1980, Job #J05-109, made by Small Engineering, Inc., Williamsburg, Virginia, under that certain Certificate of Take, dated August 12, 1980, recorded in Deed Book 205, Page 526.

It being the same property conveyed to Willie Robinson and Eugene Robinson, by deed from Wallace R. Parker, single, dated May 2, 1949, recorded November 20, 1950, in Deed Book 44, Page 184.

7. Just compensation is estimated to be \$22,500 based upon an appraisal.
8. No condemnation proceedings shall be commenced until the preconditions of §15.2-1903(A), Code of Virginia (1950), as amended, have been met.

9. In the event any of the property described in Paragraph 6 of this resolution has been conveyed, the County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan are authorized and directed to institute proceedings against the successors in title.
10. That an emergency is declared to exist, and this resolution shall be effect from the date of its passage.



Michael J. Brown  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of October, 2005.

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