

Agenda Item VII. D.

Meeting Date: February 21, 2017

Department: Planning/Zoning

Issue: **Gift and Disposition of Jail Property**

Board Action: The Board is conducting a public hearing to consider acceptance of a gift of land and the conveyance of an easement to an adjoining parcel.

Attachment:

- Plat showing reconfiguration of lands owned by Blue Ridge Regional Jail Authority and Amherst Board of Supervisors.
- Plat showing resurvey and reconfiguration of lands owned by Lee Family LLC., and appurtenant easements.
- Resolution 2017-0006-R

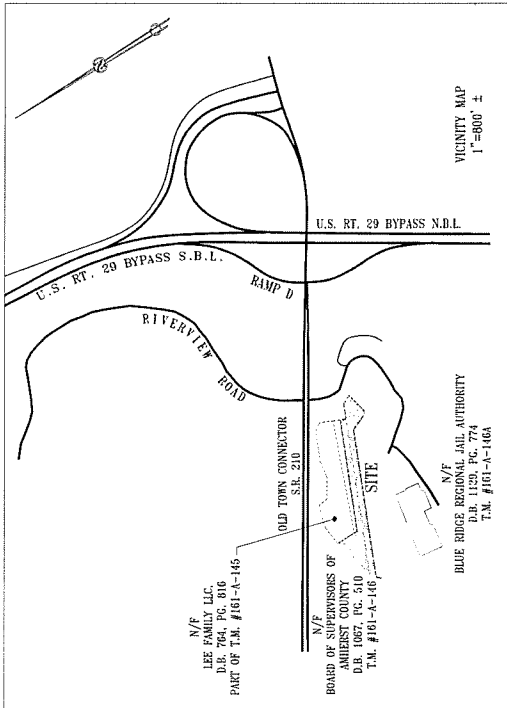
Summary: The Lee Family LLC., is seeking better access to tax map parcel 161-A-145 (approximately 4.3 acres) which has no ingress/egress due to the construction of the Route 210 connector. The proposal to provide access requires changes to two plats.

The first plat (Commission # 16068) conveys a linear strip of land (2.169 acres) from the Blue Ridge Regional Jail (BRRJ) to Amherst County. As a result, Amherst County would increase tax map parcel 161-A-146 from 92.035 acres to 94.204 acres. While the BRRJ Board of Directors must yet approve this transfer, the BRRJ Director and staff are supportive. While approval from the BRRJ Board was expected last month, the topic was tabled until its next meeting for reasons unrelated to the topic.

The second plat (Commission #16056) reconfigures a gap of land of 1.008 acres between the Lee Family parcel and the County parcel. It will provide a variable width ingress/egress utility and drainage easement across Amherst County property for the benefit of the Lee's tax map parcel 161-A-145. To convey an easement the County must hold a public hearing.

In that the County is unable to convey the easement until it receives the parcel from the BRRJ, this hearing is to approve the execution of the conveyance once the parcel is received.

Recommendation: That the Board adopt Resolution 2017-0006-R and direct the Chair to withhold her signature until the parcel is received from the Blue Ridge Regional Jail.



NOTES:

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.
2. THIS PROPERTY IS IN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. MAP # 510800415B, EFFECTIVE DATE SEPTEMBER 19, 2007.
3. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN HEREON.
4. NO DETERMINATION OF WETLANDS WAS REQUESTED OF, NOR WAS ANY DETERMINATION MADE BY JAMES C. MAY & ASSOCIATES, P.C. OR THIS SURVEYOR. THIS PLAT DOES NOT ADDRESS THE EXISTENCE OF THE AFOREMENTIONED IN OR AROUND THE BOUNDARIES OF THIS PROPERTY.
5. THIS PROPERTY IS NOT IN A PRIMARY OR SECONDARY WATERSHED.
6. THIS PROPERTY WILL BE SERVED BY PUBLIC WATER AND PRIVATE SEWER SYSTEMS.
7. THE VIRGINIA DEPARTMENT OF HEALTH ADVISES THAT SEPTIC TANKS BE PUMPED EVERY 3 TO 5 YEARS TO MAXIMIZE THE LIFE OF THE ON-SITE WASTEWATER SYSTEM AREA.
8. NO SURFACE INVESTIGATIONS HAVE BEEN PERFORMED AND THE SURVEYOR DISCLAIMS RESPONSIBILITY FOR THE EXISTENCE OR NON-EXISTENCE OF ANY AND ALL UNDERGROUND UTILITIES.
9. THERE ARE NO SETBACK REQUIREMENTS FOR THE PUBLIC LAND DISTRICT.

LIST OF REFERENCES:

- 1) P.B. A. PG. 48 - PLAT BY C.G. MASSIE S.A.C. DATED OCTOBER, 1916.
- 2) D.B. 77, PG. 409 - PLAT BY C.G. & L.R. MASSIE, SURVEYORS DATED OCTOBER, 1917.
- 3) D.B. SS, PG. 71 - PLAT BY E.N. WISE, SURVEYOR DATED JULY, 1885.
- 4) P.B. A. PG. 314 - PLAT BY DEMOTT & MAGRUDER DATED FEB. 23, 1933.
- 5) P.B. E. PG. 40 - PLAT BY ADRIAN OVERSTREET S.C.S. DATED OCTOBER 29, 1955.
- 6) P.C. 1, SLIDE 173 - PLAT BY J.A. MICHAEL NICHOLS DATED APRIL 10, 2007.
- 7) D.B. 1154, PG. 156/157 - APPALACHIAN POWER COMPANY 25' UTILITY EASEMENT.
- 8) P.B. G. PG. 12 - PLAT BY ADRIAN OVERSTREET S.C.S., DATED APRIL 10, 1964

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

DATE: _____ BY: _____ AMHERST COUNTY OFFICIAL

STATE OF VIRGINIA
CITY/COUNTY OF _____ TO WIT:
I, _____, A NOTARY PUBLIC IN
AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE NAMES SIGNED TO
THE FOREGOING CONSENT STATEMENT WERE ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF _____, 20____.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

DATE: _____ BY: _____ BLUE RIDGE REGIONAL JAIL OFFICIAL

STATE OF VIRGINIA
CITY/COUNTY OF _____ TO WIT:
I, _____, A NOTARY PUBLIC IN
AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE NAMES SIGNED TO
THE FOREGOING CONSENT STATEMENT WERE ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF _____, 20____.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

APPROVED:

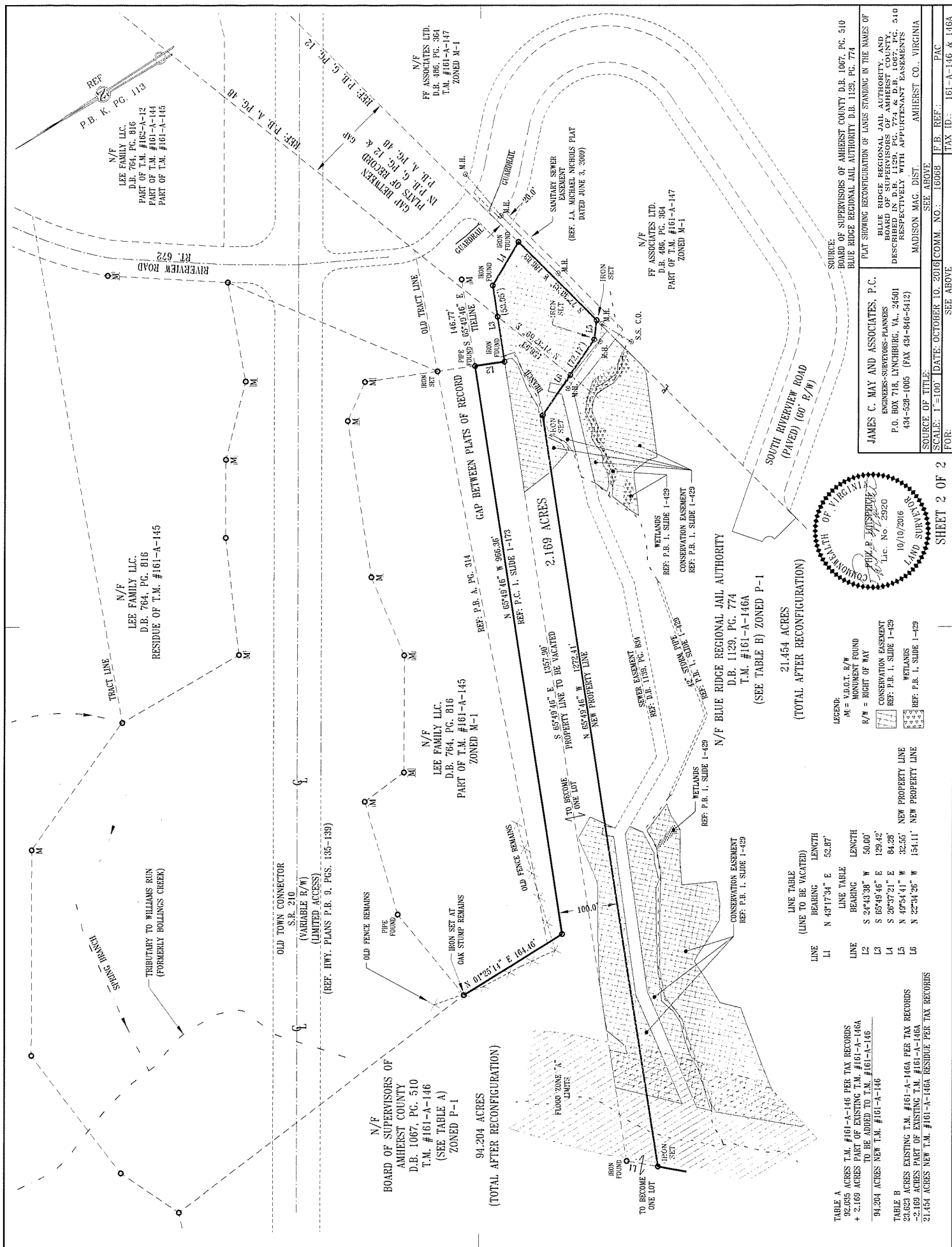
AMHERST COUNTY SUBDIVISION AGENT DATE

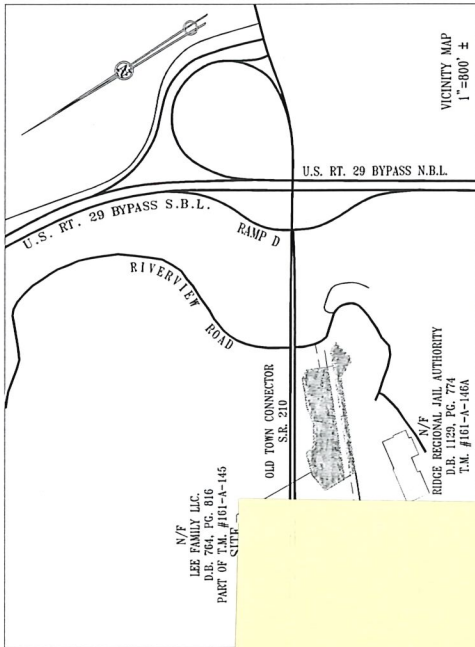
AMHERST COUNTY SERVICE AUTHORITY DATE

REVIEWED BY: _____ DATE: _____
VOTER REPRESENTATIVE: _____
THE SIGNATURE OF VOTER'S REPRESENTATIVE IS AN ACKNOWLEDGMENT OF THE
SUBDIVISION OF LAND AND IS NOT AN ENDORSEMENT OF THE ACCURACY OF
THE SURVEY.

SOURCE:
BOARD OF SUPERVISORS OF AMHERST COUNTY D.B. 1067, PG. 510
BLUE RIDGE REGIONAL JAIL AUTHORITY D.B. 1129, PG. 774

JAMES C. MAY AND ASSOCIATES, P.C. ENGINEERS-SURVEYORS-PLANNERS P.O. BOX 710, LYNCHBURG, VA. 24501 434-528-1065 (FAX 434-846-5412)	PLAT SHOWING RECONFIGURATION OF LOTS STANDING IN THE NAMES OF BLUE RIDGE REGIONAL JAIL AUTHORITY, AND BOARD OF SUPERVISORS OF AMHERST COUNTY, DESCENDING FROM THE LANDS OF THE AMHERST COUNTY, VIRGINIA RESPECTIVELY WITH APPURTENANT EASEMENTS
MADISON MAG. DIST. AMHERST CO., VIRGINIA	
SEE ABOVE	
SOURCE OF TITLE: 06/02/2016	COMM. NO.: 16068
SCALE: 1"=100'	DATE: 06/02/2016
FOR: SEE ABOVE	TAX ID.: 161-A-146 & 146A





N/F
LEE FAMILY LLC
D.B. 764, PG. 816
PART OF T.M. #161-A-145
SITE

RICE REGIONAL AIR AUTHORITY
D.B. 1129 PG. 74
T.M. #161-A-146A

VICINITY MAP
1"=800' ±

- SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE NECESSARILY INDICATE ANY ENCUMBRANCES UPON THE PROPERTY.
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 - THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN HEREON.
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 - THIS PROPERTY IS NOT IN A PRIMARY OR SECONDARY WATERSHED.
 - THIS PROPERTY WILL BE SERVED BY PUBLIC WATER AND PRIVATE SEWER SYSTEMS.
 - THE VIRGINIA DEPARTMENT OF HEALTH ADVISES THAT SEPTIC TANKS BE PUMPED EVERY 3 TO 5 YEARS TO MAXIMIZE THE LIFE OF THE ON-SITE WASTEWATER SYSTEM AREA.
 - NO SURFACE INVESTIGATIONS HAVE BEEN PERFORMED AND THE SURVEYOR DISCLAIMS RESPONSIBILITY FOR THE EXISTENCE OR NON-EXISTENCE OF ANY AND ALL UNDERGROUND UTILITIES.
 - T.M. #161-A-145 IS ZONED M-1 (SEE SHEET 2 FOR M-1 REQUIREMENTS).
 - T.M. #161-A-146 AND 146A ARE ZONED P-1 (PUBLIC LANDS DISTRICT). THERE ARE NO SETBACK REQUIREMENTS FOR THE PUBLIC LAND DISTRICT.
 - THE 1.008 ACRE HATCHED AREA REPRESENTS A GAP BETWEEN PLATS RECORDED IN P.C. 1, SLIDE 1-173 AND P.B. A, PG. 314 (SEE LIST OF REFERENCES)

LIST OF REFERENCES:

- P.B. A, PG. 48 - PLAT BY C.G. MASSIE S.A.C. DATED OCTOBER, 1916.
- D.B. 77, PG. 409 - PLAT BY C.G. & L.R. MASSIE, SURVEYORS DATED OCTOBER, 1917.
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THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

DATE: _____ BY: _____ AMHERST COUNTY OFFICIAL

STATE OF VIRGINIA
CITY/COUNTY OF _____ TO WIT:
I, _____ A NOTARY PUBLIC IN
AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE NAMES SIGNED TO
THE FOREGOING CONSENT STATEMENT WERE ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF _____, 20____.
MY COMMISSION EXPIRES: _____

_____, NOTARY PUBLIC

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

DATE: _____ BY: _____ LEE FAMILY LLC.

STATE OF VIRGINIA
CITY/COUNTY OF _____ TO WIT:
I, _____ A NOTARY PUBLIC IN
AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE NAMES SIGNED TO
THE FOREGOING CONSENT STATEMENT WERE ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF _____, 20____.
MY COMMISSION EXPIRES: _____

_____, NOTARY PUBLIC

APPROVED:

AMHERST COUNTY SUBDIVISION AGENT DATE

AMHERST COUNTY SERVICE AUTHORITY DATE

REVIEWED BY: _____ DATE: _____
VOTER REPRESENTATIVE.
THE SIGNATURE OF VOTER'S REPRESENTATIVE IS AN ACKNOWLEDGMENT OF THE SUBDIVISION OF LAND AND IS NOT AN ENDORSEMENT OF THE ACCURACY OF THE SURVEY.



JAMES C. MAY AND ASSOCIATES, P.C. ENGINEERS-SURVEYORS-PLANNERS P.O. BOX 718, LYNCHBURG, VA. 24501 434-526-1065 (FAX 434-846-5412)		PLAT SHOWING RESURVEY & RECONFIGURATION OF LANDS STANDING IN THE NAME OF LEE FAMILY LLC., 210 ON SOUTH SIDE, S.R. 210 DESCRIBED IN D.B. 764, PG. 816 WITH ADJUTANT EASEMENTS MADISON MAG. DIST. AMHERST CO., VIRGINIA	
SOURCE OF TITLE: _____	LEE FAMILY LLC, D.B. 764, PG. 816	DATE: 9/21/2016	FOR: LEE FAMILY LLC, C/O MIRE LEE
SCALE: 1"=100'	COMM. NO.: 16056	F.B. REF.: _____	TAX ID.: _____
		PAC	PART OF 161-A-145



Amherst County Board of Supervisors
County Resolution No. 2017-0006-R

For consideration on February 21, 2017

A RESOLUTION, NO. 2017-0006-R

A resolution, expressing the willingness of Amherst County to accept the conveyance of an interest in real property, specifically a linear strip of land (2.169 acres), from the Blue Ridge Regional Jail Authority.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE AMHERST COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Board of Supervisors of Amherst County hereby expresses its willingness to accept the conveyance of an interest in real property, specifically a linear strip of land (2.169 acres), from the Blue Ridge Regional Jail Authority, as follows:

WHEREAS, the Blue Ridge Regional Jail Authority ("BRRJA") holds title to certain land lying along the Route 210 connector on which is sited the Blue Ridge Regional Jail; and

WHEREAS, BRRJA may wish to transfer 2.169 acres of that land, as depicted on the Plat dated October 10, 2016, Commission number 16068 ("Plat"), which Plat is attached hereto as Exhibit A; and

WHEREAS, the Amherst County Board of Supervisors ("Board") is desirous of supporting improved access by the Lee Family, LLC to certain property owned by the Lee Family, LLC which adjoins property owned by Amherst County; and

WHEREAS, transfer of property as depicted on the Plat, from the BRRJA to the County will allow the County to in turn facilitate the Lee Family, LLC's access to their property by affording them an easement over the newly-owned County property; and

WHEREAS, the Amherst County Attorney will review the deed and ensure it is in proper form for acceptance by the County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

That the Board does hereby express its willingness to consent to and approve of the conveyance of the interest in real property as depicted on the Plat attached hereto as Exhibit A from the Blue Ridge Regional Jail Authority, and Claudia D. Tucker, in her capacity as Chair of the Board, on behalf of the Board, is hereby authorized and directed to execute and deliver the deed once it has been put in proper form by the Amherst County Attorney.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 21st day of February, 2017.

Claudia D. Tucker, Chair
Amherst County Board of Supervisors

ATTEST:

Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes ____

Nays ____

Abstentions ____