



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No.

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Agenda Title: RESOLUTION — Condemnation — Right-of-Way and Easement — East Parham Road and Staples Mill Road Intersection Improvements Project — 8727 Staples Mill Road — Brookland District

For Clerk's Use Only:

Date: _____

☐ Approved

☐ Denied

☐ Amended

☐ Deferred to: _____

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

Cooper, R. _____

Nelson, T. _____

Rogish, J. _____

Roundtree, M. _____

Schmitt, D. _____

WHEREAS, it is necessary for construction of the East Parham Road and Staples Mill Road Intersection Improvements project (the "Project") that the County acquire 40 square feet of right-of-way (the "Right-of-Way") and 98 square feet of temporary construction easement (the "Easement") across the property located at 8727 Staples Mill Road, identified as Tax Map Parcel 770-755-3230, and owned by Richmond Pooh Chase, LLC (the "Owner"); and,

WHEREAS, the County has offered the Owner \$3,157 as compensation for the Right-of-Way and Easement, the affected improvements, costs to cure, and damages to the remainder, if any, but the parties cannot reach an agreement; and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia, desires to exercise the authority granted by the Code of Virginia (the "Code") to acquire title, enter upon, and take possession of the Right-of-Way and Easement, and construct the Project prior to or during the condemnation proceedings; and,

WHEREAS, the Board held an advertised public hearing pursuant to §§ 15.2-1903 and 15.2-1905 of the Code, at which time the Board declared its intent to enter and take the Right-of-Way and Easement for the Project across portions of the Owner's property.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easement over, under, upon, across, and through the property of the Owner, as shown on a plat made by H&B Surveying and Mapping, LLC dated January 17, 2025, a reduced sized copy of which is attached and marked as Exhibit "A," and on Sheet No. 3 of E Parham Road and Staples Mill Road Intersection Improvements Project dated March 20, 2026, a reduced sized copy of which is attached and marked as Exhibit "B;" and,

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easement to construct the Project prior to or during condemnation proceedings in accordance with the Code; and,
- (3) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easement for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession, and acquisition of the Right-of-Way and Easement; and,
- (4) The Board authorizes the County Attorney to institute and conduct condemnation proceedings to acquire the Right-of-Way and Easement in accordance with the Code; and,
- (5) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easement, to take all steps necessary to acquire the Right-of-Way and Easement, and to enter on and take possession of the required Right-of-Way and Easement in accordance with the Code.

Comments: The Real Property Division has been unsuccessful in negotiating an agreement for the acquisition of the Right-of-Way and Easement. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper; the County Manager concurs.