



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

Agenda Item No.

Page No. 1 of 2

Agenda Title: RESOLUTION — Condemnation — Right-of-Way and Easement — Fall Line Trail Lakeside Community Trail Phase 1 — 1725 Vale Street— Fairfield District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: _____	Moved by (1) _____ (2) _____	Seconded by (1) _____ (2) _____	Cooper, R. _____	_____
() Approved	REMARKS: _____	Nelson, T. _____	_____	_____
() Denied	_____	Rogish, J. _____	_____	_____
() Amended	_____	Roundtree, M. _____	_____	_____
() Deferred to: _____	_____	Schmitt, D. _____	_____	_____

WHEREAS, it is necessary for construction of the Fall Line Trail Lakeside Community Trail Phase 1 Project (the "Project") that the County acquire 3,371 square feet of Right-of-Way and 401 square feet of temporary construction easement (the "Right-of-Way and Easement") across the property located at 1725 Vale Street, identified as Tax Map Parcel 783-743-3890, and owned by Davin M. Smith and Shonda M. Smith. (the "Owners"); and,

WHEREAS, the County has offered the Owner \$11,565 as compensation for the Right-of-Way and Easement, the affected improvements, the cost to cure, and damages to the remainder, if any, but the parties cannot reach an agreement and finalize the acquisition of the Right-of-Way and Easement; 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 to 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 Owners' 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 Owners, as shown on a plat made by H&B Surveying and Mapping, dated January 12, 2026, a reduced size copy of which is attached and marked as Exhibit "A" as well as on Sheets No. 3, 3A, 3B, 3C, and 3D dated December 17, 2024, of Fall Line Trail Lakeside Community Trail Phase 1 Project, reduced size copies of which are attached and marked as Exhibits "B," "B-1," "B-2," "B-3," and "B-4;" 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, take all steps necessary to acquire the Right-of-Way and Easement, and 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.