



# MEMORANDUM

**To:** Board of Directors  
**From:** Gary W. Fern, P.E., Executive Director  
**Date:** January 14, 2010  
**Re:** North Fork Regional Pump Station-Easement Acquisition Resolution  
**cc:** James M. Bowling, IV

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At the October Meeting, the Board of Directors passed a General Resolution that authorized the acquisition of easements for the North Fork Regional Pump Station (NFRPS) Project, if the need arises to initiate the condemnation process. As the project design proceeded, it became necessary to revise some of the easement plats, plus an access easement plat was created for the Chiro, LLC property. Attached is a resolution with the revised plats and the new easement plat. In order to proceed with this process, we are requesting that the Board of Directors pass a General Resolution. It is our intent to successfully negotiate easements with each of the landowners listed within the Resolution, and not to require condemnation of easements. If condemnation is necessary, we will return to the Board with the appropriate certificates and documentation for approval.

## **Board Action**

We request that the Board of Directors pass the Resolution for Easement Acquisition for the North Fork Regional Pump Station Project allowing the staff to proceed with condemnation, if necessary.

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## RESOLUTION

WHEREAS, it is necessary for the Albemarle County Service Authority (the "ACSA") to provide a sewer system for the area adjacent to Route 29 and north of Airport and Proffit Roads in Albemarle County Virginia, such system to include the installation of two pump stations and sewer lines and appurtenances thereto in accordance with plans, specifications and plats on file in the office of the Executive Director of the ACSA; and

WHEREAS, it is necessary to acquire both construction and permanent easements for the installation of such pump stations and sewer lines; and

WHEREAS, the owners of properties affected as shown on the plans and plats may be unwilling to convey the needed easements;

NOW, THEREFORE, BE IT RESOLVED by the ACSA that the Executive Director of the ACSA be, and he hereby is, authorized and instructed to acquire, pursuant to authority contained in Virginia Code Section 15.2-5114.6, the necessary sanitary sewer easements, both permanent and temporary construction easements, for the installation of sewer lines and appurtenances thereto across properties as shown on plats of Rice Associates as listed in the Table on the following page.

<u>No.</u>	<u>Plat Dated</u>	<u>Referenced Properties</u>	<u>Owner(s)</u>	<u>District</u>
1	September 22, 2009 Rev. October 1, 2009	TMP#03200-00-00-005E0	Chiro, LLC	Rio
2	June 16, 2009 Rev. December 16, 2009	TMP#03200-00-00-022LI	Corolla Management Corporation	Rio
3	November 16, 2009	TMP#03200-00-00-022P0	Thomas E. Wood	Rivanna
4	November 16, 2009	TMP#03200-00-00-022E0	Apex, LLC	Rivanna
5	August 24, 2009 Rev. January 7, 2010	TMP#032A0-02-00-001B0	Southern States Charlottesville Cooperative, Inc.	Rivanna
6	August 24, 2009 Rev. January 7, 2010	TMP#032A0-02-00-001A0	Martha Jefferson Hospital	Rivanna

Reference is made to the Plats for the location of the easements as they cross the aforesaid properties. The plats are on file in the office of the Executive Director.

The Executive Director is further authorized and directed to take such action as may be authorized by law to obtain possession for the ACSA of such sewer easements at the earliest possible date.

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Certified to be a true copy of a Resolution adopted by the Albemarle County Service Authority Board of Directors at a regularly scheduled meeting on January 21, 2010 by a vote of \_ to \_.

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Gary W. Fern, P.E., Secretary-Treasurer