

AN ORDINANCE NO. 22-19

Approving a Deed of Easement with RIO Prime, LLC, whereby the City grants RIO Prime, LLC a ten-year greenspace easement over approximately 9,880 square feet of Cedar Lane.

WHEREAS, Cedar Lane is a public right-of-way in the City of Colonial Heights; and

WHEREAS, RIO Prime, LLC has submitted a preliminary plan of development to construct a car wash facility adjacent to Cedar Lane; and

WHEREAS, as part of its development and to beautify a part of Cedar Lane, RIO Prime, LLC desires to remove the pavement and plant grass and other City-approved vegetation over an approximate 9,880 square foot part of Cedar Lane; and

WHEREAS, the part of Cedar Lane on which RIO Prime, LLC wishes to plant grass and other vegetation is approximately 260 feet long by 38 feet wide and runs south from the southern boundary of A Avenue to the northern boundary of the lot known as parcel identification number 2200030A013; and

WHEREAS, Wallace Properties, LLC currently owns the property on which RIO Prime, LLC intends to build and operate its car wash facility; and RIO Prime, LLC has contracted with Wallace Properties, LLC to purchase the property; and

WHEREAS, RIO Prime, LLC has submitted a bid to be granted a ten-year greenspace easement over the above-referenced approximate 9,880 square foot part of Cedar Lane; and

WHEREAS, at the November 10, 2022 City Council meeting, Council's presiding officer summarized the bid from RIO Prime, LLC, inquired if any other bids were being offered, noted that no other bids were offered, declared the bidding closed, and received the staff's recommendation on the RIO Prime, LLC bid; and

WHEREAS, after holding a public hearing, the Council believes it is appropriate, contingent on RIO Prime, LLC's purchase of the property on which it will build its car wash facility and the City's approval of a final plan of development for the facility, to accept RIO Prime, LLC's bid and grant it the requested ten-year greenspace easement; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. The Council approves a Deed of Easement whereby the City grants RIO Prime, LLC a ten-year greenspace easement over the above-referenced approximate 9,880 square foot part of Cedar Lane that runs south from the southern boundary of A Avenue for approximately 260 feet to the northern boundary of the lot known as parcel identification number 2200030A013.

2. The approved Deed of Easement is attached hereto and made a part of this ordinance, and the City Manager is authorized to sign the Deed of Easement once the conditions referenced in paragraph 3 are met.

3. City Council's approval of this Deed of Easement is contingent on RIO Prime, LLC's purchase of the property on which it will build its car wash facility and the City's approval of a final plan of development for the car wash facility.

4. This ordinance shall be effective upon approval on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

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I certify that the above ordinance was:

Adopted on its first reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilmember: \_\_\_\_\_

The Honorable John E. Piotrowski, Councilmember: \_\_\_\_\_

The Honorable Dr. Laura F. Poe, Councilmember: \_\_\_\_\_

The Honorable John T. Wood, Councilmember: \_\_\_\_\_

The Honorable Robert W. Wade, Councilmember: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilmember: \_\_\_\_\_

The Honorable John E. Piotrowski, Councilmember: \_\_\_\_\_

The Honorable Dr. Laura F. Poe, Councilmember: \_\_\_\_\_

The Honorable John T. Wood, Councilmember: \_\_\_\_\_

The Honorable Robert W. Wade, Councilmember: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney