

**MOTION:**

**May 4, 2021  
Regular Meeting  
Res. No. 21-**

**SECOND:**

**RE:            AUTHORIZE CONDEMNATION AND EXERCISE QUICK-TAKE POWERS, IN ACCORDANCE WITH CHAPTER 3 OF TITLE 25.1 OF THE VIRGINIA CODE, TO ACQUIRE STREET DEDICATION AND A TEMPORARY CONSTRUCTION EASEMENT ON PROPERTY LOCATED AT 202 MILL STREET IN CONNECTION WITH THE MILL STREET CROSSWALKS AND AMERICAN DISABILITY ACT RAMPS PROJECT - OCCOQUAN MAGISTERIAL DISTRICT**

**ACTION:**

**WHEREAS**, the Mill Street Crosswalks and American Disability Act Ramps Project (Project) will construct a total of five (5) painted crosswalks and provide nine (9) Americans with Disabilities Act (ADA) compliant ramps with detectable warning provided by truncated domes along Mill Street at the intersections of Washington Street and Ellicott Street. The work will include removal and replacement of the curb, removal of existing pavers and base, installation of a 4-inch concrete base with stone, and installation of new ADA-compliant pavers at Mill Street's intersections with Washington Street and Ellicott Street and was approved by the Prince William Board of County Supervisors (Board) on November 27, 2018, via Resolution Number (Res. No.) 18-618; and

**WHEREAS**, the design for construction of the Project is such that the County needs to acquire 22 square feet of land for public street dedication and 75 square feet of land for a temporary construction easement, on property located at 202 Mill Street, owned by Sara C. Walker (Owner), as set forth on the plat attached hereto; and

**WHEREAS**, based on an independent Basic Acquisition Report (BAR), County staff offered \$1,500 to the Owner to acquire the necessary property interests on their property located at 202 Mill Street; and

**WHEREAS**, County staff has made a bona-fide but ineffectual effort to purchase the necessary property interests from the Owner, and in order to meet project deadlines and eliminate project delay costs, has recommended to the Board authorizing condemnation and exercising quick-take powers; and

**WHEREAS**, a public hearing has been duly advertised for this purpose and was conducted on May 4, 2021, pursuant to Section 15.2-1905(C) VA Code Ann. and all interested citizens were heard; and

**WHEREAS**, \$260,313 is currently available in the Project #19C17011 budget. The total fiscal impact is \$1,500. This amount is sufficient to authorize the expenditure and matches the BAR value of the property interests offered to the Owner;

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**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby finds that public necessity exists for the condemnation of the property and easements for construction of the Project and for the immediate exercise of its quick-take powers to enter upon and take possession prior to the condemnation proceedings to immediately acquire 22 square feet of land for public street dedication, and 75 square feet of land for a temporary construction easement on the Owner's property located at 202 Mill Street, all as set forth on the plat attached hereto;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the County Attorney, after payment into the Prince William County Circuit Court of the fair market value of the property and easements and upon filing of the Certificate of Taking, to proceed with the condemnation of the required property interests for the Mill Street Crosswalks and American Disability Act Ramps Project by quick-take condemnation or otherwise as provided by law;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the County Executive and the Director of Finance, or their designees, to sign the Certificate of Taking necessary for filing in Court and to disburse the calculated value in the amount of \$1,500 for the property interests on the Owner's property located at 202 Mill Street, and upon filing of the Certificate of Taking deposit said amounts at the Court in connection with the quick-take condemnation process on behalf of the Prince William Board of County Supervisors in accordance with the law;

**BE IT FURTHER RESOLVED** that the Department of Transportation will maintain all supporting documents related to the acquisition of the property and easements to assure that approval does not exceed authority limits;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the Director of Transportation, or his designee, to execute such documents that are necessary to affect the intent of the resolution and are approved as to form by the County Attorney's Office.

ATTACHMENT: Plat Showing Street Dedication and Temporary Construction Easement on the Property of Sara C. Walker, Deed Book 2673, Page 1754, Occoquan Magisterial District, Prince William County, Virginia, Prepared by Gordon, Dated October 16, 2020

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**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

County Attorney

Director of Transportation

**ATTEST:** \_\_\_\_\_

**Clerk to the Board**