

MOTION:

**May 10, 2022
Regular Meeting
Res. No. 22-**

SECOND:

RE: AUTHORIZE THE CONVEYENCE OF COMCAST UTILITY EASEMENTS ON COUNTY-OWNED PROPERTY LOCATED AT 18260 COCKPIT ROAD, DUMFRIES, VIRGINIA, 22026 – POTOMAC MAGISTERIAL DISTRICT

ACTION:

WHEREAS, the Prince William Board of County Supervisors (Board) owns the parcel of land located at 18260 Cockpit Road, Dumfries, Virginia, 22026, GPN #8388-17-9370; and

WHEREAS, the County has constructed a radio tower on Cherry Hill Road that is used for Public Safety and Emergency Communications; and

WHEREAS, the Department of Information Technology (DoIT) is implementing a design to modernize radio tower locations and is upgrading tower sites with fiber-optic cables; and

WHEREAS, Comcast Cable Communications Management LLC has been asked by DoIT to install fiber-optic cable at the Cherry Hill Radio Tower site, and Comcast Cable Communications Management LLC, needs an easement to access to the site to install fiber-optic cable, and

WHEREAS, the attached Grant of Easement prepared by Comcast Cable Communications Management LLC and the attached aerial photo describes and shows the terms, conditions, and location of the proposed easements; and

WHEREAS, pursuant to Section 15.2-1800, Va. Code Ann., the Board has the authority to grant an easement to Comcast Cable Communications Management LLC over and across County owned property; and

WHEREAS, County staff recommends the conveyance of the easement for these listed reasons;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby grants an easement to Comcast Cable Communications Management LLC, across County property at 18260 Cockpit Road, Dumfries, Virginia, 22026;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Director of the Department of Information Technology to sign the easement on behalf of the Prince William Board of County Supervisors.

May 10, 2022
Regular Meeting
Res. No. 22-
Page Two

ATTACHMENTS: Comcast Grant of Easement
Aerial Photo of Cockpit Point Road Cell Tower

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Chief Information Officer
Finance Director

ATTEST: _____

Clerk to the Board

GRANT OF EASEMENT

This Grant of Easement (the "Easement") dated this ____ day of _____, 20__ by and between **Board of County Supervisors of Prince Williams County**, hereinafter referred to as "Grantor(s)" and **Comcast Cable Communications Management, LLC**, and its successors and assigns, hereinafter referred to as "Grantee".

WHEREAS, Grantee provides certain broadband communications services to customers in **Dumfries, VA** (the "Service Area");

WHEREAS, Grantor(s) and Grantee mutually wish to enter into this Grant of Easement;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Grantor(s), owner(s) of the property described below, hereby grant(s) to Grantee, its successors and assigns, an easement in gross and right-of-way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time a broadband communications system (hereinafter referred to as the "System") consisting of underground conduits, cables, pedestals, vaults, and including but not limited to enclosures, markers and concrete pads or other appurtenant fixtures and equipment necessary or useful for distributing broadband services and other like communications, in, on, under, across and along that certain portion of the real property (the "Property") as shown on the plans attached hereto as **Exhibit A-1** (such portion of the Property being hereinafter referred to collectively as the "Easement Area"), located in the Municipality of **Potomac**, County of **Prince Williams**, State of **Virginia** described as follows:

Parcel #: 8388-17-9370
Book #: N/A

Instrument #: 201509020073486
Page #: N/A

LEGAL DESCRIPTION:
(See Attached Exhibit A)

Site Address: 18260 Cockpit Point Road, Dumfries, VA 22026

Grantor(s) agree for themselves and their heirs and assigns that the System on the Property shall be and remain the personal property of the Grantee and may not be altered, obstructed or removed without the express written consent of the Grantee. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut trees and/or roots which may endanger or interfere with said System and shall have free access to said System and every part thereof, at all times for the purpose of exercising the rights herein granted: provided, however, that in making any excavation on said Property of the Grantor(s), the Grantee shall make the same in such manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the area to as near the same condition as it was prior to such excavation as is practical. This Easement shall run with the land for so long as Grantee, its successors or assigns provides broadband service to the Service Area.

Executed as of the date first written above.

WITNESS

GRANTOR:

**Board of County Supervisors of Prince Williams
County**

By: _____
Name: _____
Title: _____

STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by _____ (name),
the _____ (title) of
Board of County Supervisors of Prince Williams County (entity/address). He/she is
personally known to me or has presented _____ (type) as identification and
did/did not take an oath.

Witness my hand and official seal.

_____ Signature

_____ Notary Public
(Print Name)

My Commission expires: _____

WITNESS

GRANTOR:

**Board of County Supervisors of Prince Williams
County**

By: _____

Name: _____

Title: _____

STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by _____ (name),
the _____ (title) of
Board of County Supervisors of Prince Williams County (entity/address). He/she is
personally known to me or has presented _____ (type) as identification and
did/did not take an oath.

Witness my hand and official seal.

_____ Signature

_____ Notary Public

(Print Name)

My Commission expires: _____

WITNESS:

GRANTEE:

**Comcast Cable Communications Management,
LLC**

By: _____
Name: **Thomas Kearney**
Title: **VP, Network Engineering**

STATE OF MARYLAND)

)ss.

COUNTY OF **BALTIMORE**)

The foregoing instrument was acknowledged before me this ___ day of _____, 20__
by **Thomas Kearney** (name), the **VP, Network Engineering** (title) of **Comcast Cable
Communications Management, LLC** (entity), on behalf of said entity. He/she is personally
known to me or has presented _____ (type of identification) as identification
and did/did not take an oath.

Witness my hand and official seal.

_____ Signature

_____ Notary Public

(Print Name)

My Commission expires: _____

EXHIBIT A TO GRANT OF EASEMENT

Legal Description

WHEREAS, HSC and CHR desire to dedicate and convey to the County the HSC Property consisting of 16.16812 acres, more or less, and portions of the CHR Property (hereinafter "CHR Parcel") consisting of a total of 96.91737 acres, more or less, respectively, for use as open space/passive recreation purposes and for a telecommunications tower, said HSC Property and CHR Parcel being identified as Landbay 6 on the Potomac Shores Master PMR/PMD Zoning Plan – Land Use Plan, ~~attached hereto as Attachment 1;~~ and

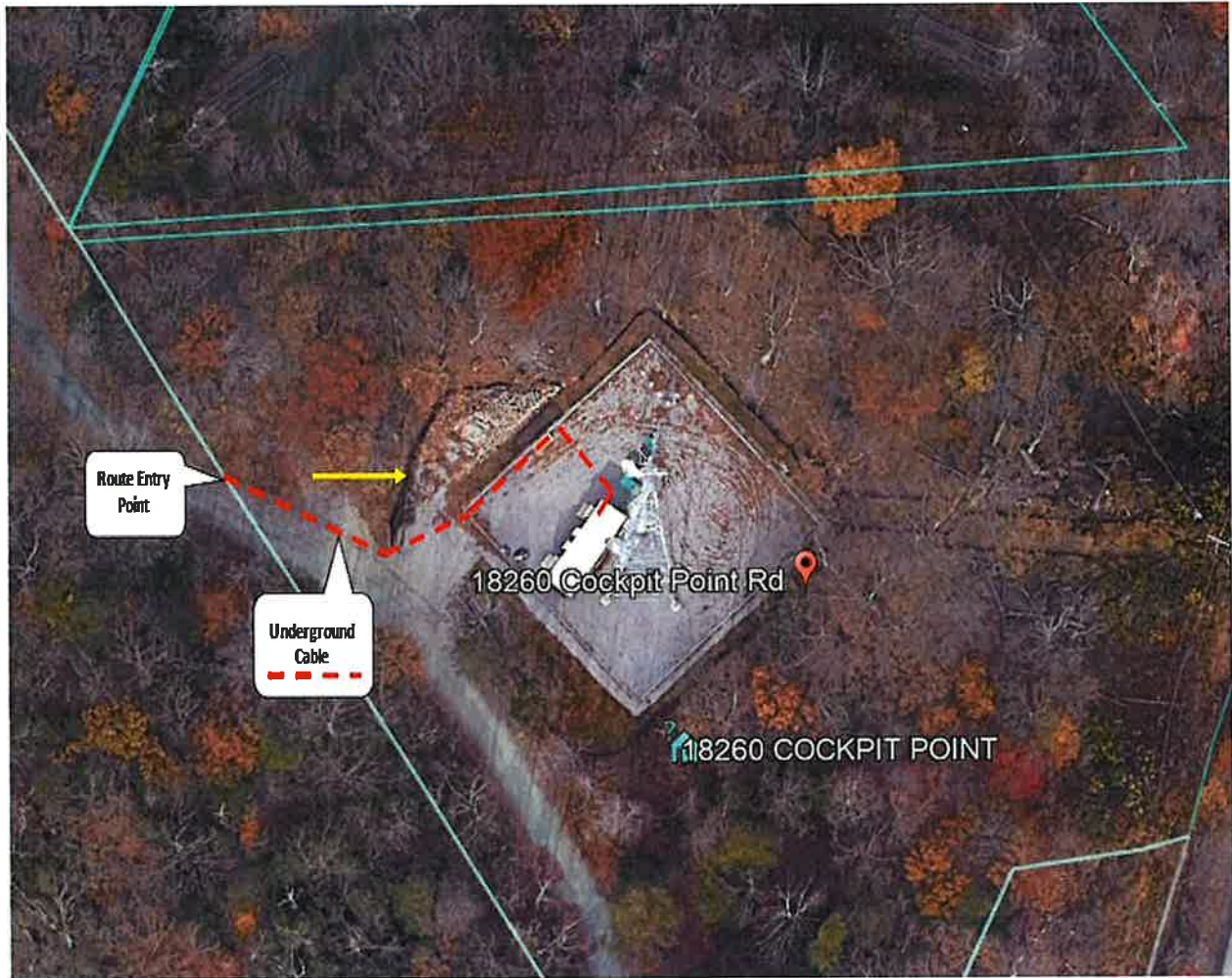
WHEREAS, this dedication and conveyance is made to satisfy the obligations of HSC and CHR with respect to Proffer #39 of Proffer Statement, Rezoning #PLN2012-00420, Potomac Shores (hereinafter the "Proffer Statement").

Property being located in the Municipality of Potomac, County of Prince Williams, State of VA.

(REMAINDER OF PAGE LEFT BLANK)

Exhibit A-1

Comcast Easement to extend service to neighboring property. Cable to be installed Underground starting at Route Entry Point spanning approximately 195' to Tower Building as depicted below.



18260 Cockpit Point Road -Cell Tower



The information contained on this page is not to be construed or used as a legal description. Map information is believed to be accurate but accuracy is not guaranteed. Any errors or omissions should be reported to the Prince William County Geographic Information Systems Division of the Department of Information Technology. In no event will Prince William County be liable for any damages, including loss of data, lost profits, business interruption, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains.

Selected Feature Information

Parcels (1 record located)

GPIN: 8388-17-9370

Parcel Address: 18260 COCKPIT POINT RD
DUMFRIES, VA 22026

Owner: PWC BOARD OF COUNTY SUPERVISORS
1 COUNTY COMPLEX CT
WOODBIDGE, VA 22192

Acreage: 3.0396

Instrument No.: 201509020073486

Real Estate Account: 257625

Lot Number: C



PRINCE WILLIAM COUNTY VIRGINIA
 REAL ESTATE ASSESSMENTS

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18260 COCKPIT POINT RD

8388-17-9370

General Info | Notes | Map

Property Information			
Account Number	257625	Property Address:	
Owner Name	PWC BOARD OF COUNTY SUPERVISORS	18260 COCKPIT POINT RD	
Owner Address	1 COUNTY COMPLEX CT WOODBRIDGE VA 22192	DUMFRIES VA 22026	
Use Code	813 Govt -Owned Parks/Rec Outdoor		
Description CEMETERY ON PARCEL			
Assessment Info		2021 Assessment	
Neighborhood	03010 Valued By Units County Wide	Land - Market Value	\$7,900
Fire House	03 - Dumfries	Land - Use Value	\$0
Special District		Impr - Market Value	\$0
Zoning	Planned Mixed Res.	Total - Market Value	\$7,900
Acres	3.0396		
<< Previous Card Card 1 of 0 Next Card >>			

Card - 1

Improvements		
IMPR Type	Description	Area

Assessment History					
Reason	Year	Land	Use	IMPR	Total
General Reassessment	2021	\$7,900	\$0	\$0	\$7,900
General Reassessment	2020	\$7,900	\$0	\$0	\$7,900
General Reassessment	2019	\$0	\$0	\$0	\$0
General Reassessment	2018	\$0	\$0	\$0	\$0
General Reassessment	2017	\$7,900	\$0	\$0	\$7,900
General Reassessment	2016	\$7,900	\$0	\$0	\$7,900

Transfer History				
Date	Sale Amount	Owner	Transfer Type	Conveyance Number
2015/09/02	\$0	PWC BOARD OF COUNTY SUPERVISORS	PX	201509020073486

[Click here for transfer type code descriptions](#)

Last Updated: 2/1/2022

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STAFF REPORT

Board Meeting Date:	May 10, 2022
Agenda Title:	Authorize the Conveyance of a Comcast Utility Easement on County-Owned Property Located at 18260 Cockpit Road, Dumfries, Virginia, 22026
District Impact:	Potomac Magisterial District
Requested Action:	Approve the resolution and authorize the conveyance of easements.
Department / Agency Lead:	Department of Information Technology (DoIT)
Staff Lead:	Rob Mancini, Director

EXECUTIVE SUMMARY

The Department of Information Technology (DoIT) designs, delivers, and manages the County's public safety communications infrastructure technologies, including several tower sites throughout the County. DoIT is upgrading its Public Safety Radio Tower infrastructure through the use of dark fiber.

DoIT seeks to grant an easement to permit Comcast Cable Communications Management, LLC, to install fiber-optic cable at the Cherry Hill Radio Tower at Cockpit Point.

It is the recommendation of staff that the Prince William Board of County Supervisors (Board) authorize the conveyance of an easement to Comcast Cable Communications Management, LLC, over County-owned property located at 18260 Cockpit Road, Dumfries, Virginia, 22026.

BACKGROUND

Over the years, DoIT has established dark fiber connectivity to eighty-four (84) county facilities to provide high-speed, resilient, and redundant network connectivity, through the use of the Comcast Cable Franchise Agreement. DoIT is working with Comcast Cable Communications Management LLC (and affiliated fiber installers) to have fiber-optic cables installed at all County Radio Tower sites. This particular request will allow staff to install fiber-optic cable at the Cherry Hill Tower at the Cockpit Point site, as part of the effort to modernize the Public Safety Radio Network. The fiber requested in this report will allow DoIT to continue modernization of the Public Safety Communications in support of Law Enforcement, Fire and Rescue Services, Next Gen-911, Emergency Services, Multi-jurisdictional Emergency Communications, FirstNet and ESInet.

STAFF RECOMMENDATION

It is the recommendation of staff that the Board authorize the conveyance of an easement to Comcast Cable Communications Management LLC, over County-owned property located at 18260 Cockpit Road, Dumfries, Virginia, 22026.

Service Level / Policy Impact

Conveyance of the Comcast Utility easement will provide two (2) diverse paths for DoIT's critical infrastructure supporting public safety, fire and rescue, and emergency services from the Cherry Hill Tower at Cockpit Point and allows DoIT to support specific County strategic goals, including Safe and Secure Community and Health, Wellbeing, and Human Services.

Fiscal Impact

No costs will be incurred by the County by authorizing conveyance of the easement.

Legal Impact

The Board has the legal authority to authorize the conveyance of the easement over County-owned property Pursuant to Va. Code Section 15.2-1800(B).

STAFF CONTACT INFORMATION

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rmancini@pwcgov.org