



CITY OF HARRISONBURG CITY MANAGER

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7701 • FAX (540) 432-7778

TO: Ande Banks, City Manger

FROM: Chris Brown, City Attorney

DATE: 12/7/2022

RE: Resolution approving the transfer of real estate owned by the City to Pheasant Run, LLC

Summary: In 2004, the City agreed to transfer a small parcel of land to Pheasant Run, LLC upon completion of Erickson Avenue Extended.

Background: In 2004, the City Department of Public Works began planning Erickson Avenue Extended and working on issues related to the road construction, including right of way acquisition, engineering, and other requirements. Pheasant Run is the developer of a residential subdivision that abuts Erickson Avenue Extended. Pheasant Run agreed to dedicate and convey portions of its property to the City and to provide drainage easements required for the road construction. In exchange, the City agreed to convey to Pheasant Run an area abutting the subdivision between lots 13-19, if the City obtained that land and didn't need it for the Erickson Avenue Extended project. The land the City agree to convey to Pheasant Run is shown in yellow on the attached Erickson Avenue Improvement Project Plan and consist of approximately 0.6 acre. The project was completed approximately 2015. Pheasant Run has spent a considerable amount of time securing the release of a Dominion Power easement that encumbered the property to be conveyed and have now requested that the City convey the property in accordance with the 2004 Agreement. The City has no use of the property. With the property, Pheasant Run can develop several more lots in its subdivision.

Pheasant Run will have a final plat of survey prepared for the property to be conveyed, which we estimate to be approximately 0.6 acre.

The City may retain two small easements for guy wires for HEC and Dominion poles.

Key Issues: Transfer of small parcel of property from the City to Pheasant Run LLC in accordance with 2004 agreement.

Environmental Impact: None

Fiscal Impact: None



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Prior Actions: 2004 Agreement.

Alternatives: (a) Adopt the resolution as presented or;
(b) Decline to adopt the resolution.

Community Engagement: Public hearing to be held December 13, 2022

Recommendation: Staff recommends approval of the resolution.

Attachments:

- 1) Agreement dated December 7, 2004
- 2) Erickson Avenue Improvement Project Sheet
- 3) Resolution approving conveyance of property
- 4) Public hearing notice

Review:

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

