



City of Harrisonburg, Virginia

Office of the City Manager

409 South Main Street
Harrisonburg, VA 22802
(540) 432-7701 / FAX (540) 432-7778

Kurt D. Hodgen
City Manager

TO: Kurt Hodgen, City Manager
FROM: G. Chris Brown, City Attorney
DATE: May 17, 2017
RE: Resolution approval

Summary: Approval of a resolution approving and ratifying the Real Estate Purchase Agreement between the City of Harrisonburg and James Madison University (JMU) for the conveyance of 1630 Driver Drive.

Background: On October 28, 2014, City Council held a public hearing on the conveyance of 3.3297 acres, more or less, located at 1630 Driver Drive in the City of Harrisonburg, to James Madison University. This property is the location of the City's resource recovery facility, which Council previously decided to close. Following the public hearing on October 28, 2014 Council authorized the City Manager and City Attorney to negotiate a final contract with JMU for the sale of the resource recovery facility for a consideration of \$4.2 million dollars. The City Attorney and the City Manager did negotiate and sign such a Real Estate Purchase Agreement dated January 15, 2015. Since that time, City staff has been working to fulfill all conditions of the Real Estate Purchase Agreement, including the formal closure and removal of certain improvements on the property used for the resource recovery facility, and to secure all proper certifications from the Virginia Department of Environmental Quality (DEQ). The approval from DEQ was received on May 5, 2017 and documents were executed for the closing of the sale of the property on May 16, 2017. The closing agent has requested that City Council formally ratify and approve the signed Real Estate Purchase Agreement by resolution, which resolution is attached to this memo.

Key Issues: All necessary actions for the sale of 1630 Driver Drive have now been performed and a final approval by Council is requested.

Environmental Impact: n/a

Fiscal Impact: n/a

Prior Actions: Council conducted a public hearing on October 28, 2014 and authorized staff to negotiate and sign a real estate contract to convey the Driver Drive property to JMU.

Alternatives: (a)
(b); or
(c)

Community Engagement: n/a



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Recommendation: Staff recommends approval of the resolution as presented

Attachments: Resolution

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.

