

Issue Analysis Form (rev. July 2013)



Date: September 11, 2018
Item: Chudoba Parkway partial abandonment
Lead Department(s): County Administration
Contact Person(s): Jeffrey Stoke, Deputy County Administrator

Description and Current Status

Tom Wortham, Hollingsworth Companies, is requesting the partial abandonment of Chudoba Parkway between I-295 and 8025 Quality Drive (former Reinhart FoodService and owned by Hollingsworth Co.) in Southpoint Business Park. The future plan is to have a private driveway from the subject intersection to the loading dock of Service Center Metals. We believe the underlying fee simple property is owned by the Commonwealth of Virginia. If approved for abandonment by the Board, Hollingsworth would work with VDOT on purchasing the subject property. Staff has no objection to this request.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Planning Commission action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does this require a public hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If so, before what date?

With Board approval, a required public hearing may be held on October 23 using a VDOT resolution to take the first step in the abandonment process. State law requires 30 day notice period before public hearing.

Fiscal Impact Statement

No fiscal impact to the County.

County Impact

A dead end , cul-de-sac portion of Chudoba Parkway would be removed from the VDOT transportation system and placed in private ownership.

Notes

See attached map and survey for limits of the abandonment.

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 11th day of September, 2018:

Present:

Vote:

Alan R. Carmichael, Chairman
Donald R. Hunter, Vice-Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

A-4

On motion of M. _____, seconded by M. _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION; AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR ABANDONMENT OF A PORTION OF CHUDOBA PARKWAY.

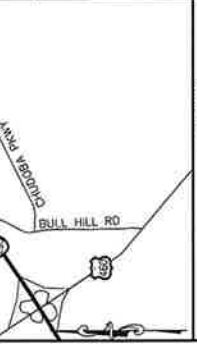
NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of September, 2018, does hereby authorize the advertisement of a public hearing for abandonment of a portion of Chudoba Parkway.

A Copy Teste:

Percy C. Ashcraft
County Administrator

LINE TABLE		
LINE	BEARING	LENGTH
L1	N34°29'50"W	103.82'
L2	N68°57'00"E	67.07'

I-295
VARIABLE WIDTH RW
PROJECT #00595-074-101, RW-202



VICINITY MAP SCALE 1"=2000'
APPROVED FOR RECORDATION IN
PRINCE GEORGE COUNTY, VIRGINIA
THIS PLAT SHALL BE RECORDED WITHIN SIX
(6) MONTHS OF THE DATE OF APPROVAL

SUBDIVISION AGENT _____ DATE _____
VDOT AGENT _____ DATE _____

N/F
SUBMITTAL INSTRUMENTS II
T.M. #34017700-002-0
W.D. #120000992
SECTION ONE, LOT 3

LOT 2
LONE OAK RICHMOND, LLC
T.M. #34017700-002-0
INST. #050003308
13.415 ACRES ORIGINAL
+1.253 ACRES RW & SERVICE ROAD
14.668 ACRES TOTAL

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	5789.88'	479.03'	239.65'	4°44'26"	N82°56'29"E	478.88'
C2	5929.59'	266.26'	133.15'	2°37'01"	N48°41'16"E	266.23'
C3	3000.00'	172.32'	86.16'	3°17'28"	S55°42'01"W	172.29'
C4	50.00'	76.93'	48.42'	88°09'26"	N78°34'33"W	69.56'

OWNER'S CONSENT and DEDICATION

Know all men by these presents, that the Vacator & Consolidation of land as shown on this plat containing 14.668 acres, more or less, and designated as **PLAT SHOWING A PORTION OF SERVICE ROAD & I-295 RIGHT OF WAY TO BE VACATED & CONSOLIDATED WITH LOT 1, SECTION ONE SOUTHPOINT BUSINESS PARK** situated in Rives District, Prince George County, Virginia, is with the free consent and in accordance with the desires of the undersigned Owner(s) hereof; that all easements shown on said plat are private except these easements to be granted to Dominion Virginia Power, Verizon Virginia, Inc.

Owner _____
CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 20____ BY _____
NOTARY PUBLIC
NOTARY REGISTRATION NUMBER: _____
MY COMMISSION EXPIRES: _____

SOURCE OF TITLE

T.M. #34017700-002-0
The property embraced within the limits of this subdivision was conveyed to Lone Oak Richmond, LLC by deed dated _____ recorded July 2, 2005 as Instrument #950003308 in the Clerk's Office of the Circuit Court of Prince George County, Virginia.

W. M. Neaulty L.S., No. 2067 _____ Date _____

SURVEYOR'S CERTIFICATE

I hereby certify that to the best of my knowledge and belief, all of the requirements of the Board of Supervisors and Ordinances of the County of Prince George, Virginia, regarding the platting of subdivisions within the County have been complied with.
Given under my hand this _____ day of _____, 2018.

W. M. Neaulty L.S., No. 2067



RIVES DISTRICT
PRINCE GEORGE COUNTY, VIRGINIA

**PLAT SHOWING
A PORTION OF SERVICE ROAD & I-295
RIGHT OF WAY TO BE VACATED &
CONSOLIDATED WITH LOT 1, SECTION ONE
SOUTHPOINT BUSINESS PARK**

GENERAL NOTES

- Use: Commercial
- Zoning: M1
- Tax Parcel No. 340(17)00-002-0
- Owner: Lone Oak Richmond, LLC
100 Harborview Pl, Suite 200
Lacrosse, WI 54601
- Water: County System
- Sewer: County System
- Drainage: Roadside Ditches & Curb & Gutter
- Lot Size: _____
- Maximum Lot Size= 14.668 Acres
Minimum Lot Size= 14.668 Acres
- Area: _____
Total Area= 13.415 Acres
Area in Lots= 1.253 Acres
Area in Right-of-Way= 1.253 Acres
- Number of Lots: 1
- Easements: All easements shown on plat are for drainage and utilities, unless otherwise noted.
- Building Lines: All building lines are to conform to the County of Prince George Zoning Ordinance.
- Based on graphic determination this property is in zone "X" of the HUD defined flood hazard area as shown on F.E.M.A. Flood Insurance Rate Map. Community Panel #511490160B dated May 16, 2012.
- This plat was prepared without the benefit of a title binder and may therefore affect the property.
- No improvements shown.





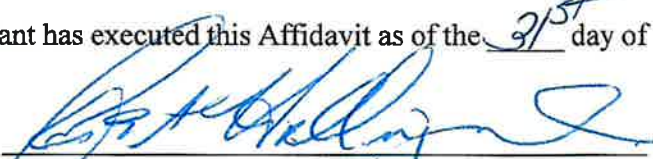
Hollingsworth Companies proposed abandonment (Chudoba Parkway) area outlined in red.

**AFFIDAVIT OF
JOSEPH A. HOLLINGSWORTH, JR.**

BEFORE ME, the undersigned notary public, personally appeared Joseph A. Hollingsworth, Jr. (the "Affiant"), who is the Managing Partner of Summit Investments Southeast, a Tennessee general partnership ("SIS"), who, having been first duly sworn according to law, deposes and says:


1. SIS is a duly formed and validly existing Tennessee general partnership and is the current owner of approximately 13.415 acres +/- known as 8025 Quality Drive, Prince George, Virginia 23875.
2. A true and accurate copy of the recorded deed dated July 12, 2018 is attached hereto as Exhibit A.
3. Tom Wortham is employed by SIS or a related entity on behalf of SIS.
4. Tom Wortham is authorized to discuss the right of way vacation and/or abandonment with any necessary agency in order to effect the vacation and abandonment of the adjacent parcel/road right of way.
5. This Affidavit is made and given by the Affiant with full knowledge of applicable penalties and liabilities resulting from false statements and misrepresentations therein.

IN WITNESS WHEREOF, each Affiant has executed this Affidavit as of the 31st day of August, 2018.



JOSEPH A. HOLLINGSWORTH, JR.

Sworn to (or affirmed) before me and signed in my presence this 31st day of August, 2018.



Notary Public
My commission expires: 6/27/21



VIRGINIA LAND RECORD COVER SHEET
FORM A - COVER SHEET CONTENT

Instrument Date: 7/12/2018
Instrument Type: DBS
Number of Parcels: 1 Number of Pages: 4
 City County
PRINCE GEORGE

TAX EXEMPT? VIRGINIA/FEDERAL LAW
 Grantor:
 Grantee:
Consideration: \$4,250,000.00
Existing Debt: \$0.00
Actual Value/Assumed: \$6,364,200.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):
Original Principal: \$0.00
Fair Market Value Increase: \$0.00

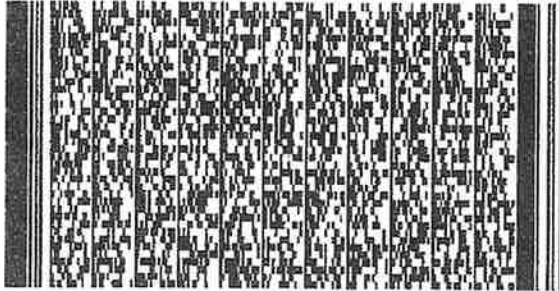
Original Book Number: Original Page Number: Original Instrument Number:

Prior Recording At: City County
PRINCE GEORGE Percentage In This Jurisdiction: 100%

BUSINESS / NAME
1 Grantor: LONE OAK - RICHMOND, L.L.C.
 Grantor:
1 Grantee: SUMMIT INVESTMENTS SOUTHEAST
 Grantee:

GRANTEE ADDRESS
Name: SUMMIT INVESTMENTS SOUTHEAST
Address: TWO CENTRE PLAZA
City: CLINTON State: TN Zip Code:
Book Number: Page Number: Instrument Number: 050003308
Parcel Identification Number (PIN): 340(17)00-002-0 Tax Map Number: 340(17)00-002-0
Short Property Description: 13.415 ACRES +/-

Current Property Address: 8025 QUALITY DRIVE
City: PRINCE GEORGE State: VA Zip Code: 23875
Instrument Prepared By: OUTSIDE OF VIRGINIA Recording Paid By: FIRST AMERICAN TITLE INS CO
Recording Returned To: FIRST AMERICAN TITLE INS CO (NCS 912140)
Address: 9011 ARBORETUM PARKWAY SUITE 175
City: RICHMOND State: VA Zip Code: 23236



1800 2190
7/19/2018
(Area Above Reserved For Deed Stamp Only)

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Prepared by:

Reyes Holdings, L.L.C.
6250 N. River Road
Suite 9000
Rosemont, Illinois 60018
Attn: Anne K. Hemmings, Esq.

Grantee's Address:

Summit Investments Southeast
Two Centre Plaza
Clinton, TN 37716
Attn: Joseph A. Hollingsworth, Jr.

Consideration: \$4,250,000.00
Tax Assessed Value: \$6,364,200.00
Tax Parcel No.: 340-(17)00-002-0

SPECIAL WARRANTY DEED

The Grantor, LONE OAK – RICHMOND, L.L.C., a Delaware limited liability company, for and in consideration of TEN and 00/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, GRANTS, BARGAINS, SELLS AND CONVEYS to SUMMIT INVESTMENTS SOUTHEAST, a Tennessee general partnership ("Grantee"), the real property situated in the County of Prince George in the State of Virginia described on Exhibit A attached hereto and incorporated herein by reference subject to the permitted exceptions described on Exhibit B attached hereto.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, estates, interests, hereditaments, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto Grantee's heirs, successors and assigns forever, the said Grantor hereby covenanting that the premises are free and clear from any encumbrance done or suffered by Grantor; and that Grantor will warrant and defend the title to said premises unto the said Grantee and unto Grantee's heirs, successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the Grantor, but not otherwise.

[Signature Page Follows]

When Recorded Return to: LFE
First American Title Insurance Company
National Commercial Services
9011 Arboretum Parkway, Suite 175
Richmond, VA 23236
File No: NCS 012140

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed this 12 day of July, 2018.

GRANTOR:

LONE OAK - RICHMOND, L.L.C.,
a Delaware limited liability company

By: [Signature]
Name: KURT ROEMER
Title: SENIOR VICE PRESIDENT

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for County and State aforesaid, do hereby certify that KURT ROEMER, the Senior Vice President of LONE OAK - RICHMOND, L.L.C., a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Vice President, appeared before me this day in person and acknowledged that (s)he signed and delivered the said instrument as his/her own free and voluntary act, and as the free and voluntary act on behalf of said entity, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9th day of July, 2018.

[Signature]
Notary Public

My Commission Expires: 7/15/19



EXHIBIT A

LEGAL DESCRIPTION

All that certain tract or parcel of land lying, being and situate in Rives District, Prince George County, Virginia, containing 13.415 acres, more or less, and being more particularly shown and designated as Lot 2 on that certain plat dated September 10, 1998, by Timmons, Engineers * Architects * Surveyors * Landscape Architects * Environmental Scientists * Geographic Information Systems Consultants * Construction Managers, entitled, "Southpoint Business Park Section One, Rives District, Prince George County, Virginia", which plat is duly recorded in Plat Book 21 at pages 236 and 237 in the Clerk's Office of Prince George County, Virginia.

COMMON ADDRESS: 8025 Quality Drive, Prince George, Virginia 23875

TAX PARCEL NUMBER(S): 340-(17)00-002-0

EXHIBIT B

PERMITTED EXCEPTIONS

1. General real estate taxes not yet due and payable.
2. Restriction appearing of record in Deed Book 456, Page 758, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 USC 3605(c).
3. Easement granted to Bell Atlantic-Virginia, Inc., by Deed of Easement dated February 22, 1999, recorded February 25, 1999, in Deed Book 468, Page 136.
4. Easement granted to Prince George Electric Cooperative by Agreement dated March 10, 1999, recorded April 6, 1999, in Deed Book 471, Page 232.
5. Easement and setback lines created and/or shown on plat of subdivision recorded in Plat Book 21, Page 236.
6. Seventy five (75) foot wide drainage easement as set forth on Certificate of Plat dated February 5, 2007, recorded February 8, 2007 as Instrument No. 070000700.
7. Any other matters of record in the real estate records of Prince George County, Virginia as of the date hereof.

INSTRUMENT 180002190
RECORDED IN THE CLERK'S OFFICE OF
PRINCE GEORGE CIRCUIT COURT ON
July 19, 2018 AT 12:53 PM
\$6364.50 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$3182.25 LOCAL: \$3182.25
BISHOP KNOTT, CLERK
RECORDED BY: JJC

COUNTY OF PRINCE GEORGE, VIRGINIA

Percy C. Ashcraft
County Administrator
Phone: (804) 722-8600
Facsimile: (804) 732-3604



BOARD OF SUPERVISORS
Floyd M. Brown, Jr.
Alan R. Carmichael
Donald R. Hunter
Marlene J. Waymack
T. J. Webb

September 12, 2018

Mrs. Crystal Smith
Petersburg Residency Administrator
Virginia Department of Transportation
4608 Boydton Plank Rd.
Petersburg, VA 23804

RE: Rte. 730, Chudoba Parkway – Letter of Intent

Mrs. Smith,

It is Prince George County's intent to abandon a portion of Rte. 730, Chudoba Parkway, in Prince George County, pursuant to §33.2-909 of the Code of Virginia. There is 0.11 miles of roadway past the intersection of Rte. 730, Chudoba Parkway and Rte. 731, Quality Drive that no longer meets a public need for the continuance of the section of the road as a public road, and/or the safety and welfare of the public would be served best by abandoning this section of roadway. It is the County and Board's intent to post a notice of the proposed abandonment as well as hold a public hearing.

Your consideration of this matter is appreciated.

Sincerely,

Percy C. Ashcraft
County Administrator

CC: C. Todd Cage, VDOT Land development Engineer

§33.2-909 – Secondary Abandonment “Notice of Public Hearing”
Advertisement

**NOTICE OF PUBLIC HEARING
OF THE PRINCE GEORGE COUNTY
BOARD OF SUPERVISORS**

Pursuant to the provisions of §33.2-909 of the *Code of Virginia* of 1950, as amended, the Prince George County Board of Supervisors hereby gives notice of a public hearing to be held on October 23, 2018 at 7:30pm at the County Administration Building, 6602 Courts Drive, Third Floor Board Room, Prince George, VA, 23875 in order to hear citizen comments regarding the Board of Supervisors intention to act on the following:

Intent to abandon a 0.11 mile portion of the state maintained Route 730, Chudoba Pkwy. The segment to be abandoned is from the intersection of Rte. 731, Quality Drive to the dead end of Rte. 730, Chudoba Parkway in the Rives Magisterial District of Prince George County, Virginia.

Copies of the proposed plans, applications, ordinances or amendments may be examined at the Prince George County Administrator’s Office, Third Floor, 6602 Courts Drive, Prince George, VA, 23875, Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m.

{End of Legal Notice}

PLEASE PUBLISH ON MONTH ## & MONTH ##, 20##
IN THE [INSERT NAME OF PUBLICATION]