

**AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
TO CONSIDER CONDEMNATION OF A TEMPORARY
CONSTRUCTION EASEMENT**

Prince George is in the process of making significant stream stabilization improvements in the Birchett Estates and Cedar Creek subdivisions related to solving drainage problems. All necessary easements have been acquired except for one variable width temporary construction easement on the property of Ian Sammler and Britney Ceney at 4113 Running Creek Lane. (See attached plat) § 25.1-200 *et seq.* of the Code of Virginia, 1950 as amended, authorizes the County to condemn property when the acquisition is necessary for a public purpose. The County has made an offer to purchase the easement based on an appraisal and negotiations to attempt to acquire this property are ongoing. The property owners, however, have not as yet accepted the offer. Accordingly, in the event that use of eminent domain is necessary, the County Attorney is requesting authority to advertise a public hearing pursuant to § 15.2-1903 of the Code of Virginia, 1950 as amended. If the Board of Supervisors authorizes a public hearing and grants authority to condemn the temporary construction easement after the public hearing, negotiations to acquire the easement will still continue. If the Board authorizes condemnation because construction work has begun on the projects, it is necessary to utilize the “quick take” provision in state law resulting in immediate acquisition of the property by the County with the amount of money to be paid to the landowner determined later.

Staff recommends approval and scheduling of a public hearing on March 12, 2019.

APPROX. LOCATION
EX. VAR. WIDTH VDOT
SLOPE & DRAINAGE
EASEMENT
PB: 21 PG: 140

ELDRIDGE LUCAS, III
& HESTER N. LUCAS
INST. #990006073
PB: 21 PG: 140
PARCEL ID #12C(01)0B-031-0
CEDAR CREEK SUB.
SECTION 1, BLOCK B, LOT 31

APPROX. LOCATION
EX. 20' DRAINAGE
EASEMENT
PB: 21 PG: 140

N76°48'27"E 128.23'

EX. 10' BELL ATLANTIC-VA, INC.
EASEMENT
DB: 422 PG: 377

VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT

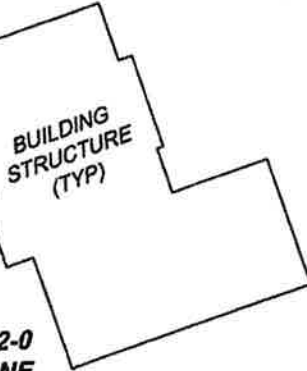
S13°1'33"E
121.48'

53.70'



VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT

89.36'



IAN M. SAMMLER
& BRITNEY J. CENEY
INST. #100000507
PB: 21 PG: 140
PARCEL ID #12C(01)0B-032-0
4113 RUNNING CREEK LANE
CEDAR CREEK SUB.
SECTION 1, BLOCK B, LOT 32

ANDREW G. HUTTO
& REBECCA B. HUTTO
INST. #990001128
PB: 21 PG: 140
PARCEL ID #12C(01)0B-033-0
CEDAR CREEK SUB.
SECTION 1, BLOCK B, LOT 33

191.82' S57°46'13\"W

CEDAR CREEK
SECTION 1

6452.1
LINE C
LAN