

# Issue Analysis Form



**Date:** September 8, 2020  
Acceptance of Utility  
Easement with Prince George  
Electric Cooperative

**Item:**

**Lead Department(s):** County Attorney

**Contact Person(s):** Dan Whitten

## Description and Current Status

Prince George Electric Cooperative has requested the County convey a 20' utility easement to them on Pine View Lane to extend electric transmission or distribution system to Tax Parcel 44B(01)0B-022-0. (See attached plat).

Staff recommends that the Board approve a Resolution dedicating a Utility Easement to Prince George Electric Cooperative to extend electric transmission or distribution to property located on Pine View Lane.

## 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If so, before what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

## Fiscal Impact Statement

## County Impact

## Notes

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 8th day of September, 2020:

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Present:

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

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION DEDICATING A UTILITY EASEMENT TO PRINCE GEORGE ELECTRIC COOPERATIVE**

**WHEREAS**, Prince George Electric Cooperative has requested the County convey a 20' utility easement on Pine View Lane; and

**WHEREAS**, the permanent utility easement will allow for the installation and continued maintenance of electric transmission or distribution system to Tax Parcel 44B(01)0B-022-0.

**NOW, THEREFORE, BE IT RESOLVED**, that the Prince George County Board of Supervisors approves the dedication of a permanent utility easement on Pine View Lane to extend electric transmission of distribution system to Tax Parcel 44B901)0B-022-0.

A Copy Teste:

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Percy C. Ashcraft  
County Administrator

\_\_\_\_\_  
(For County Use Only)

**Prince George Electric Cooperative  
Utility Easement**

THIS AGREEMENT, Made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_,

by and between \_\_\_\_\_ hereinafter called "Owner", and PRINCE GEORGE ELECTRIC COOPERATIVE, a Virginia Corporation, hereinafter called "Cooperative".

**WITNESSETH:**

That for a good and valuable consideration, the receipt whereof is hereby acknowledged, Owner does grant and convey with general warranty to and unto the Cooperative, a perpetual easement of right of way, \_\_\_\_\_ feet in width, over, under and across the following described property:

A tract of land containing approximately \_\_\_\_\_ acres, located in \_\_\_\_\_ Magisterial District, \_\_\_\_\_

County, Virginia, Tax Map ID# \_\_\_\_\_, bounded by lands now or formerly owned by \_\_\_\_\_

and \_\_\_\_\_, as delineated on the

attached sketch, which sketch is incorporated herein by reference as if textually set out herein;

for the purpose of constructing therein and thereon, an electric transmission or distribution system, either overhead or underground, and to operate and maintain the electric system, including all lines, wires, poles, cables, conduits, manholes, equipment, accessories and appurtenances desirable in connection therewith.

The facilities installed hereunder shall remain the property of the Cooperative and the Cooperative shall have the right to inspect, rebuild, remove, relocate, improve, and to make such changes, alterations, substitutions or additions to its facilities as it may deem advisable, including the right to increase the number of wires, cables or lines.

The Cooperative shall at all times have the right to keep the right of way clear of all buildings, structures and other obstructions, to spray with chemicals, trim, cut and keep clear all trees, limbs, and undergrowth along said easement or adjacent thereto that may endanger the safe and proper operation of the Cooperative's facilities.

The Owner, his successors and assigns reserve unto themselves the full right to take, use and enjoy the land embraced within this easement in every manner not inconsistent with this grant, including, but not limited to, the specific right to construct driveways, entranceways, parking areas and sidewalks upon, over and across said right of way.

The rights reserved by the Owner, his successors or assigns, shall be subject at all times to the paramount right of the Cooperative to dig up, remove, or destroy any portion of the roadways, driveways, sidewalks, or entranceways crossing said right of way for the purpose of maintaining, inspecting and operating its facilities. Any shrubbery, fence or other structure placed on the right of way shall be done so at the risk of the property owner and the Cooperative shall not be held responsible for damages done to any structure, shrubbery or fence resulting from the Cooperative maintaining, inspecting and operating its facilities.

In addition to the foregoing grant, the Owner does hereby grant unto the Cooperative, during the period of construction and during any subsequent period in which maintenance, inspection, repairs or reconstruction thereof may be necessary, the right and privilege of using such surrounding land as may be necessary for the purpose of placing thereon materials, machinery and equipment as may be necessary.

The Owner covenants that he is seized of and has the right to convey the said easement, rights and privileges; that the Cooperative shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges, and that the Owner will execute such further assurances thereof as may be required.

“NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that your are voluntarily conveying.”

IN WITNESS WHEREOF, The Undersigned has set his hand and seal this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Land Owner Signature)

\_\_\_\_\_  
(Land Owner Signature)

STATE OF VIRGINIA

County of \_\_\_\_\_, to-wit

I, \_\_\_\_\_, a \_\_\_\_\_

in and for the county and state aforesaid, do hereby certify that

\_\_\_\_\_, whose name(s) is/are signed to

the foregoing writing, bearing date on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

has/have acknowledged the same before me in my county and state aforesaid.

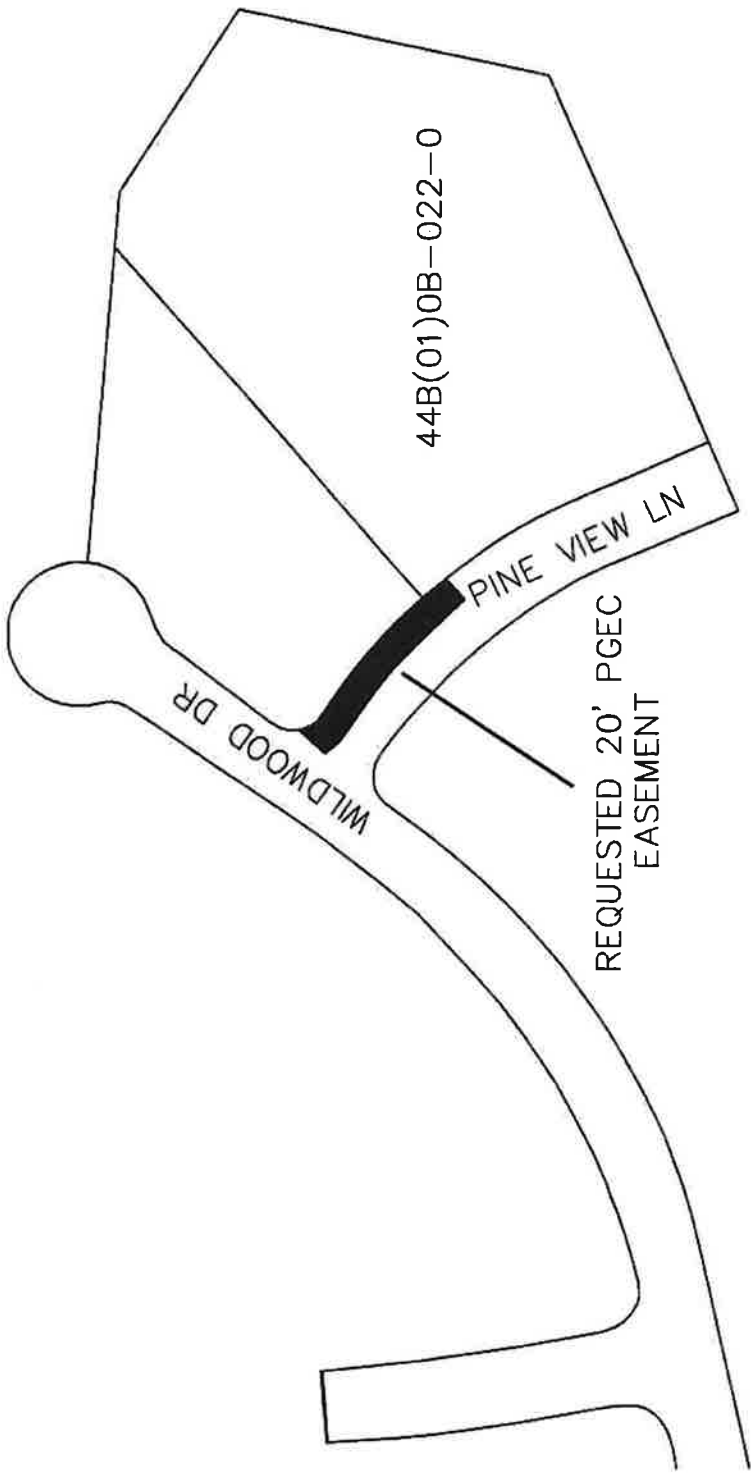
My commission expires \_\_\_\_\_.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary

UTILITY EASEMENT ON PROPERTY OF: PRINCE GEORGE COUNTY

TAX MAP #:



PRINCE GEORGE COUNTY
RIVES DISTRICT
PINE VIEW LN
SCALE: NONE
NO.24