DATE: June 17, 2005.

SUBJECT: Authorization to Accept a Deed of Easement and a Deed of Temporary Easement and Construction Agreement at 5201 Old Dominion Drive for Certain Public Storm Drainage Improvement and Utility Purposes for the Department of Environmental Services Project known as the Pimmit Run Flood Control Project (Old Dominion Drive Culvert Replacement) - Phase I.

C. M. RECOMMENDATION:

Adopt the Motion attached to this report, dated June 17, 2005, designated as Exhibit “1”, approving the Deed of Easement and the Deed of Temporary Easement and Construction Agreement and authorizing execution thereof.

ISSUE: None.

SUMMARY: This is a request for approval of a permanent easement and a temporary easement and construction agreement required for the Pimmit Run Flood Control Project (the “Project”), which is a public storm water drainage project.

BACKGROUND: This property represents an important part of the Department of Environmental Services’ Pimmit Run Culvert Replacement Project and acquisition of the property rights will help assure completion of the Project.

DISCUSSION: The Deed of Easement, designated as Exhibit “2”, and the Deed of Temporary Easement and Construction Agreement, designated as Exhibit “3”, (“Deeds”) allow for the construction of the above described public improvements as well as temporary overhead electric poles and wires of Arlington County and public service company utilities to provide service to the community for the duration of the Project. In addition, the Deeds will permit restoration work, such as re-grading, replacing fences, trees and shrubs, on the property which is the subject of the Deeds. The Deeds must be accepted by, or on behalf of, the County Board in order to be valid. The County Board’s authorization for the Engineering Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services to execute the Deeds, indicating acceptance thereof, is being requested for this Project.

The attached vicinity map, designated as Exhibit “4”, shows the location of the property upon which the permanent and temporary easements will be granted to the County. The location of
the easements on this property are shown on the vicinity map and the area to which the construction relates are more fully shown on the Plat and Temporary Construction Easement Plan. The Plat was approved by the Director of Public Works on April 29, 2004. The Plat and Plan are on file in the Department of Environmental Services.

The location, real property code, project number, and the areas to which the Deeds relate are more fully described below:

A. Plat entitled "Plat Showing Easement Acquired for Public Storm Drainage Purposes on Lot 1, Country Acres, D.B. 569 Pg. 395, Arlington County, Virginia" approved by the Director, Dept. of Public Works on April 29, 2004 - Project No.014.SI6/SD95. The area of the permanent easement is 196 square feet.

B. Temporary Easement Plan entitled "Partial Plan View of Temporary Construction Easement Plan - Old Dominion Drive Culvert Replacement" dated June 1, 2005 – Project #014.SI6/SD95. The area of the temporary easement is 1,340 square feet.

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<tr>
<th>Address</th>
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<td>5201 Old Dominion Dr</td>
<td>03012053</td>
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The Project has been reviewed by, and has the support of, the Rock Spring Civic Association. The Project involves the construction of a new public storm drainage culvert and the temporary relocation of County and public service utilities at Old Dominion Drive between North Dickerson Street and South George Mason Drive.

**FISCAL IMPACT:** Compensation in the amount of $7,000 is to be paid for the property interests herein described. The funds have been appropriated and are available in Account No. 014.SI6, the Street, Highway and Community Conservation Bond. The consideration for the Deed of Easement conveyed to the County is Five Thousand Dollars ($5,000.00). The consideration for the Deed of Temporary Easement and Construction Agreement conveyed to the County is Two Thousand Dollars ($2,000.00). The compensation amount is the result of extensive negotiations with the property owner for the property interests that represent a key element necessary to construct this Project.
MOTION

I move that the County Board of Arlington County, Virginia:

A. Approve the Deed of Easement and the Deed of Temporary Easement and Construction Agreement on property located at 5201 Old Dominion Drive, RPC #03012053, for construction of the storm drainage culvert for the Pimmit Run Flood Control Project (Old Dominion Drive Culvert Replacement) - Phase I; and,

B. Authorize the Engineering Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute, on behalf of the County Board, the above described Deed of Easement and Deed of Temporary Easement and Construction Agreement with a total payment to the property owner of Seven Thousand Dollars ($7,000.00). The execution of such Deeds indicates the County Board’s acceptance of such easements over the property listed in the staff report dated June 17, 2005 and described in the Department of Public Works Plat and Temporary Easement Plan listed in the report. The Deeds shall be acceptable to the Engineering Bureau Chief of the Department of Environmental Services or his/her designee and approved as to form by the County Attorney.
5201 Old Dominion Drive

Pimmit Run Flood Control Project (Old Dominion Drive Culvert Replacement) - Phase I
Project 014.S00/SD95

Boldface line on this schematic indicates the location of local improvement

Deed of Easement and Deed of Temporary Easement and Construction Agreement

July 9, 2005

Adopt a Motion Approving
A Deed of Easement and
A Deed of Temporary Easement