

**MEMORANDUM**

DATE: May 26, 2009  
TO: The Board of Supervisors  
FROM: Shawn A. Gordon, Capital Projects Coordinator  
SUBJECT: Condemnation for Drainage Easement Acquisition at 5501 Centerville Road

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James City County, in partnership with the Virginia Department of Transportation (VDOT), will be locally administering the Intersection Improvements for Longhill Road (Route 612) and Centerville Road (Route 614) at the entrance to Freedom Park. In accordance with the Freedom Park Master Plan, JCC Case No. SUP-11-04 and Master Plan 3-04, intersection improvements are necessary in accordance with traffic impact studies and the VDOT Traffic Signal Study previously completed.

As part of the intersection improvements, the drainage and storm sewer conveyance system along the project corridor will need to be upgraded. Due to the constraints of the right-of-way along the project corridor, it will be necessary to acquire drainage easements outside the existing right-of-way. The property at 5501 Centerville Road owned by E.L. Griffin Investments, Inc. lies within the project limits, thereby necessitating a variable width drainage easement having an area of 90 sq.ft. or 0.002 acres. The proposed drainage easement with improvements would lie within an existing 10-foot Underground C&P Easement and a 20-foot Aerial Virginia Power Easement. Acquisition of this drainage easement is essential to complete the intersection improvements allowing the County to move forward with the project to complete the design, bidding process and to receive the Federal and State funding allocations. JCC Real Estate Assessments reviewed the impact of this drainage easement and determined the current market value at \$49.95, with no discernable difference in market value before and after the acquisition being demonstrated.

Staff attempted to contact the property owner several times via telephone and U.S Mail to purchase the drainage easement with no success, therefore; condemnation is the only option remaining. Without condemning the drainage easement, revenues estimated at over \$1.1 million to complete the intersection improvements are in jeopardy.

Please find attached a preliminary copy of the drainage easement acquisition plat and an aerial layout of the project area for 5501 Centerville Road.

Staff requests authorization from the Board of Supervisors to proceed immediately with the condemnation process.

  
Shawn A. Gordon

CONCUR:

  
John T.P. Horne

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Attachments