



Date of Council Meeting: July 22, 2014

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Resolution to Authorize the Conveyance of a Traffic Signal Easement to Loudoun County Board of Supervisors through on Airport Property as part its traffic signal project at the intersection of Sycolin Road and Loudoun Center Place.

Staff Contact: Scott Coffman, Airport Manager
Barbara Notar, Deputy Town Attorney

Recommendation: Authorize the execution by the Mayor of a traffic signal easement for the installation of a traffic signal on a portion of airport property located at the intersection of Sycolin Rd. and Loudoun Center Place.

Issue: Whether the Town Council should authorize the execution by the Mayor of a Deed of Easement for the installation of a traffic signal on airport property located at the intersection of Sycolin Road and Loudoun Center Place.

Fiscal Analysis: No fiscal impact is anticipated.

Background: The Loudoun County Board of Supervisors has determined that a traffic signal is necessary at the intersection of Sycolin Road and Loudoun Center Place to meet increased traffic flows from county facilities off Loudoun Center Place. In order to construct the traffic signal at this location, an easement is needed for the structure of the traffic signal on airport property adjacent to the intersection. The Airport Commission has reviewed the Deed of Easement and supports the conveyance. The Federal Aviation Administration has also approved the easement subject to certain conditions which have been incorporated into the easement language. The easement area is located outside of the airport perimeter fence and in an area that would not be needed for airport use. The Town Attorney's Office worked with the County Attorney's Office to draft and review the Deed of Easement, Plat, and associated documents from the FAA.

Attachments: Resolution
Deed of Easement and accompanying Plat

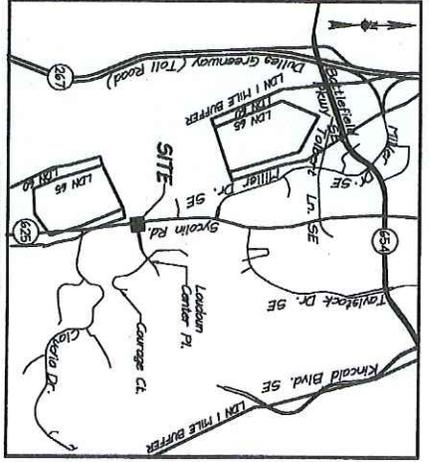
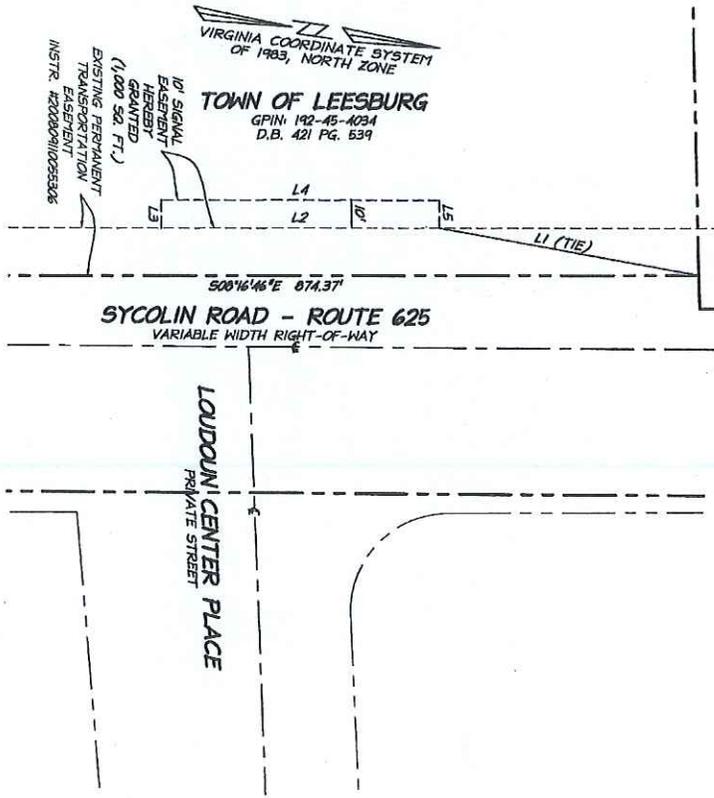


LINE TABLE

LINE	BEARING	DISTANCE
L1	S62°06'50"W	44.54'
L2	S67°21'41"E	100.00'
L3	S67°21'41"E	100.00'
L4	S67°21'41"E	100.00'
L5	S67°21'41"E	100.00'

REVISION BLOCK

NO.	ADDRESS COUNTY COMMENTS DATED DRAWN	DATE
1		02/20/14



- NOTES**
1. THE PROPERTY DELINEATED HEREON IS IDENTIFIED AS G.P.N. 192-45-4034 (MUNICIPAL AIRPORT).
 2. CURRENT OWNER, THE TOWN OF LEESBURG (O.B. 421 PG. 539).
 3. BOUNDARY INFORMATION IS BASED ON PLAT RECORDED AS INSTRUMENT #200802011-005504.
 4. NO TITLE REPORT FURNISHED. ALL EXISTING EASEMENTS MAY NOT BE INDICATED.
 5. THIS PLAT IS ASSOCIATED WITH APPLICATION 15971-2013-0266.



PLAT SHOWING
SIGNAL EASEMENT ON
THE TOWN OF LEESBURG

TOWN OF LEESBURG AND CATOCTIN ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA



christopher consultants
engineering • surveying • land planning
9417 Innovation Drive, Manassas, Virginia 20110
703-592-2677 • fax 703-592-9078

SCALE: 1" = 30'
DATE: 7/29/13
DRAWN: BMS
CHECKED: KLS
SHEET NO.

EXEMPT FROM RECORDATION TAXES PURSUANT TO SECTIONS
58.1-811(A)(3) AND 58.1-811(C)(4)
EXEMPT FROM FEE (SECTION 17.1-275(A)(2))

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT

RECORDATION COVER SHEET

TYPE OF INSTRUMENT: DEED OF EASEMENT

DATE OF INSTRUMENT: _____, 2014.

NAMES OF GRANTORS: TOWN OF LEESBURG, VIRGINIA

NAMES OF GRANTEES: BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA

COUNTY WHERE PROPERTY LOCATED: LOUDOUN

ELECTION DISTRICT WHERE PROPERTY LOCATED: CATOCTIN

DEED BOOK AND PAGE NUMBER WHERE PROPERTY ACQUIRED: DEED BOOK 421, PAGE 539

PLAT ATTACHED: PLAT DATED JULY 29, 2013 and REVISED February 4, 2014, PREPARED BY CHRISTOPHER CONSULTANTS, LTD.

PARCEL IDENTIFICATION NOS.: 192-45-4034

COUNTY FILE NO.: ASSOCIATED WITH ESMT-2013-0066

THIS INSTRUMENT PREPARED BY: OFFICE OF THE COUNTY ATTORNEY, LOUDOUN COUNTY

RETURN TO: OFFICE OF THE COUNTY ATTORNEY (LANS)
BOX 40

THIS DEED OF EASEMENT is made the _____ day of _____, 2014, by and between the **TOWN OF LEESBURG, VIRGINIA**, a municipal corporation (“Town”) (Grantor) and **BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA**, a body corporate and politic (“County”) (Grantee).

WITNESSETH:

WHEREAS, the Grantor is the owner of certain real property located in Loudoun County, Virginia (the "Property"), as shown on the plat attached hereto and incorporated herein by this reference date July 29, 2013 and revised through February 4, 2014, by Christopher Consultants, Ltd. of Manassas, Virginia, and entitled “Plat Showing Signal Easement on the Town of Leesburg,” having acquired the Property by Deed recorded in Deed Book 421, page 539, among the land records of Loudoun County, Virginia ("Land Records"); and

WHEREAS, it is the desire and intent of the Town to grant and convey unto the County, its successors and assigns, the easement in the location as shown on the Plat; and

WHEREAS, the Property is not subject to the lien of any deed of trust.

NOW THEREFORE, in consideration of the premises and sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, the Town does hereby grant and convey unto the County, its successors and assigns, a non-exclusive signal utility easement for the installation, construction, operation and maintenance of a traffic signal, junction box (es) and all other necessary appurtenances for the operation of traffic signalization in the location as shown on the Plat. The County and its agents shall have full and free use of said easement and all rights and privileges reasonably necessary to the exercise of said easement including the right of ingress and egress to and from the easement for the purpose of maintenance, repair or replacement of the traffic signal facilities and the right to inspect said facilities and to cut, clear, trim and remove all trees, shrubbery, undergrowth and other obstructions within or adjacent to

the easement which may endanger or interfere with the proper and safe use of the easement for the purposes named until such time as the traffic signalization improvements have been accepted into the State secondary system for maintenance, at which time the easement rights conveyed herein shall inure to the benefit of the Virginia Department of Transportation.

The foregoing easement is located in close proximity to the Leesburg Executive Airport (“Airport”), and is subject to the following conditions:

1. No structures shall be erected on the Property, other than the traffic signalization facilities described herein, and no natural objects shall be allowed to grow in the easement area that would constitute an obstruction to air navigation.

2. No activity shall be conducted in the easement area, other than the use described herein, that would interfere with or be a hazard to the flight of aircraft over the land to and from Airport or interfere with air navigation and communication facilities serving the Airport.

The Town hereby acknowledges that the plans prepared by Wells & Associates, Inc. dated November 15, 2013, for the said traffic signal facilities as they affect Town Property have been fully explained to the Town or its authorized representative.

This conveyance is made SUBJECT TO all other easements of record.

IN WITNESS WHEREOF, the Town has caused this Deed of Easement to be executed, under seal, by its duly authorized representative.

FURTHER WITNESS the following signatures and seals:

[SIGNATURE PAGES TO FOLLOW]

EXECUTED PURSUANT TO
VIRGINIA CODE SECTION 15.2-1800
THE TOWN OF LEESBURG, VIRGINIA

APPROVED AS TO FORM:

Town Attorney

By: _____(SEAL)
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF LOUDOUN, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that _____ as _____ of the Town Leesburg, Virginia, whose name is signed to the foregoing Deed of Easement, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

Given under my hand and seal this _____ day of _____, 2014.

Notary Public

My commission expires: _____
Registration Number: _____

The Foregoing Easement is Hereby Accepted
Pursuant To Virginia Code Section 15.2-1803

APPROVED AS TO LEGAL FORM:

BOARD OF SUPERVISORS OF LOUDOUN
COUNTY, VIRGINIA

Assistant County Attorney

By: _____ (SEAL)
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF LOUDOUN, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that _____ as _____ of the BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA, whose name is signed to the foregoing Deed, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2014.

My commission expires:

Notary Public

Notary registration number: _____

PRESENTED July 22, 2014

RESOLUTION NO. 2014-

ADOPTED _____

A RESOLUTION: AUTHORIZING THE MAYOR TO EXECUTE A DEED OF EASEMENT CONVEYING A TRAFFIC SIGNAL EASEMENT ON AIRPORT PROPERTY TO THE LOUDOUN COUNTY BOARD OF SUPERVISORS FOR ITS PROPOSED TRAFFIC SIGNAL AT THE INTERSECTION OF SYCOLIN ROAD AND LOUDOUN CENTER PLACE

WHEREAS, Loudoun County has determined that a traffic signal is warranted at the intersection of Sycolin Road and Loudoun Center Place; and

WHEREAS, in order to construct the traffic signal in this location, a traffic signal easement is needed from the Town on airport property located on the western side of Sycolin Road which will contain a portion of the traffic signal structure; and

WHEREAS, the Airport Commission has reviewed the Deed of Easement and supports the conveyance of the easement; and

WHEREAS, the Federal Aviation Administration (“FAA”) consented to the conveyance of the easement with certain conditions and those conditions are contained within the language of the Deed of Easement; and

WHEREAS, the Town Attorney has reviewed the Deed of Easement and Plat prepared by the County Attorney’s Office and has approved it; and

WHEREAS, construction of the traffic signal will benefit the residents of Leesburg and Loudoun County.

A RESOLUTION: AUTHORIZING THE MAYOR TO EXECUTE A DEED OF EASEMENT CONVEYING A TRAFFIC SIGNAL EASEMENT ON AIRPORT PROPERTY TO THE LOUDOUN COUNTY BOARD OF SUPERVISORS FOR ITS PROPOSED TRAFFIC SIGNAL AT THE INTERSECTION OF SYCOLIN ROAD AND LOUDOUN CENTER PLACE

THEREFORE, RESOLVED by the Council of the Town of Leesburg in Virginia that the Mayor is authorized to execute the Deed of Easement conveying the traffic signal easement to the Loudoun County Board of Supervisors, at no cost, so long as the Town Attorney approves the Deed of Easement and associated Plat.

PASSED this _____ day of July, 2014.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council