



Date of Council Meeting: November 10, 2014

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Declaring that a public necessity and use exists and authorizing an offer to acquire permanent and temporary easements for the Lower Sycolin Sewage Conveyance System Phase II project.

Staff Contact: Amy Wyks, Director of Utilities
Renée LaFollette, Director of Capital Projects
Keith Wilson, Land Acquisition Manager, Capital Projects

Council Action Requested: A decision by Council is needed to authorize acquisition of the land rights for an additional parcel needed for construction of the project.

Staff Recommendation: Staff recommends that Town Council authorize staff to acquire permanent and temporary easements necessary to construct the Lower Sycolin Sewage Conveyance System Phase II project.

Commission Recommendation: Not applicable.

Fiscal Impacts: Land acquisition costs are included in the project budget.

Executive Summary: Permanent and temporary easements are needed to construct the Lower Sycolin Sewage Conveyance System Phase II project.

Background: The Lower Sycolin Sewage Conveyance System Phase II project is a capital improvement project for the construction of a gravity flow sanitary sewer line. The project will serve areas south of the Town's incorporated boundary between the Dulles Greenway and the W&OD Trail that are within the Urban Growth Area (UGA) / Joint Land Management Area (JLMA).

Phase I of the project, which consisted of constructing a pumping station, Airport Branch Sewer line and force main line, has been completed. Phase II of the project consists of a gravity flow sewer line along the north side of Sycolin Creek.

An offer will be made to the property owners from whom easements are needed. The property identification number (PIN) for the real property necessary for the acquisition of remaining permanent and temporary easements is listed below:

Property Identification Number (PIN)
193-45-8020-000

Design for the Lower Sycolin Sewage Conveyance System Phase II project is in the final stages.

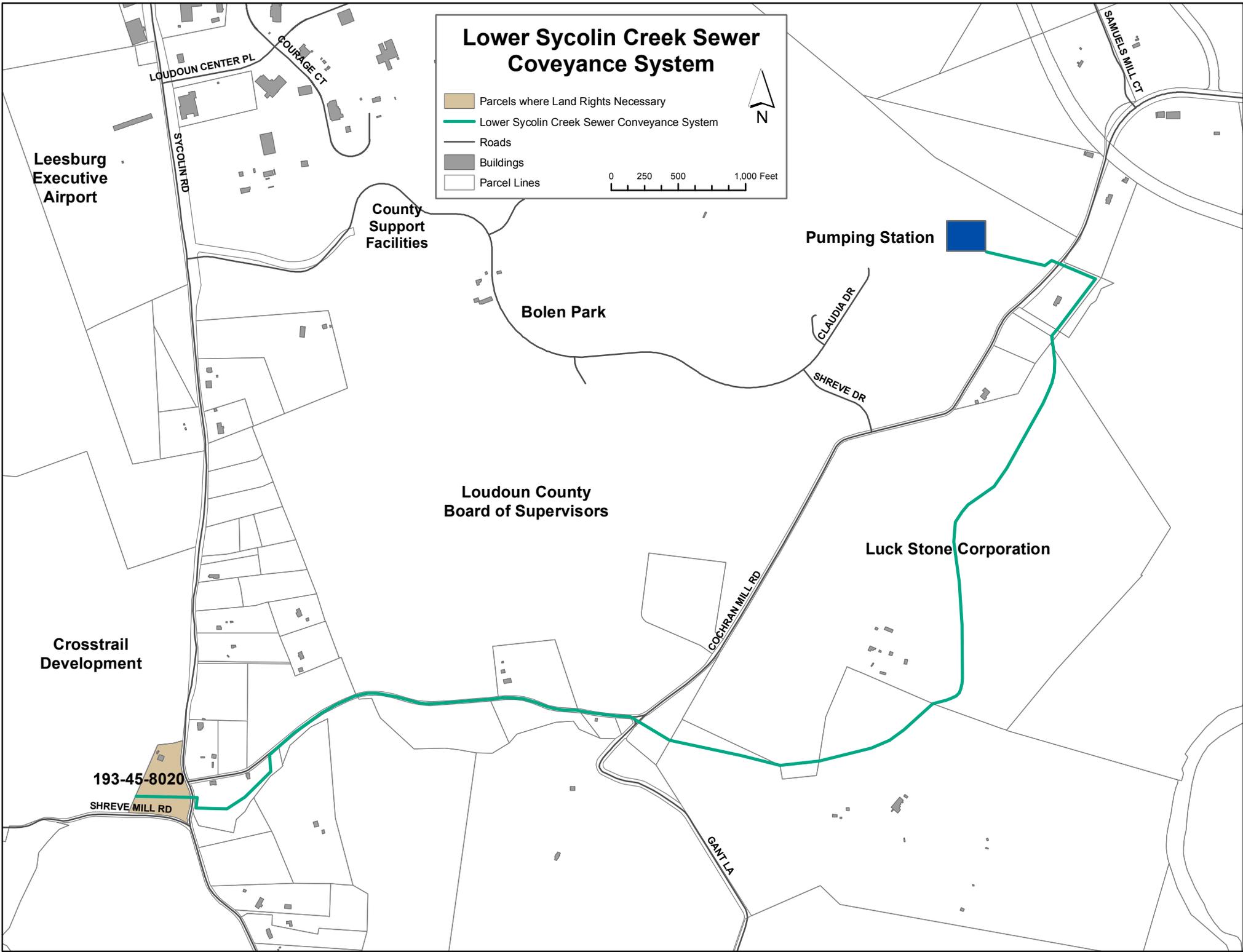
Attachments: (1) Resolution
(2) Proposed Alignment Map with parcel highlighted where land rights are needed

Lower Sycolin Creek Sewer Conveyance System

- Parcels where Land Rights Necessary
- Lower Sycolin Creek Sewer Conveyance System
- Roads
- Buildings
- Parcel Lines



0 250 500 1,000 Feet



Leesburg Executive Airport

LOUDOUN CENTER PL

COURAGE CT

SYCOLIN RD

County Support Facilities

Bolen Park

Pumping Station

CLAUDIA DR

SHREVE DR

Loudoun County Board of Supervisors

Luck Stone Corporation

Crosstrail Development

COCHRAN MILL RD

193-45-8020

SHREVE MILL RD

GANT LA

SAMUELS MILL CT

PRESENTED November 10, 2014

RESOLUTION NO. 2014-

ADOPTED _____

A RESOLUTION: DECLARING THAT A PUBLIC NECESSITY AND USE EXISTS AND AUTHORIZING AN OFFER TO ACQUIRE PERMANENT AND TEMPORARY EASEMENTS FOR THE LOWER SYCOLIN SEWAGE CONVEYANCE SYSTEM PHASE II PROJECT.

WHEREAS, the Council of the Town of Leesburg finds and determines that it is necessary for the construction of a sanitary sewer line adjacent to and through the real property further set forth below, and for all other purposes incidental thereto, to acquire permanent and temporary easements from the below listed property; and

WHEREAS, the Council further finds and determines that a public necessity and use exist to improve safety, health and welfare of the public for the acquisition of the permanent and temporary easements for such aforesaid public uses and purposes; and

WHEREAS, the Town of Leesburg is empowered by Virginia Code Sections 15.2-1800 through 15.2-1814, 15.2-1901 through 15.2-1907, and 33.1-96 to acquire by purchase or eminent domain private property for the purpose of carrying out its powers and duties; and

WHEREAS, the Town of Leesburg in Virginia desires to acquire by purchase or eminent domain certain permanent and temporary easements over real property further set forth below located in Loudoun County and certifies that the acquisition has been reviewed for purposes of complying with Section 1-219-1, Code of Virginia, as amended; and

WHEREAS, the Council wishes to authorize the Town Manager, Town Attorney, Director of Capital Projects, and their outside counsel to proceed with the acquisition of the permanent and temporary easements; and

A RESOLUTION: DECLARING THAT A PUBLIC NECESSITY AND USE EXISTS AND AUTHORIZING AN OFFER TO ACQUIRE PERMANENT AND TEMPORARY EASEMENTS FOR THE LOWER SYCOLIN SEWAGE CONVEYANCE SYSTEM PHASE II PROJECT.

WHEREAS, these easements are shown on the construction plans titled “Lower Sycolin Sewage Conveyance System, Sycolin Branch Sewer”, prepared by Dewberry & Davis, LLC, of Fairfax, Virginia; and

WHEREAS, the property identification number for the real properties necessary for the acquisition of the permanent and temporary easements are listed below:

Property Identification Number (PIN)
193-45-8020-000

THEREFORE, RESOLVED, by the Council of the Town of Leesburg in Virginia as follows:

SECTION I. The Town Council of Leesburg, Virginia hereby finds and determines that a public necessity and use exists to acquire the necessary land rights for the construction of the Lower Sycolin Sewage Conveyance System Phase II project adjacent to and through the real property listed above.

SECTION II. That the Town Manager, Town Attorney, Director of Capital Projects, and their outside counsel be, and hereby are, authorized and directed to negotiate with and execute on behalf of the Town deeds to acquire the necessary permanent and temporary easements over the land aforesaid from the property owners, their successors and assigns, in the location deemed appropriate by the Office of Capital Projects, at a price reasonably related in their judgment to the fair market value of the permanent and temporary easements, and on such terms and conditions as

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they deem advantageous to the Town, in a form approvable by the Town Attorney.

SECTION III. That funding for the purchase price by agreement and the expenditure of such funds for the said permanent and temporary easements and all other acquisition costs, be, and hereby is, authorized and approved.

SECTION IV. That the Town Manager, Town Attorney, Director of Capital Projects, and their outside counsel be, and hereby are, authorized and directed to take such additional actions as may be necessary or convenient to accomplish the acquisition of the permanent and temporary easements as required by this resolution.

SECTION V. That the Clerk of Council be, and hereby is, authorized and directed to affix the seal of the Town to such documents as may be necessary or convenient to accomplish the acquisition of the permanent and temporary easements as required by this resolution.

PASSED the ____ day of November, 2014.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council