



Date of Council Meeting: November 23, 2015

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Easement for Washington Gas Light Company.

Staff Contact: Keith Wilson, Land Acquisition Manager, Department of Public Works & Capital Projects
Amy Wyks, Director, Department of Utilities
Barbara Notar, Town Attorney

Council Action Requested: Town Council authorization for an easement to be conveyed to Washington Gas Light Company to upgrade the gas service line on the Town's waste water treatment plant facilities property located at 1385 East Market Street.

Staff Recommendation: Staff recommends that the Town Council grant an easement to Washington Gas Light Company to upgrade the gas service line on Town's waste water treatment plant facilities property. This action will allow Washington Gas Light Company to change the service line to a distribution line.

Commission Recommendation: Not applicable.

Fiscal Impact: None.

Work Plan Impact: None.

Executive Summary: Washington Gas Light Company (Washington Gas) is relocating and upgrading the existing gas lines in the vicinity of the Town's waste water treatment facilities property located at 1385 East Market Street. This work is part of the construction of the Lowes Development site and Russell Branch Parkway extension.

Washington Gas has requested an easement for the part of the distribution line located on the Town's property to serve the waste water treatment facilities.

Background: The natural gas service to the Town's waste water treatment facilities and Public Works maintenance building is currently served by a service line from Route 7. With the construction and extension of Russell Branch Parkway to Battlefield Parkway, the natural gas service line to the Town's facilities from Route 7 requires relocation.

Washington Gas is constructing a new natural gas distribution line along the south side of Russell Branch Parkway, and upgrading a portion of the service line on the Town's property near the waste water treatment facilities. The upgrade of the service line to a distribution line on the Town's property will provide a better and more reliable natural gas service to the Town's waste water treatment facilities.

Attachments: Draft Washington Gas Light Company Easement Agreement and Exhibit Proposed Resolution



**Washington
Gas**

EASEMENT

THIS EASEMENT made and entered into this _____ day of _____ 2015 , by and between **The Town of Leesburg**, executors, administrators, legal representatives, successors and assigns (hereinafter called “Owner” or “Owners”) and **WASHINGTON GAS LIGHT COMPANY**, a corporation, its successors and assigns (hereinafter called the “Company”).

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the Owner does hereby grant and convey to the Company, its successors and assigns, a perpetual exclusive easement and right of way (“Easement”) 5 feet in width, for the purposes of laying, constructing, maintaining, operating, removing, replacing, altering, extending, repairing, and increasing or decreasing in size a gas pipeline or pipelines, service pipes, valves, regulators and accessory equipment (“Equipment”), as well as wire or fiber optic communication cable, in through and across its property described and recorded by deed dated September 4, 2002 from a Deed of Boundary Line Adjustment, to Owner, and recorded in Deed Book 2258, Page 2176 of the land records of Loudoun County In the State of Virginia, the gas pipeline to be installed along a line as described on Drawing No. BCA-240100-10, attached hereto and made a part hereof.

GPIN / Parcel ID / Tax Map No: PIN: 149-35-8258-000

Tax Map# /49////////22A

Washington Gas Light Company
OECS – Construction Planning
Survey and Land Rights Division
6801 Industrial Road
Springfield, VA 22151

BCA# 240100
WR# 1834789
QUAD MAP# BW030NW



The Easement is subject to the following conditions:

1. The Equipment shall be and remain the property of the Company.
2. The Company and its agents shall have full and free use of the Easement for the purposes named, including the right of access to and from the Easement; and, in addition, the Company shall have the right during the period of original construction of the Equipment, to use additional space, as needed, for construction use only.
3. The gas pipeline and service pipes shall be installed below cultivation and regulators and accessory equipment may be above the surface and the Owner reserves the right to construct and maintain private roadways and fences over the Easement without restricting the Company access to the easement and to make any use of the Easement herein granted not inconsistent with the rights herein conveyed to the Company or with the use of the Easement by the Company for the purposes named. Uses inconsistent with the easement include, but are not limited to, the erection of any building or other structure within the Easement, the making of a fill or an excavation on the Easement, or the inundation of the Easement, without written approval of the Company.
4. The Company shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in the Easement deemed by the Company to interfere with the proper and efficient use of the Easement for the purposes named; provided, however, the Company at its own expense shall restore, as nearly as possible, the property to its original condition, including the back filling of trenches, the replacement of fences, and the reseeded of lawns or pasture areas, but not the replacement of structures, trees, or other obstructions.



5. The Owner warrants generally said Easement and will execute such further assurances thereof as the Company may request.

6. The Company shall pay the Owner actual damages that may arise from the original construction, maintenance, replacement, operation and removal of said Equipment.

*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 you are voluntarily conveying.

IN WITNESS the following signature(s):

By: Signed Name: _____

Printed Name: _____

Title: _____

By: Signed Name: _____

Printed Name: _____

Title: _____

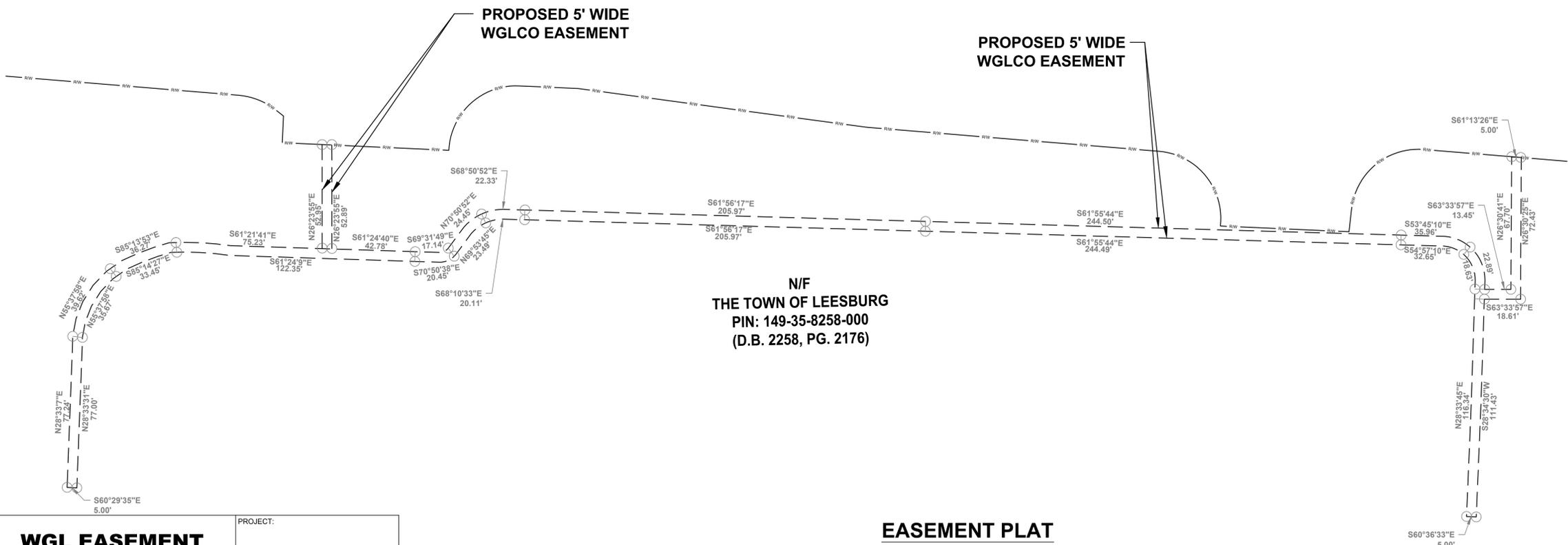
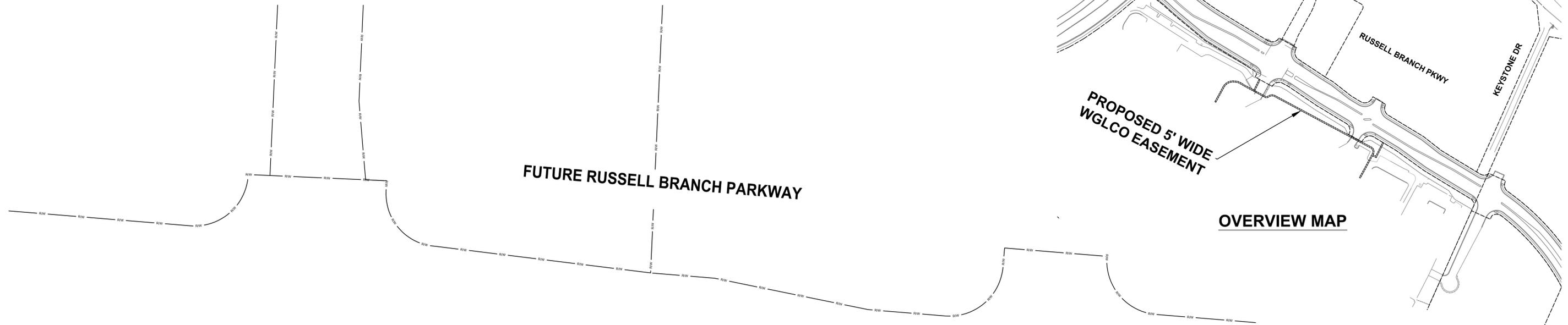
COMMONWEALTH OF VIRGINIA

COUNTY OF FAIRFAX

The foregoing instrument was acknowledged before me this _____ day of _____, 2015 by _____.

My Commission expires: _____

Notary Public



N/F
 THE TOWN OF LEESBURG
 PIN: 149-35-8258-000
 (D.B. 2258, PG. 2176)

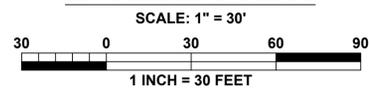
**WGL EASEMENT
 AGREEMENT**

PROJECT:
BCA-240100-10



DATE: **11-03-2015**
 EASEMENT DRAFTER INITIALS:
(ENE) SEC

EASEMENT PLAT



PRESENTED November 23, 2015

RESOLUTION NO. 2015-

ADOPTED _____

A RESOLUTION: AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO WASHINGTON GAS LIGHT COMPANY FOR A GAS LINE ON TOWN PROPERTY TO SERVE THE UTILITIES WASTE WATER TREATMENT FACILITIES PROPERTY

WHEREAS, Washington Gas Light Company has requested an easement for a gas line on Town property for natural gas service to the Utilities waste water treatment facilities property located at 1385 East Market Street; and

WHEREAS, Town staff recommends that the easement be granted to Washington Gas Light Company for the same; and

WHEREAS, the easement, if granted to Washington Gas Light Company by the Town, will not be a detriment to Town owned property, and will provide improved natural gas service to the Utilities waste water treatment facilities property.

THEREFORE, RESOLVED, by the Council of the Town of Leesburg in Virginia that the Mayor is authorized to execute the Washington Gas Light Company easement on a form approved by the Town Attorney for a gas line on Town property to serve the Utilities waste water treatment facilities property located at 1385 East Market Street.

PASSED this ____ day of November, 2015.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council