



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of February 12, 2011**

**DATE:** January 21, 2011

**SUBJECT:** Authorization to accept a Deed of Gift from The Northern Virginia Conservation Trust of Property known as Lots 72, 73, 74, and 75, Parcel 1, of the Glennan's Second Addition to Clarendon Subdivision, Arlington County, Virginia (RPC Nos. 18073014 & 18073028)

**C. M. RECOMMENDATION:**

1. Approve the attached Deed of Gift from The Northern Virginia Conservation Trust to the County Board of Arlington County, Virginia conveying the property known as Lots 72, 73, 74, and 75, Parcel 1, of the Glennan's Second Addition to Clarendon Subdivision, Arlington County, Virginia (RPC Nos. 18073014 & 18073028).
2. Authorize the Real Estate Bureau Chief, or his designee, to accept the Deed of Gift and execute all related documents necessary for the acquisition such property, subject to approval as to form of all documents by the County Attorney.

**ISSUES:** This is an acquisition of unimproved residential property for park purposes. Acquisition of real property by gift to the County requires acceptance by the County Board.

**SUMMARY:** The Deed of Gift, attached as Exhibit A, is a conveyance of real property, for public park purposes, from The Northern Virginia Conservation Trust to the County Board for no monetary consideration. The property is in the middle of a residential area along an unconstructed portion of the North Danville Street right-of-way between 1<sup>st</sup> Road North and 2<sup>nd</sup> Road North. That portion of the North Danville Street right-of-way is currently used for a pedestrian/bicycle trail. The residential area in which the property is situated is bordered on the east by North Cleveland Street and to the west by North Edgewood Street (see Attachment 1 – Vicinity Map). Once the property is acquired, it will be incorporated as part of the existing Fillmore Park.

**BACKGROUND:** The property abuts a County pedestrian/bicycle trail that utilizes an unconstructed portion of North Danville Street between 1<sup>st</sup> Road North and 2<sup>nd</sup> Road North, and is adjacent to a small County-owned parcel that is part of Fillmore Park. The property is

County Manager:

County Attorney:

25.

Staff: Tim O'Hora, DES, Real Estate Bureau

approximately 15,646 square feet in size and was owned for many years by long time Arlington County residents Harlan and Ruth Rockwell, who desired to make it available to local residents for use as a park. As such, in 2010, Ruth Rockwell conveyed the property to the Northern Virginia Conservation Trust by Deed of Bargain and Sale and Deed of Gift for a fraction of its fair market value. By the Deed, the parties specifically acknowledged the important recreational and open space value of the property to the people of Arlington County and the Commonwealth of Virginia, and noted the ultimate intent that the property be incorporated into the Arlington County Park system.

**DISCUSSION:** The property is being donated by Deed of Gift from The Northern Virginia Conservation Trust to the County Board for public park purposes and will be incorporated into Fillmore Park. The Northern Virginia Conservation Trust has requested that, and PRCR staff has agreed, that the County recognize the donation by the Rockwell family and The Northern Virginia Conservation Trust in the form of a plaque or other similar recognition to be placed on the property donated.

**FISCAL IMPACT:** The County will incur limited incidental costs associated with the acquisition for examination of title, recording fees and closing costs and the procurement and installation of a plaque and bench recognizing the Northern Virginia Conservation trust and the Rockwell family totaling less than \$4,000.00. These costs will be paid from DPRCR land acquisition funds. The County will also be responsible nominal costs for mowing and maintenance on the Property and the cost of any future improvements. These costs will be paid from DPRCR operating funds.

**EXHIBIT A - DEED OF GIFT**

**[ATTACHED]**

**Grantee: County Board of Arlington County, Virginia  
2100 Clarendon Boulevard, Suite 800  
Arlington, Virginia 22201**

**Return to: Real Estate Bureau Chief  
2100 Clarendon Blvd, Suite 800  
Arlington, Virginia 22201**

**Consideration: \$0.00 (Gift)**

**RPC Nos.: 18073014 & 18074028**

**This instrument is exempt from recordation tax pursuant to §58.1-811 A.3 and D Code of Virginia**

### **DEED OF GIFT**

This DEED OF GIFT (the "Deed") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the THE NORTHERN VIRGINIA CONSERVATION TRUST, a Virginia non-profit corporation, Grantor; and THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, a body corporate and politic, Grantee.

### **WITNESSETH:**

That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, convey and gift unto the Grantee, its successors and assigns, with SPECIAL WARRANTY OF TITLE, the following real property, in fee simple, for public park purposes:

Lots 72, 73, 74, and 75, Parcel 1, of the Subdivision known as GLENNANS'S SECOND ADDITION TO CLARENDON, as the same appears duly dedicated, platted and recorded in Deed Book 177, at Page 248 among the land records of Arlington County, Virginia (the "Property").

AND BEING the same property conveyed unto the Grantor by virtue of a Deed dated August 19, 2010, and recorded in Deed Book 4387, at Page 209 among the land records of Arlington County, Virginia.

This conveyance is made expressly subject to all restrictions, easements, rights of way, reservations, conditions, and covenants contained in duly recorded deeds, plats, and other instruments in the chain of title to the Property, insofar as they may lawfully affect the Property.

Grantor does hereby bind itself and its successors and assigns to WARRANT SPECIALLY the Property hereby conveyed unto Grantee, its successors and assigns, against every person lawfully claiming by, through, or under Grantor, but not otherwise. This conveyance is made subject to other restrictions, covenants, conditions, easements and other matters of record – in addition to those specifically stated above – insofar as they may legally affect the Property.

Grantor hereby warrants that it has fee simple title to the Property, and covenants that it will warrant specially the Property hereby granted and that it will execute such further assurances of said Property as may be requisite. No other covenants or warranties express or implied are given by this Special Warranty Deed.

WITNESS the following signatures and seals:

**GRANTOR:**

THE NORTHERN VIRGINIA CONSERVATION TRUST, a  
Virginia non-profit corporation

BY: Michael Nardolilli  
PRINTED NAME: MICHAEL NARDOLILLI  
TITLE: PRESIDENT NVCT

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Fairfax, to-wit:

The foregoing instrument was acknowledged before me by  
Michael A. Nardolilli, President of, The Northern  
Virginia Conservation Trust, a Virginia non-profit corporation, this 25 day of  
January, 2011.

Steven P. Balullo  
NOTARY PUBLIC 107417

My Commission Expires: 04-30-2011

**ACCEPTED:**

COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA:  
The aforesaid Deed is accepted on behalf of the County Board of  
Arlington County, Virginia, pursuant to a resolution, motion, or action  
of the said Board duly approved on \_\_\_\_\_, 2011.

By: \_\_\_\_\_  
Uri Arkin, Real Estate Bureau Chief,  
Engineering and Capital Projects Division,  
Department of Environmental Services

COMMONWEALTH OF VIRGINIA  
COUNTY OF ARLINGTON, to-wit:

The foregoing instrument was acknowledged before me by Uri Arkin, Real Estate  
Bureau Chief, Engineering and Capital Projects Division, Department of Environmental  
Services, on behalf of the County Board of Arlington County, Virginia, this \_\_\_\_ day of  
\_\_\_\_\_, 2011.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

Vicinity Map  
Deed of Gift - Lots 72,73,74, & 75  
Glennan's Second Addition to Clarendon Subdivision  
RPC # 18073014 & 18073028

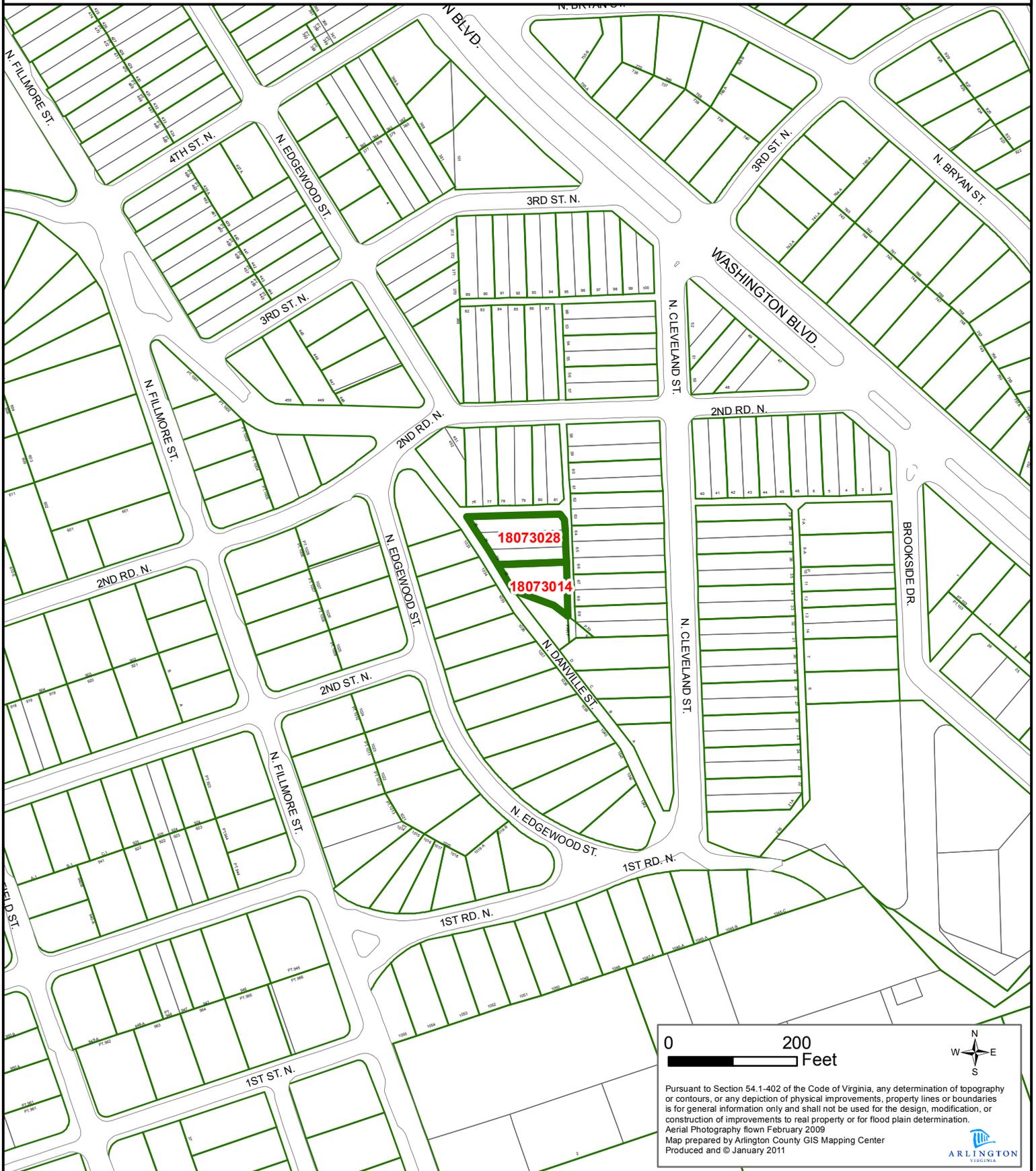


0 75 Feet

Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination. Aerial Photography flown February 2009. Map prepared by Arlington County GIS Mapping Center. Produced and © January 2011

ARLINGTON VIRGINIA

Vicinity Map  
Deed of Gift - Lots 72,73,74, & 75  
Glennan's Second Addition to Clarendon Subdivision  
RPC # 18073014 & 18073028



0 200 Feet

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