



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of December 8, 2012

DATE: November 15, 2012

SUBJECT: Approval and Authorization for the County Board to: i) Dedicate a Portion of a County Owned Parcel of N. Culpeper Street for Public Street and Utilities Purposes; and, ii) Convey the Remaining Portion of the County Owned Parcel to Robert W. Smith, Jr. and Kathy A. Smith in Exchange for the Conveyance and Dedication by Robert W. Smith, Jr. and Kathy A. Smith to the County Board of a Portion of the Property located at 1941 N. Culpeper Street in Fee Simple for Street and Utilities Purposes; and in Exchange for the Conveyance and Dedication to the County Board of a 15 Foot Sanitary Sewer Easement on the Property located at 1941 N. Culpeper Street, Arlington, Virginia (RPC No. 08-011-003).

C. M. RECOMMENDATION:

1. Approval and Authorization for the County Board to: i) Dedicate a Portion of a County Owned Parcel of N. Culpeper Street for Public Street and Utilities Purposes; and, ii) Convey the Remaining Portion of the County Owned Parcel to Robert W. Smith, Jr. and Kathy A. Smith in Exchange for the Conveyance and Dedication by Robert W. Smith, Jr. and Kathy A. Smith to the County Board of a Portion of the Property located at 1941 N. Culpeper Street in Fee Simple for Street and Utilities Purposes; and in Exchange for the Conveyance and Dedication to the County Board of a 15 Foot Sanitary Sewer Easement on the Property located at 1941 N. Culpeper Street, Arlington, Virginia (RPC No. 08-011-003).
2. Authorize the Real Estate Bureau Chief, or his designee, to accept the fee simple and easement dedications and to execute the Deed of Conveyance and all related documents on behalf of the County Board, subject to approval of all Deeds, as to form, by the County Attorney.

ISSUES: In order to accommodate the construction of a new single family dwelling located at 1941 N. Culpeper Street, and to dedicate, for public street and utilities purposes, a portion of a County-owned parcel and a portion of an abutting property currently improved and used as part of the right-of-way of N. Culpeper Street, the County Board is being requested to approve: i) the dedication of a portion of the County-owned parcel for public street and utilities purposes; and ii)

County Manager:

County Attorney:

6.

Staff: Betsy Herbst, DES, Real Estate Bureau

the conveyance of the remaining portion of the County-owned parcel to Robert and Kathy Smith (“Owners”), in exchange for the dedication by the Owners of a portion of their property, in fee simple for public street and utilities purposes, and the conveyance to the County by the Owners of an easement for public sanitary sewer purposes over a portion of their property. No outstanding issues have been identified.

SUMMARY: To allow the construction of a walkway, driveway and associated retaining walls, as a part of the construction of a new single family dwelling, the Owners of 1941 N. Culpeper Street are requesting approval by the County Board of an exchange of property interests, whereby the Owners would dedicate a portion of their property to the County for public street and utility purposes and convey to the County an easement for sanitary sewer purposes over another portion of their property, in exchange for the conveyance to the Owners, by the County, of a portion of a County-owned parcel adjacent to their property located at 1941 N. Culpeper Street. County staff recommends as part of the transaction that the County Board dedicate a portion of the County owned property for public street and utilities purposes, to incorporate the existing physical street improvements into dedicated right of way (see Vicinity Maps at Attachments 1 and 2).

BACKGROUND: The subject property is located in the Halls Hill neighborhood on North Culpeper Street between Lee Highway and 19th Street North at 1941 N. Culpeper Street (the “Property”). Robert W. Smith, Jr. and Kathy A. Smith are the owners of the property by virtue of a Deed recorded on May 4, 2012, in Deed Book 4361, Page 2197 among the land records of Arlington County, Virginia. On July 10, 2012, the Owners obtained approval by the Board of Zoning Appeals of Use Permit No. V-10678-12-UP-1 to allow them to build a single family structure on the property in accordance with requirements specified in the approval.

The Owners’ property is adjacent to a County-owned parcel, a portion of which is currently used for the right of way of N. Culpeper Street. The County-owned parcel was acquired by the County on October 27, 1969, by recordation of an Order Vesting Title in the County by exercise of its power of eminent domain. The Order indicates that the parcel was acquired for public use, but the parcel was never dedicated for public street and utilities purposes, although portions of the property are currently improved with paved public street and sidewalks.

DISCUSSION: The dedication of a portion of the County-owned parcel for public street and utilities purposes is consistent with the existing street and sidewalk improvements and its current public use. In order to fully incorporate the existing County street and sidewalk improvements into the dedicated right of way, the Owners will dedicate and convey a portion of their property, which is currently improved with County sidewalk, to the County for public street and utilities purposes in exchange for the County conveying a portion of the County-owned parcel to the Owners. This exchange of portions of property will correct the dedicated right-of way line for N. Culpeper Street and allow the Owners to construct a driveway, lead walk, and retaining walls to provide access to the street from the Owners’ proposed residence. The proposed dedication of a portion of the Owner’s property and a portion of the right of way of N. Culpeper Street for public street and utilities purposes are shown on the plats attached as Exhibits A and B.

As additional consideration to the County, the Owners will also dedicate and convey to the County a 15' Public Sanitary Sewer Easement, in the location shown on the plat attached as Exhibit A. The dedication of the easement will accommodate the relocation of an existing sanitary sewer pipe, for which no easement was ever dedicated to the County. The pipe runs through the middle of the Smith's property. The relocation of the existing sanitary sewer pipe will be done at the Owner's sole cost and expense as part of the construction of the new single family dwelling.

FISCAL IMPACT: There will be no fiscal impact to the County. All costs of relocating the existing sanitary sewer pipes, the engineering costs and recordation fees will be paid by the Owners.

CONCLUSION: It is recommended that the County Board approve and authorize: i) the dedication of a Portion of a County owned Parcel of N. Culpeper Street for Public Street and Utilities Purposes; ii) the conveyance of the Remaining Portion of the County Owned Parcel to Robert W. Smith, Jr. and Kathy A. Smith in Exchange for the Conveyance and Dedication by Robert W. Smith, Jr. and Kathy A. Smith to the County Board of a Portion of the Property located at 1941 N. Culpeper Street in Fee Simple for Street and Utilities Purposes; and in Exchange for the Conveyance and Dedication to the County Board of a 15 Foot Sanitary Sewer Easement on the Property located at 1941 N. Culpeper Street, Arlington, Virginia (RPC No. 08-011-003); and to authorize the Real Estate Bureau Chief, or his designee, to accept the fee simple and easement dedications and to execute the Deed of Conveyance and all related documents on behalf of the County Board, subject to approval of all Deeds, as to form, by the County Attorney.

EXHIBIT SHOWING
EASEMENT AND DEDICATION ON
PART ORIGINAL
JENNIE WILLIAMS PROPERTY

DEED BOOK 105, PAGE 492
ARLINGTON COUNTY, VIRGINIA
SCALE: 1" = 10'

WILLIAMS & ASSOCIATES
INCORPORATED
730 S. Washington St.
Alexandria, Virginia 22314
PH. (703) 549-6422
FAX (703) 549-6452

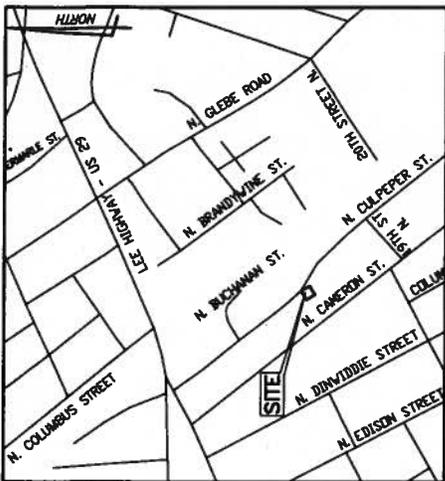
DATE	T.C.
CHECKED	R.J.K.

FILE NO. 10-116
SHEET 1 OF 1

CURVE TABLE				
CURVE	ARC	RADIUS	DELTA	TANGENT
C1	23.51	342.21	358.98"	71.78'
			CHORD	21.50
			CH. BEARING	S 53°36'28" E

AREA TABULATION:

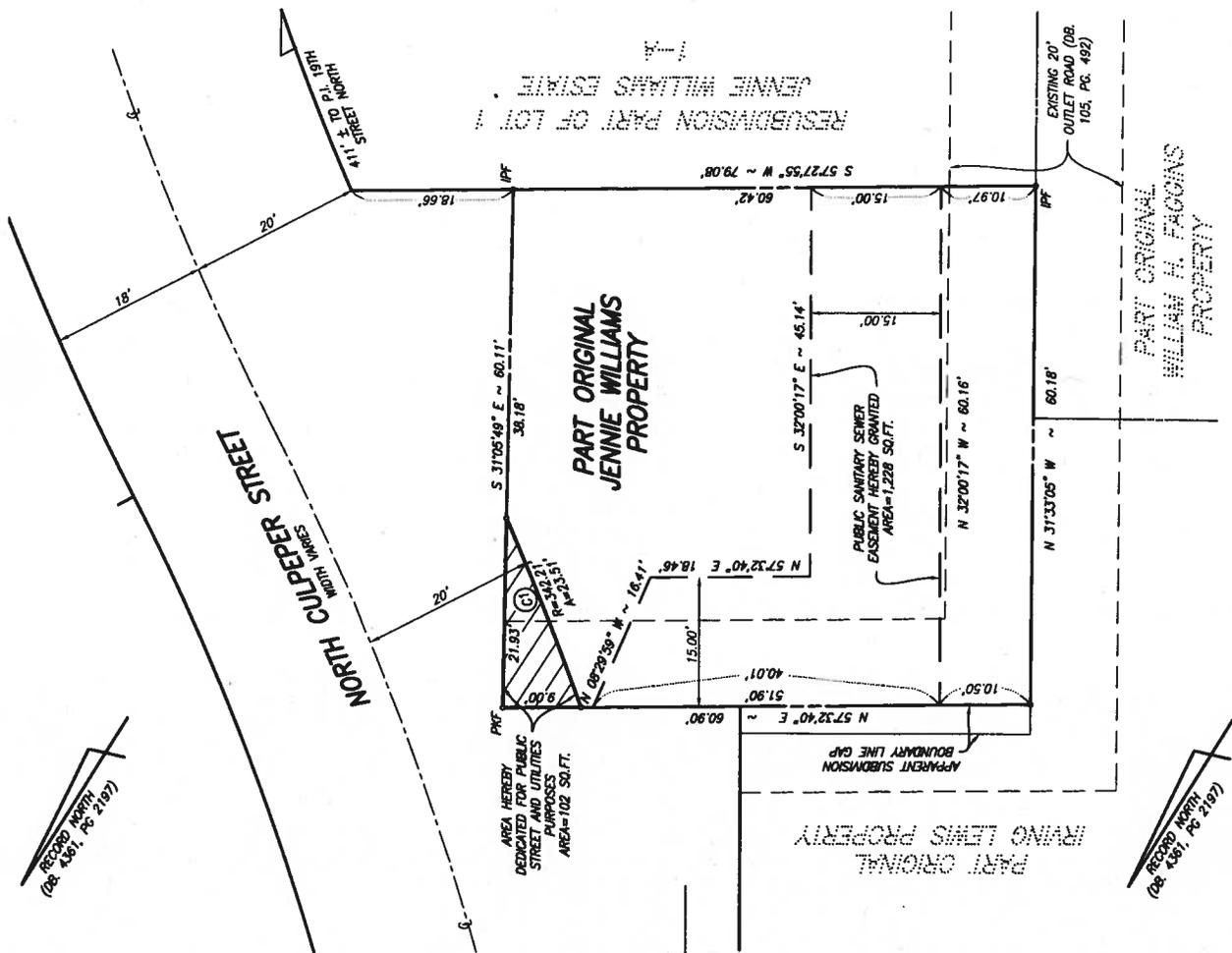
ORIGINAL LOT AREA _____ 3,647 SQ. FT. OR 0.0837 AC.
DEDICATION AREA _____ 102 SQ. FT. OR 0.0023 AC.
NEW LOT AREA _____ 3,545 SQ. FT. OR 0.0814 AC.



VICINITY MAP
SCALE: 1" = 500'

NOTES:

1. THE PROPERTY DELINEATED HEREON APPEARS ON ARLINGTON COUNTY REAL PROPERTY IDENTIFICATION MAP NO. 042-10 IDENTIFIED AS REAL PROPERTY CODE NUMBER (R-P-9) 08011003.
2. TITLE REPORT FURNISHED BY NBS TITLE ENTERPRISES, INC. FILE #H10-3576, DATED MARCH 4, 2010 AND IS RELIED UPON BY THE SURVEYOR TO BE ACCURATE.
3. PLAT SUBJECT TO RESTRICTIONS OF RECORD
4. OWNER: ROBERT W. SMITH, JR. & KATHY A. SMITH



ARLINGTON COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF TRANSPORTATION

RECOMMENDED FOR APPROVAL: _____ APPROVED: _____
PLAT EXAMINER: _____ SUBDIVISION AND BONDS ADMINISTRATOR



VICINITY MAP
SCALE: 1" = 500'

NOTES:

1. THE PROPERTY DELINEATED HEREON APPEARS ON ARLINGTON COUNTY REAL PROPERTY IDENTIFICATION MAP NO. 042-10 ADJACENT TO REAL PROPERTY CODE NUMBER (AP-C#) 08011003.
2. TITLE REPORT FURNISHED BY HBS TITLE ENTERPRISES, INC. FILE # H10-357A DATED MARCH 4, 2010 AND IS RELED UPON BY THE SURVEYOR TO BE ACCURATE.
3. PLAT SUBJECT TO RESTRICTIONS OF RECORD

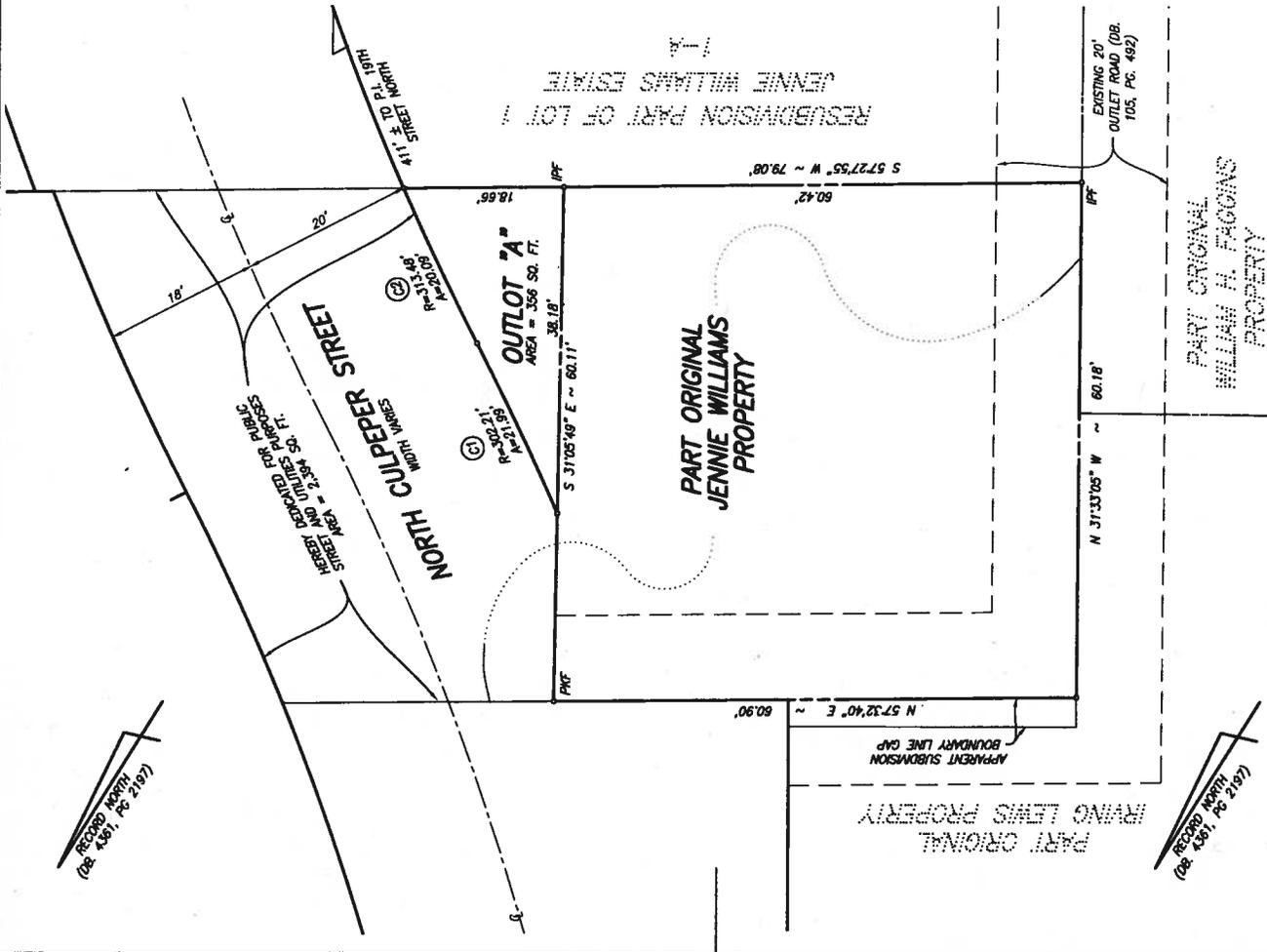
EXHIBIT B
DEDICATION FOR PUBLIC STREET
AND UTILITIES PURPOSES ON
**PART ORIGINAL
JENNIE WILLIAMS PROPERTY**

DEED BOOK 105, PAGE 482
ARLINGTON COUNTY, VIRGINIA
SCALE: 1" = 10' DATE: NOVEMBER 19, 2012

DATE	11/19/12
BY	J.G.
CHECKED	R.J.K.
FILE NO.	10-116
SHEET	1 OF 1

WILLIAMS & ASSOCIATES
INCORPORATED
730 S. Washington St.
Alexandria, Virginia 22314
PH. (703) 549-6422
FAX (703) 549-6452

CURVE	CURVE TABLE			
	ARC	RADIUS	DELTA	TANGENT
C1	21.99	342.21	340°56'	11.00
C2	20.09	313.48	340°20'	10.05
			CHORD	CH. BEARING
			20.09	S. 97°24'50" E
			20.09	S. 97°25'16" E



ARLINGTON COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF TRANSPORTATION

RECOMMENDED FOR APPROVAL: _____
APPROVED: _____
SUBDIVISION AND BONDS ADMINISTRATOR

PLAT EXAMINER: _____

RECORD NORTH
(Pg. 581, Pg. 2197)

RECORD NORTH
(Pg. 581, Pg. 2197)

Vicinity Map
1941 N Culpeper St.
RPC # 08-011-003

N. CULPEPER ST.

To be Conveyed to the County
for Public Street and Utilities Purposes

Sanitary Sewer Easement
to be Conveyed to the County

To be Dedicated for
Public Street and Utilities Purposes

080.11003

To be Conveyed to
Owner by the County

N. CULPEPER ST.

W ST.

0 50 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. Easements and Dedications are approximate.

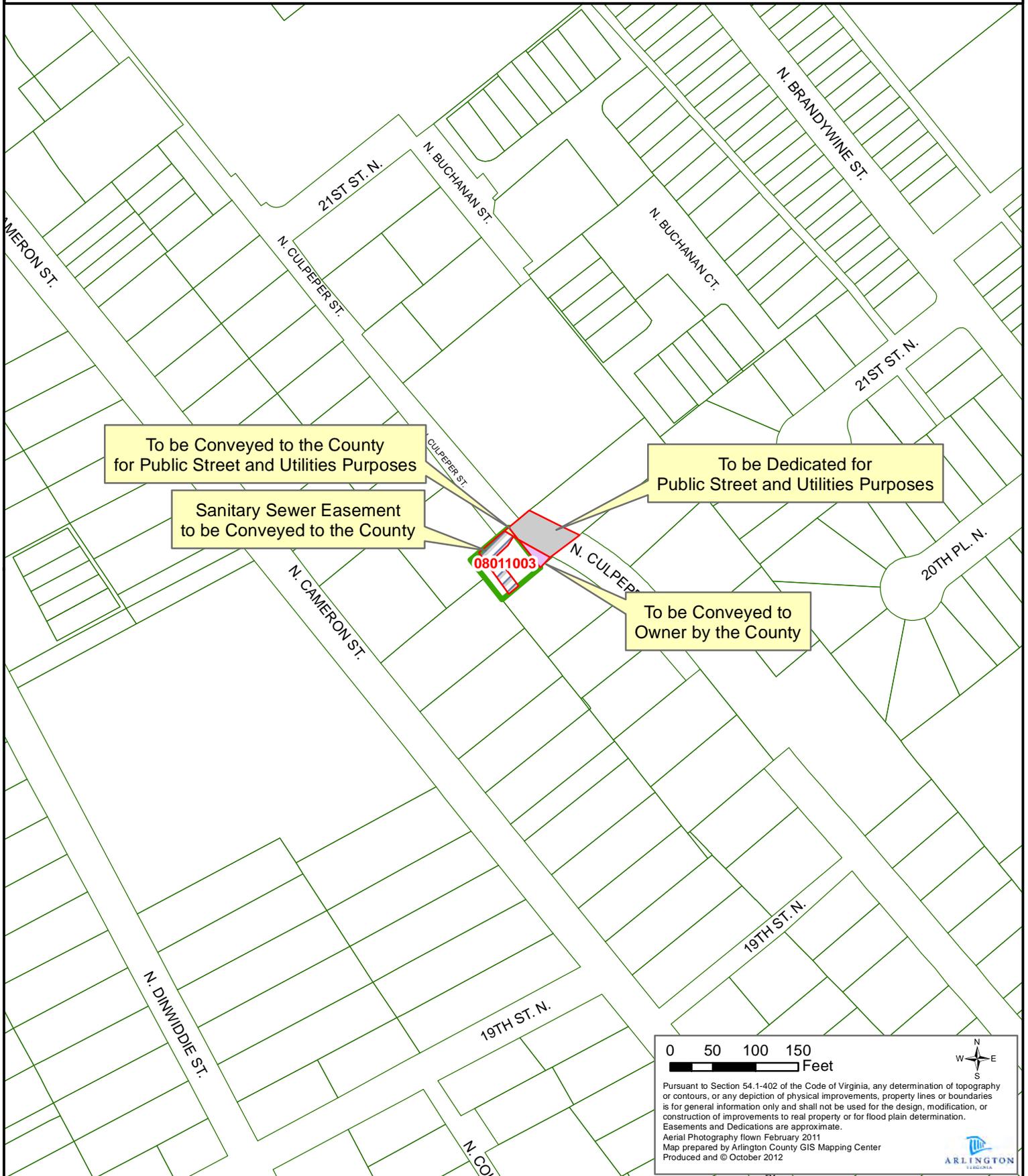
Aerial Photography flown February 2011
Map prepared by Arlington County GIS Mapping Center
Produced and © October 2012



Vicinity Map

1941 N Culpeper St.

RPC # 08-011-003



0 50 100 150 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. Easements and Dedications are approximate.

Aerial Photography flown February 2011
Map prepared by Arlington County GIS Mapping Center
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