



City of Petersburg Virginia

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July 5, 2023 - City Council Work Session

July 5, 2023
Petersburg Public Library
135 North Union Street
Petersburg, VA 23803
5:00 PM

City Council

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charlie Cuthbert, Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor – Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

City Administration

John March Altman, Jr. - City Manager
Anthony Williams - City Attorney
Nykesha D. Lucas - City Clerk

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1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Public Comments**
 6. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. **Minutes: (Page 3)**
 - June 20, 2023 - Closed Session Meeting Minutes
 - June 20, 2023 - Regular Meeting Minutes
 - b. **First Reading of an ordinance approving a petition for a Special Use Permit for a proposed Multi-Family Residential Development on the property located at 235 Medical Park Boulevard. (Page 16)**
 - c. **First Reading - An Ordinance to Authorize the Exchange of Real Property with the Estate of William A. Patton. (Page 25)**
 - d. **First Reading - An Ordinance to Direct the City Manager to Reimburse Bollingbrook Properties, LLC F/K/A Master Properties, LLC and Worther G. Becker, III and Karen K. Becker for Expenses Incurred in Real Property Transaction Recorded in Instrument 202302112. (Page 63)**
 7. **Special Reports**
 8. **Monthly Reports**
 9. **Finance and Budget Report**
 - a. **An update on the Financial Report for City of Petersburg.**
 10. **Capital Projects Update**
 11. **Utilities**
 - a. **Presentation and update from JMT on Poor Creek.**
 12. **Streets**

- 13. Facilities**
- 14. Economic Development**
- 15. City Manager's Agenda**
- 16. Business or reports from the Clerk**
- 17. Business or reports from the City Attorney**
- 18. Adjournment**



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 5, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Minutes: (Page 3)**
-June 20, 2023 - Closed Session Meeting Minutes
-June 20, 2023 - Regular Meeting Minutes

PURPOSE: For informational purposes only.

REASON: For informational purposes only.

RECOMMENDATION: Recommend City Council approve the attached minutes of previous city council meeting.

BACKGROUND: See attached minutes.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 7/5/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. June 20, 2023 Closed Session Meeting Minutes
2. June 20, 2023 regular city council minutes

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, June 20, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:06 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member W. Howard Myers
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: Council Member Marlow Jones
Council Member Annette Smith-Lee
Council Member Arnold Westbrook, Jr.

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(29) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion regarding the requirements of an administrative notice, and matters requiring legal advice to the City Attorney; and under §2.2-3711(A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held property where the discussion in an open meeting can affect the bargaining position or the negotiating strategy of the public body specifically including but not limited to the acquisition or disposition of real property.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Myers seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Myers, Hill, and Parham; Absent: Jones, Smith-Lee, and Westbrook

The City Council entered closed session at 3:07 p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mayor."

Vice Mayor Hill made a motion to return the City Council into open session and certify the purposes of the closed session. Council Member Myers seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Myers, Hill, and Parham; Absent: Jones, Smith-Lee, and Westbrook

23-R-41 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to open session at 5:00pm.

3. ADJOURNMENT:

The City Council adjourned at 5:01 p.m.

Clerk of City Council

APPROVED:

Mayor

The regular meeting of the Petersburg City Council was held on Tuesday, June 20, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:02 p.m.

1. ROLL CALL:

Present:

Council Member Charles Cuthbert, Jr.
Council Member Marlow Jones
Council Member W. Howard Myers
Vice Mayor Darrin Hill (left meeting at 6:20pm)
Mayor Samuel Parham

Absent: Council Member Annette Smith-Lee
Council Member Arnold Westbrook, Jr.

Present from City Council Administration:
City Manager John March Altman, Jr
City Attorney Anthony Williams
Clerk of Council Nykesha D. Lucas

2. PRAYER:

Mayor Parham stated that Vice Mayor Hill will lead the city council meeting in the opening prayer.

Vice Mayor Hill led the city council meeting in the opening prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led the council and the citizens in the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of all city council members except Council Member Smith-Lee and Westbrook.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

a. Recognition of Jeremiah Johnson

Mayor Parham presented Jeremiah Johnson with a Certificate of Recognition and poster award for scoring 1st place in the Track Tournament for the High Jump with a 6'8 jump.

b. Presentation of a proclamation recognizing designating July 1st, 2023, as Nu Gamma Epsilon Military Sorority, Incorporated Day in the City of Petersburg.

Mayor Parham read the proclamation aloud. Ms. Priscilla Manns accepted the proclamation.

c. Presentation on ACFR FY22 Overview and Acceptance.

Stacey Jordan, Chief Financial Officer, and David Foley, partner with Robinson, Farmer, Cox, and Associates, gave a presentation of the ACFR FY22 Overview.

Key points:

- At the conclusion of the ACFR preparation and audit process, the City's external auditor renders an opinion on whether the City's financial statements fairly present the results of the City for the period reported.
- The Statement of Net Position is a snapshot of the City's assets and liabilities under the accrual basis of accounting at the end of each fiscal year. As of June 30, 2022, the total net position is \$71,043,013.
- Statement of Activities reflects the city's revenue and expenses for its governmental and business-type activities. Operating Grants and Contributions - \$29,688,713; General Property Taxes - \$42,444,952; Other General Revenue - \$396,630; Commonwealth of Virginia non-categorical aid - \$4,388,589; Use of Money and Property - \$79,833; and Other Local Taxes - \$16,918,741
- Governmental Funds are comprised of three funds/fund groups: General Fund, Capital Projects Fund, and Non-Major Funds. As of June 30, 2022, the fund balance was \$45,443,646.
- The "Unassigned" fund balance for the General Fund increased from \$25,232,435 in FY 2021 to \$39,016,279 in FY 2022 or by 35.3% and \$13,783,844.
- Revenues exceeded expenditures in the General Fund by \$16,033,644 or by more than 20%.
- They audit the financial statements to make sure that the city's financial statements are prepared in accordance with accepting accounting principles.

There was discussion among the city council, auditors, and staff.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated that responses to previous public information period is under the council communications.

7. APPROVAL OF CONSENT AGENDA (to include minutes of previous meeting/s)

- a. Minutes:
- June 6, 2023 – Special City Council Meeting
 - June 6, 2023 - Closed Session Meeting
 - May 2, 2023 – Work Session Meeting

Council Member Myers made a motion to approve the consent agenda. Vice Mayor Hill seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Smith-Lee and Westbrook

8. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W. Washington Street. The property is located in a B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W. Washington Street. The property is located in a B-2 General Commercial Zoning District.

RECOMMENDATION: It is recommended that the City Council considers approving an ordinance on the petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W. Washington Street. The property is located in the B-2 General Commercial Zoning District.

Reginald Tabor, Planning Manager of the Department of Economic Development, Planning, and Community Development gave a brief overview of the request.

Mayor Parham opened the public hearing for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Vice Mayor Hill made a motion to approve the petition for a Special Use Permit (SUP) for the used auto sales and care rental at 1242 W. Washington Street. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

23-ORD-32 AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP) FOR USED AUTO SALES AND CAR RENTAL AT 1242 W. WASHINGTON STREET

- b. A public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in the M-1 Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in the M-1 Light Industrial District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

RECOMMENDATION: It is recommended that the City Council approves an ordinance approving a petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in the M-1 Light Industrial Zoning District.

Reginald Tabor, Planning Manager of the Department of Economic Development, Planning, and Community Development gave a brief overview of the request.

Mayor Parham opened the public hearing for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the city council members.

Vice Mayor Hill made a motion to approve the petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

23-ORD-33 AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP) FOR AUTOMOTIVE REPAIR AND DETAILING AT 1841 ANCHOR AVENUE.

- c. A public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street. The property is located in the B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

RECOMMENDATION: It is recommended that the City Council hold a public hearing and consider an ordinance approving a petition for a Special Use Permit (SUP) for a Multi-Family development at 712 High Street. The property is located in the B-2 General Commercial Zoning District.

Reginald Tabor, Planning Manager of the Department of Economic Development, Planning, and Community Development gave a brief overview of the request.

Mayor Parham opened the public hearing for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the city council members and the petitioner.

Council Member Myers made a motion to approve the petition for a Special Use Permit for Multi-Family Development at 712 High Street. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

23-ORD-34 AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP) FOR MULTI-FAMILY DEVELOPMENT AT 712 HIGH STREET.

- d. A public hearing and consideration of a petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W. Washington Street. The property is located in the B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W. Washington Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

RECOMMENDATION: Adopt the ordinance.

Reginald Tabor, Planning Manager of the Department of Economic Development, Planning, and Community Development, gave a brief overview of the request.

Mayor Parham opened the public hearing for public comments.

Gary Talley, 2323 Fort Rice Street, asked whether there were residential homes next to the property. He stated that he would not want the car wash next to his home.

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among the city council members.

Council Member Myers made a motion table action until the second meeting in July. Council Member Cuthbert seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

- e. A public hearing and consideration of an ordinance approving a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

RECOMMENDATION: It is recommended that the City Council hold a public hearing and consider an ordinance approving a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

Mayor Parham stated that this public hearing has been moved to the July 26th regular city council meeting.

- f. A public hearing on an appeal by Parmeet Soin, applicant of 125 North Market Street, Tax Parcel 011-24-0001, owned by SC Market Street LLC, on the decision of the Architectural Review Board (ARB). The property is located within the Courthouse Local Historic District.

BACKGROUND: Mr. Soin was issued a Notice of Violation of the Zoning Ordinance, Article 35, Section 6: "*Certificate of appropriateness; requirements before issuance of building permit, or commencement of work not requiring a permit*," and the Code of Virginia § 15.2-2306: "*Preservation of historical sites and architectural areas*", on for making exterior alterations without issuance of a Certificate of Appropriateness (COA). The owner filed an application to the ARB on March 2, 2023, for alterations already made to the property at 125 N. Market Street, specifically the installation of metal plates into a brick exterior wall. The application was heard at the April 12, 2023, ARB meeting and denied as submitted, based on Petersburg's Historic District Design Guidelines Chapter 5, Section B. An appeal of this decision was received by the Clerk of Council on May 11, 2023, requesting that City Council overturn the ARB's denial.

RECOMMENDATION: To hold a hearing regarding an appeal from the owner of property at 125 N. Market Street and decide concerning the appeal per Article 35 Section 13 of the Petersburg Zoning Ordinance.

Kate Sangregorio, Preservation Planner, gave an overview of the request.

Mayor Parham opened the public hearing for public comments.

Joe Battiston, 600 W. Wythe Street, stated that he provided some photos but besides the plates, they are very thin and not strong. He stated that the brick is in bad shape and there are some loose bricks. He stated that there is not enough mortar to cover the bricks that are not covered. He stated that the petitioner was asked to point that up and he stated that he did not want to do it at that moment. He stated that the petitioner had an excuse for everything that they had to say.

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among the city council members and staff.

Council Member Cuthbert made a motion to direct the city manager to use all available resources to abate all property maintenance code violations at the current address as soon as practical. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

Council Member Cuthbert made a motion to deny the appeal and affirm the decision of the Architectural Review Board. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, Hill, and Parham; Absent: Westbrook and Smith-Lee

- g. A public hearing on June 20, 2023, to receive public comments for the consideration of funding recommendations and availability for the CDBG 2023-2024 Action Plan.

BACKGROUND: The CDBG 2023-2024 Action Plan will start on July 1, 2023, and ends on June 30, 2024. The estimated amount of funding the City of Petersburg will receive from the U.S. Department of Housing and Urban Development (HUD) for 2023-2024 is \$583,000. Please note that at the time of this notice, the 2023-2024 funding amounts have not yet been issued by HUD. CDBG funds will be used to support the following three activities: Housing Rehabilitation, Public Service, and Public Facilities/ infrastructure, which are described in the 2020-2024 Consolidated Plan. The CDBG 2023-2024 Action Plan draft will be available for public review and comment from May 16, 2023, to June 16, 2023. The draft document will be available electronically on the City of Petersburg website and in the Department of Planning and Community Development., City Hall, 135 N. Union Street, Room 304, Petersburg, Virginia 23803. Members of the public who wish to provide feedback on the draft document, including funding recommendations, may do so at the public hearing or by submitting written comments to Kofi Adih (kadih1@msn.com). The deadline for receiving written comments on the draft Action Plan and preliminary funding recommendations is June 16, 2023, at 5:00 PM. If you have questions, please email Kofi Adih at kadih1@msn.com.

RECOMMENDATION: To hold public hearing and receive city comments for the consideration of funding recommendations.

Brian Moore, Director of Economic Development, Planning, and Community Development, gave an overview of the request.

Kofi Adih, Chairman of Community Development Block Grant, gave a brief overview of the CDBG funding and recommendations.

Mayor Parham opened the public hearing for public comments.

Scott Fisher, Executive Director of Downtown Churches United, stated that they would like to get the \$22,000 rather than the recommended \$16,000. He stated that their organization has been within the city for numerous years helping the citizens and supporting the city.

Janell Sinclair, founder of Heron, stated that the program has been in the Petersburg Public Schools since 2015. She stated that they have expanded the community for boys and girls. She stated that this is to prevent the children from being on the streets and put down guns and learn how to become business owners. She stated that they ask the city to support their program as well as their youth.

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among the city council members and staff.

Council Member Myers requested that he like the \$14,000 recommended for Lending Helping Hands be split with \$10,000 going to Hebron and \$4,000 to the River Street Market.

The changes will come back to the second meeting in July for approval.

- h. Consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc. to establish a Stand-up Electric Scooter sharing system within the City of Petersburg – 2nd Reading.

BACKGROUND: The City of Petersburg received a proposal from Bird Rides, Inc. to operate a Stand-up Electric Scooter sharing system within the City of Petersburg. Bird Rides, Inc. was founded in 2017 and operates in 25 countries and 400 cities. The system works through an online application whereby users sign a user agreement to verify their age is 18 or older, add payments, and complete educational tutorials prior to each ride. The system is dockless and riders have freedom to choose drop off and pick-up locations. Operators locate and retrieve scooters throughout the day. The cost is \$1.00 per minute, with an average cost of \$6.00. Discounts are offered to veterans, senior citizens, healthcare workers, and students with Pell grants.

The purpose is to provide a low-cost transportation alternative, with focus on the first and last mile between a departure location and a destination. Operating zones can be established to limit use within specific target areas. The agreement between the City and Bird includes liability, insurance, and indemnification clauses. Each rider must sign an agreement that includes liability and indemnification clauses as well.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc to establish a Stand-Up Electric Scooter sharing system within the City of Petersburg.

Mr. Tabor stated that they would like to move this public hearing to the second meeting in July due to the representatives not being able to attend the meeting this evening.

- i. A public hearing and consideration to adopt the FY 2024 Capital Budget – 2nd Reading 0

BACKGROUND: Annually, the city prepares its annual capital budget. This plan is a fiscal management tool that is used to plan the timing of and funding of capital improvements over a one- year period. Once approved, the plan is managed throughout the year and updated on an as-needed basis while communicating with the City's management team. The sources of funding include the Capital Reserve, Virginia Resources Authority (VRA), the Courthouse Reserve Fund, Department of Conservation & Recreation (DCR), ARPA, Economic Development Authority (EDA), Environmental Protection Agency, Department of Environmental Quality (DEQ), Department of Housing & Urban Development (HUD). Also, the city is continuing to seek funding for any current unfunded projects.

RECOMMENDATION: Recommend that the council review and approve the FY24 Capital Budget.

Randall Williams, Department of Public Works and Utilities, gave an overview of the request.

Mayor Parham opened the public hearing for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the City Council and staff.

Council Member Myers made a motion to approve the ordinance and the FY24 Capital Budget. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Myers, and Parham; Absent: Westbrook, Hill, and Smith-Lee

23-ORD-35 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2023, AND ENDING JUNE 30, 2024, IN THE CAPITAL BUDGET.

9. PUBLIC INFORMATION PERIOD: A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a) First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
- b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Woody Kennon, (Feedmore/Meals on Wheels) stated that he is present to make the city aware of a problem that may be in the future for the citizens and city. He stated that right now Meals on Wheels helps

homebound individuals such as the elderly. He stated that 70% of the accounts are delivered by DoorDash drivers and not volunteers. He stated for the past two years there has been a COVID aid to help with using DoorDash to do the deliveries. He stated that at the end of the summer and beginning fall the funds will run out. He stated that when that happens, they will not have the manpower to do so.

Otis Hill, 2306 N. Whitehill Drive, stated that he would like to know what will be done about the deaf community and the carbon monoxide detectors. He stated that he has six forms that need the devices. He stated that most of them are renters, and some are section 8 housing.

Mr. Altman stated that he and the Interim Fire Chief just spoke about that information today and they are moving forward with purchasing some for members in the community. He asked Mr. Hill to get the list to Chief Magann so that they can be purchased.

Bobby Beverly, teacher at Cool Springs Elementary School, stated that Juneteenth was yesterday and as always it was an embarrassment. He stated that Petersburg and other localities was embarrassing. He stated that Hopewell got it right and Councilman Jones was present to see how Hopewell celebrated Juneteenth. He stated that on a historical day they should have a historian talk about the holidays.

10. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

Council Member Cuthbert spoke on 29 Liberty Street when it was still a home. He stated that it was a very attractive building years ago. He stated that it was torn down last week. He stated that the lesson to be learned is that this sad state of affairs illustrates how important the job of neighborhood services is. And the other side of the coin illustrates what happens when neighborhood services do not do their important job. He stated that there was no reason to lose the building if they had done their job. He stated that year after year neighborhood services fail to do their job. He spoke about 129 Monument Avenue. He stated that the building is in Ward 1 and a notice of violation has been issued. He stated that it has been eligible for tax sale from 2021.

He stated that there are two ways that the city has to address blight. He stated that one way is through property maintenance code enforcement and the other is by taking the property to tax sale. He stated that many of the blighted properties are current with taxes and cannot go to tax sales. He stated that the property at 2227 South Whitehill Drive has a hole in the roof and it does not meet the standards. He stated that the property at 1917 Powhatan Avenue is awful, and the city did file the necessary paperwork to take this to court on September 26, 2023. He stated that the property at 1751 Sherwood Avenue is in bad shape and that the city manager stated that the owner stated that he will be repairing the property.

There was a discussion between Council Member Cuthbert and the city manager.

Council Member Cuthbert stated that he would like to revisit these properties located at 129 Monument Avenue, 2227 South Whitehill Drive, 1751 Sherwood Avenue and the other properties on his list with an update from the city manager.

Council Member Jones stated that the state code has a chapter that he believes that the city can use with regard to a nuisance of the properties that were spoken about to help with code compliance. He stated that he did witness two events over the week with regard to Juneteenth and that he enjoyed both of them. He stated both events showed love to the people in an educational way and community love. He stated that he looks forward to Hopewell and Petersburg joining each other next year on Juneteenth. He spoke on the shootings that recently been taking place in the city. He stated that this summer should not be a deadly summer and that should be the city's last murder.

Council Member Myers stated that the past weekend was a great weekend and that he attended the Follies Event. He stated that he would like to thank Mr. Richard Harris and his team for the wonderful job that they did this past weekend during the storm. He thanked everyone for attending the council meeting tonight.

Mayor Parham stated that he would like to echo the information stated by Councilman Jones. He stated that it was a busy weekend. He thanked Mr. Beverly and Muhammad for all that they do in the community. He thanked them for spreading knowledge and life throughout the community. He stated that this is something that people do not value now. He stated that this is a generation that has lost the connection. He stated that he wants them to continue to put on more events to educate the youth and if there is anything that the city can help by doing this to reach out to them. He stated that this will help combat gun violence with the knowledge of self. He stated that it takes everyone in the room to change the trajectory in the city and the world. He stated that we have to continue to be active in the community and time to start choosing life. He thanked the public works personnel for helping this weekend with the storm. He stated that he thanks Richard Harris and his team for all the work that they are doing and have done. He stated that he would like to thank the police and fire department as well for assisting with the storm during the weekend. He stated that there was special ribbon cutting for the opening of Resist Bookstore. He stated that the bookstore has a lot of books that are written by a lot of African American authors that are not in the normal bookstores. He stated that he urges the citizens to support this new bookstore. He thanked everyone for coming to the council meeting.

Mayor Parham stated that the next meeting is on the 4th of July, which is a holiday. He stated that the July 4th meeting will be moved to July 5th and the July 18th meeting will be moved to July 26th at the Petersburg Public Library.

Council Member Myers stated that he would like to thank the city manager for all that he does for the city. He stated that he is always the cheerleader at the meetings but seems to get beat up at the council meetings. He stated that he has not seen anyone operate the meetings better than the current city manager has in the last ten years.

11. ITEMS REMOVED FROM CONSENT AGENDA:

*There are no items for this portion of the agenda.

12. FINANCE AND BUDGET REPORT:

*There are no items for this portion of the agenda.

13. UNFINISHED BUSINESS:

*No items for this portion of the agenda.

14. NEW BUSINESS:

*There are no items for this portion of the agenda.

15. CITY MANAGER'S AGENDA:

Mr. Altman stated that the Community Homebuying Resource Fair is June 28th from 4pm to 7pm. He stated that the city also has an ongoing study on the 95 and 85 corridor and the interchanges. He stated that there is a public input session to provide input. He stated that the survey will be available until June 27th. He stated that the last work session was well attended. He thanked everyone in public works, first responders (police and fire) for their outstanding work during and after the storm and with the gas line leak and a lot of trees and power lines down. He stated that he wants to thank everyone for their efforts. He stated that he echoes the sentiments of Council Member Jones and Mayor Parham on the senseless loss of life and that it is overwhelming. He stated that his thoughts and prayers are with the young man's family and hopes that the city continues to uplift his family during this time.

16. BUSINESS OR REPORTS FROM THE CLERK:

*There are no items for this portion of the agenda.

17. **BUSINESS OR REPORTS FROM CITY ATTORNEY:**

Mr. Williams stated that he has no report.

18. **ADJOURNMENT:**

The City Council adjourned at 7:32 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 5, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **First Reading of an ordinance approving a petition for a Special Use Permit for a proposed Multi-Family Residential Development on the property located at 235 Medical Park Boulevard. (Page 16)**

PURPOSE: To consider an ordinance approving the petition for a Special Use Permit (SUP) for Multi-Family residential development at 235 Medical Park Boulevard. The property is located in a B-2 General Commercial Zoning District.

REASON: To comply with policies, procedures and laws regarding Special Use Permits.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family development at 235 Medical Park Boulevard. The property is located in the B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for Multi-Family residential development at 235 Medical Park Boulevard. The property is located in a B-2 General Commercial Zoning District.

The proposed development includes the construction of 210 units in Garden-Style apartment buildings that would be 3 stories. The total number of units is subject to change pending Site Plan approval. The current planned unit mix includes 60 1-Bedroom units, 108 2-Bedroom units, and 42 3-Bedroom units. The projected construction date would be in 2024 and the completion would be in 2026.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on July 6, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the development and use of the property.

CITY COUNCIL HEARING DATE: 7/26/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Economic Development, Planning and Community Development; Public Works and Utilities; City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B. Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0705_2023OrdinanceSUPMedicalParkBlvd
2. 06_2023PetitionSUPMFResidential235MedicalParkBlvd

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)
FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON THE PROPERTY
LOCATED AT 235 MEDICAL PARK BOULEVARD.**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Multi-Family development at 235 Medical Park Boulevard, PIN: 087030811; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit Multi-Family development; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Single-Family Residential; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the July 6, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for Multi-Family development at 235 Medical Park Boulevard, PIN: 087030811, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for Multi-Family development at 235 Medical Park Boulevard, PIN: 087030811.

*

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER:

2023-Sep-06

APPLICANT: Pedcor Investments, A Limited Liability Company

ADDRESS: 770 3rd Avenue, SW

Carmel, IN 46032

I, Ryan Rodgers hereby petition to rezone the following described properties
from zoning district B-2 to zoning district B-2

A. DESCRIPTION OF PROPOSED USE: (ATTACH ADDITIONAL DOCUMENTS IF NECESSARY)

Special Use Permit to allow Multi-family use within a B-2 zoned district

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

APN 087030811

2. Current Street Address(es) if assigned:

None assigned.

235 Medical Park Blvd.

3. Approximate Area:

570,969

sq. ft.

13.108

acres

4. Public Street Frontage:

1340

ft.

5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.

6. The following deed restrictions may affect the use of this property:

None

7. Brief:

Said deed restrictions will expire on:

N/A

C. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

This site is ideally situated for multifamily with its location behind current retail/commercial use and
the more heavily trafficked roadways. As such, all buyer interest in this site has been for it to be used
for multifamily purposes.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

A large portion of the property line is bordered by existing commercial and retail uses. There are
single family residences along the north/northwest border. Multifamily housing would be more
beneficial to the adjacent owners than would additional commercial/retail development and more
beneficial to the City as there is not a market for business/commercial use at this location.

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

Due to the lack of visibility, this site has a low marketability as a commercial/retail development.
Allowing multifamily would foster positive development that would supply additional users and
potential employees for the existing commercial/retail developments in the vicinity.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

We are pursuing a special permit rather than a rezone. There is only one other site that we have been
able to identify that is zoned within the existing zoning districts that is also in a Qualified Census Tract.
That site is located across the street from this site of this application, and we have that site under
contract from the same seller as well. Due to wetlands that exist on that the other site, the developable
acreage is too low. Therefore, we intend to use both sites as part of our overall development.

D. CERTIFICATION:

The undersigned applicant certifies that they:

_____ (a) are the owner, lessee or agent for (specified in writing)

 X (b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:



Mailing Address:

770 3rd Ave. S.W.

Carmel, IN 46032

Phone Number:

317-460-4426

Email Address:

rrodgers@pedcor.net

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

AD Dates: 6/22 & 6/29

Date Filed (with Planning Department):

5/16/2023

Date of Planning Commission Public Hearing:

7/6/2023

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

Richardson, Lillie

242 Seyler Dr

Petersburg, VA 23805

Williams, Esther R

234 Seyler Dr

Petersburg, VA 23803

Jackson, Willie F Wille E

226 Seyler Dr

Petersburg, VA 23805

Hollister, Dannie E Kemthong

218 Seyler Dr

Petersburg, VA 23805

Jones, Michelle

210 Seyler Dr

Petersburg, VA 23805

Bach, Charlotte K

180 Seyler Dr

Petersburg, VA 23803

For additional names, use back of sheet

SanGregorio, Gregory

164 Seyler Dr

Petersburg, VA 23805

MPT of Petersburg LLC Medical Properties Trust Inc

PO Box 380546

Birmingham, AL 35238

Bon Secours Mercy Health Petersburg LLC

1701 Mercy Health Place

C/O Bon Secours Mercy Health

Cincinnati, OH 45237

Attn: Tax Dept

Petersburg South Associates

7204 Glen Forst Dr STE 100

C/O Betsy Palmer

Richmond, VA 23226



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 5, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Anthony Williams

RE: First Reading - An Ordinance to Authorize the Exchange of Real Property with the Estate of William A. Patton. (Page 25)

PURPOSE: To authorize the exchange of property associated with the Harvell Dam with the Estate of William A. Patton.

REASON: To authorize the exchange of property associated with the Harvell Dam with the Estate of William A. Patton.

RECOMMENDATION: Approve Ordinance

BACKGROUND: The City received a Letter of Interest from a representative of the Estate of William A. Patton to exchange in kind certain properties associated with the Harvell Dam with an assessed value of \$167,800.00 in exchange for City property with an assessed value of \$68,600.

COST TO CITY: In kind exchange as stated in the body of the Agenda Item. No cash involved.

BUDGETED ITEM: No.

REVENUE TO CITY: In kind exchange. Assessed valuation residual as state in body of the Agenda Item.

CITY COUNCIL HEARING DATE: 7/26/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NA

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. PATTON ordinance - ALL SIGNED

AN ORDINANCE TO AUTHORIZE THE EXCHANGE OF REAL PROPERTY WITH THE ESTATE OF WILLIAM A. PATTON

WHEREAS, a representative from the Estate of William A. Patton has approached the City and presented a Letter of Interest (**Exhibit A**) proposing to convey certain property with the City associated with the Harvell Dam and other property having an aggregate current assessed value of \$167,800.00 in exchange for properties owned by the City valued at \$68,600.00 itemized as follows:

(Patton)

Tax Map No.: 010040800 – 620 Johnson Lane = \$71,000.00¹

Tax Map No.: 069040002 – 2000 Tyler Rd. = \$67,900.00

Tax Map No.: 070070001 – 2069 Defense Rd. = \$1,800.00

Tax Map No.: 069010001 - 2047 Kutchen Street = \$26,800.00

SUB: Section: Block:.12 AC Lot: 1 – Parcel ID 320A01100001-7588² = \$100.00

SUB: Section: Block: 0.2 AC Lot: 3 – Parcel ID 320A0100003-1819³ = \$200.00

Total: \$167,800.00

(City)

Tax Map No.: 022060004 – 29 Union St. = \$56,300.00

Tax Map No.: 02206005 - 41 Union St. = \$12,300.00

Total: \$68,600.00

WHEREAS, the City has prepared a Purchase Agreement (**Exhibit B**) memorializing such transaction; and

WHEREAS, Council believes that such conveyances are in the best interests of the City of Petersburg.

NOW therefore be it ORDAINED that the City Council does hereby direct the City Manager and City Attorney to take all necessary action to execute said Purchase Agreement and facilitate said conveyances which are hereby authorized and accepted by City Council.

¹ Property records indicate this property is owned by "Harvell Dam Corporation." Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

² Property records indicate this property is owned by "Harvell Dam Corporation." Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

³ Property records indicate this property is owned by "Harvell Dam Corporation." Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

EXHIBIT A

Charles A. Patton, Co-Trustee
Estate of William A. Patton
P.O. Box 1625
Hopewell, VA 23860

March 7, 2023

City of Petersburg
Mr. Brian A. Moore
Director of Economic Development
135 N. Union St.
Petersburg, VA 23803

RE: Proposed Donation and Exchange of Parcels

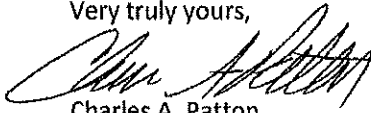
Dear Mr. Moore:

Thank you for your considerable time and effort evaluating and responding to our desire to donate to the city of Petersburg, on behalf of the Estate of William A. Patton, certain residual land. As you are aware, our father had a lifelong affection for and commitment to the city, and the The Harvell Dam property was one that piqued his interest perhaps more than any other. Mr. Patton maintained a creative vision that the Appomattox River property he assembled could be both a catalyst to development, and an opportunity to improve the economic vitality of the waterfront. The property is also contiguous with the current "Patton Park" he previously developed and donated to the city. Mr. Patton invested considerable time and resources in the project, culminating in the breach of the dam to improve water flow. We have a shelf of engineering drawings and feasibility studies performed during the past decade, and would obviously include these with the conveyance. While his desire was a "joint development" with the city or a qualified developer, the family feels it is in the best interests of all for the city to have control and be in a position to determine how this asset can be leveraged with other development that may be considered in this area.

In addition to the Harvell Dam property (MAP #010 040800), the estate proposes to convey approximately 8.50 acres fronting Defense Rd. (MAP #069 040002), .26 acres described as A C L RR (MAP #070 070001), and the Kutchen Farm Property (MAP #069 010001). There are also two (2) small parcels (ID 320A100001 and ID 320A0100003) located in the city of Colonial Heights, and relevant to Harvell Dam that would be conveyed. In exchange for the conveyances described above, the estate requests the conveyance by the city of Petersburg to the Estate of William A. Patton, or assigns two parcels on S. Union Street, described as 29 S. Union St. (.414 acres) and 41 S. Union St. (.091 acres). These parcels represent the vacant lots created with the demolition of the former school board office building, and includes a "pit" where much of the debris was buried in the building's former basement. It is the expectation the estate will convey the property acquired to Washington Street Plaza, L.C. for potential additional parking relating to the occupancy of Central Virginia Health Services and the Freedom Support Center.

We are excited that a structure may be created to capture the value of the Appomattox waterfront and look forward to working with the city in that regard. Please contact me with any questions you may have, or to otherwise confirm the next steps moving forward.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Charles A. Patton', written over a horizontal line.

Charles A. Patton
Co-Trustee

CC:

J. Dale Patton
Co-Trustee

**Properties conveyed to the Estate of William A. Patton
by the City of Petersburg**

Petersburg, Virginia

Parcel:

022060004

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	Halifax Triangle and Downtown Commercial
Owner Mailing Address	135 N. Union St Petersburg, VA 23803	Enterprise Zone:	Yes
Property Use	400	Opportunity Zone:	51730811300
State Class:	7 Exempt Local	VA Senate District:	16
Zoning:	B-3	Va House District:	63
Property Address	29 UNION ST Petersburg, VA	Congressional District:	4
Legal Acreage:	.414	City Ward:	5
Legal Description:	127 X 142 & REAR	Polling Place:	Union Train Station
Subdivision:	Olde Town (Not Platted)	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8102
Local Historic District:		Elementary School:	Pleasants Lane
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/11/1975	\$70,000	334/146

Assessments



Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$56,300	\$56,300	\$56,300	\$56,300	\$56,300
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$56,300	\$56,300	\$56,300	\$56,300	\$56,300

Property Tax (Coming Soon)

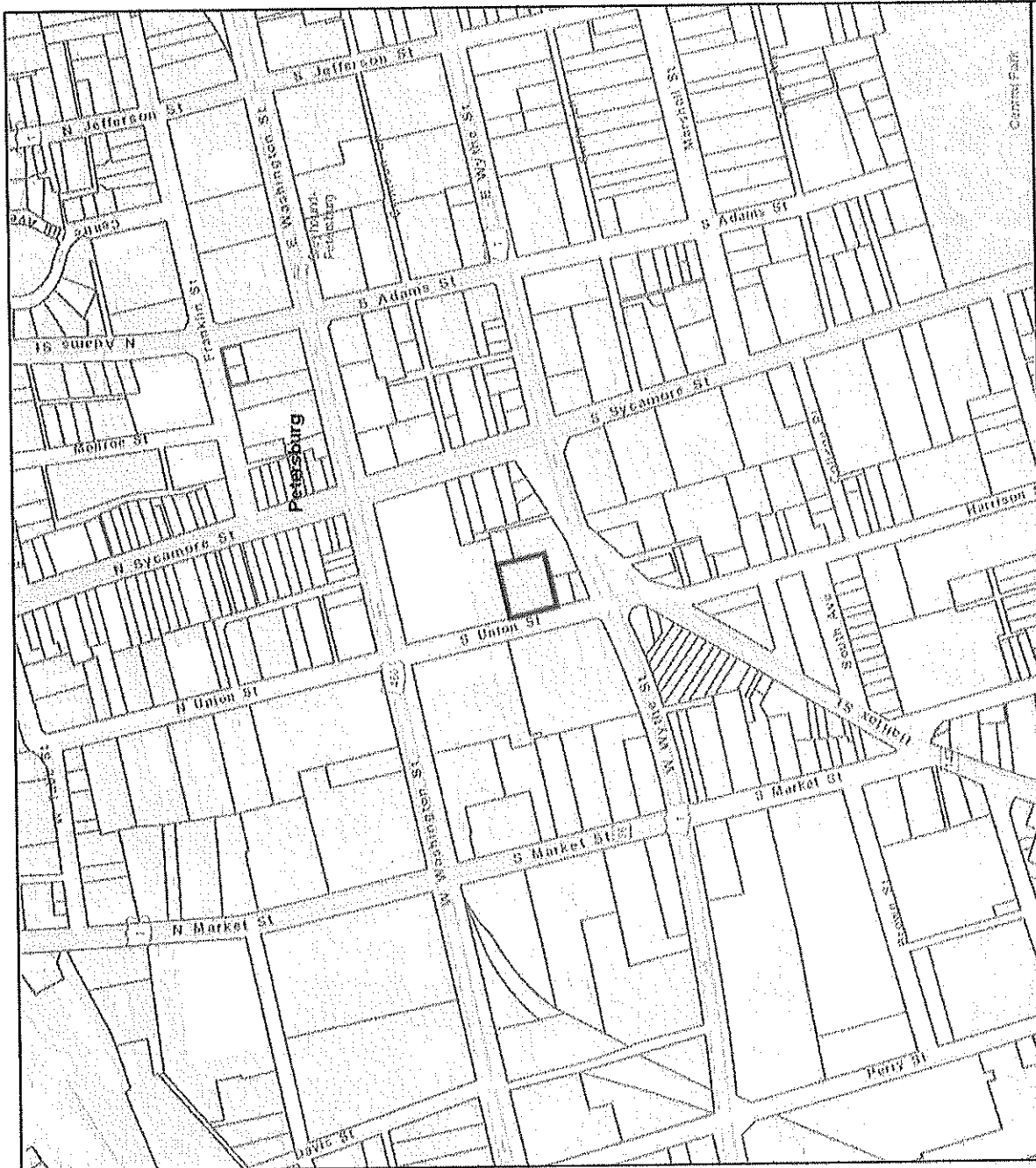
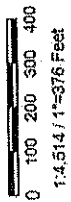
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Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels

Feet



Parcel #: 022060004

Date: 3/29/2023

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Petersburg, Virginia

Parcel:

022060005

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	Halifax Triangle and Downtown Commercial
Owner Mailing Address	135 N. Union St Petersburg, VA 23803	Enterprise Zone:	Yes
Property Use	400	Opportunity Zone:	51730811300
State Class:	7 Exempt Local	VA Senate District:	16
Zoning:	B-3	Va House District:	63
Property Address	41 UNION ST Petersburg, VA	Congressional District:	4
Legal Acreage:	.091	City Ward:	5
Legal Description:	50 X 79	Polling Place:	Union Train Station
Subdivision:	Olde Town (Not Platted)	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8102
Local Historic District:		Elementary School:	Pleasants Lane
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):	4,212	Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	2
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/11/1975	\$70,000	334/146

Assessments



Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$12,300	\$12,300	\$12,300	\$12,300	\$12,300
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$12,300	\$12,300	\$12,300	\$12,300	\$12,300

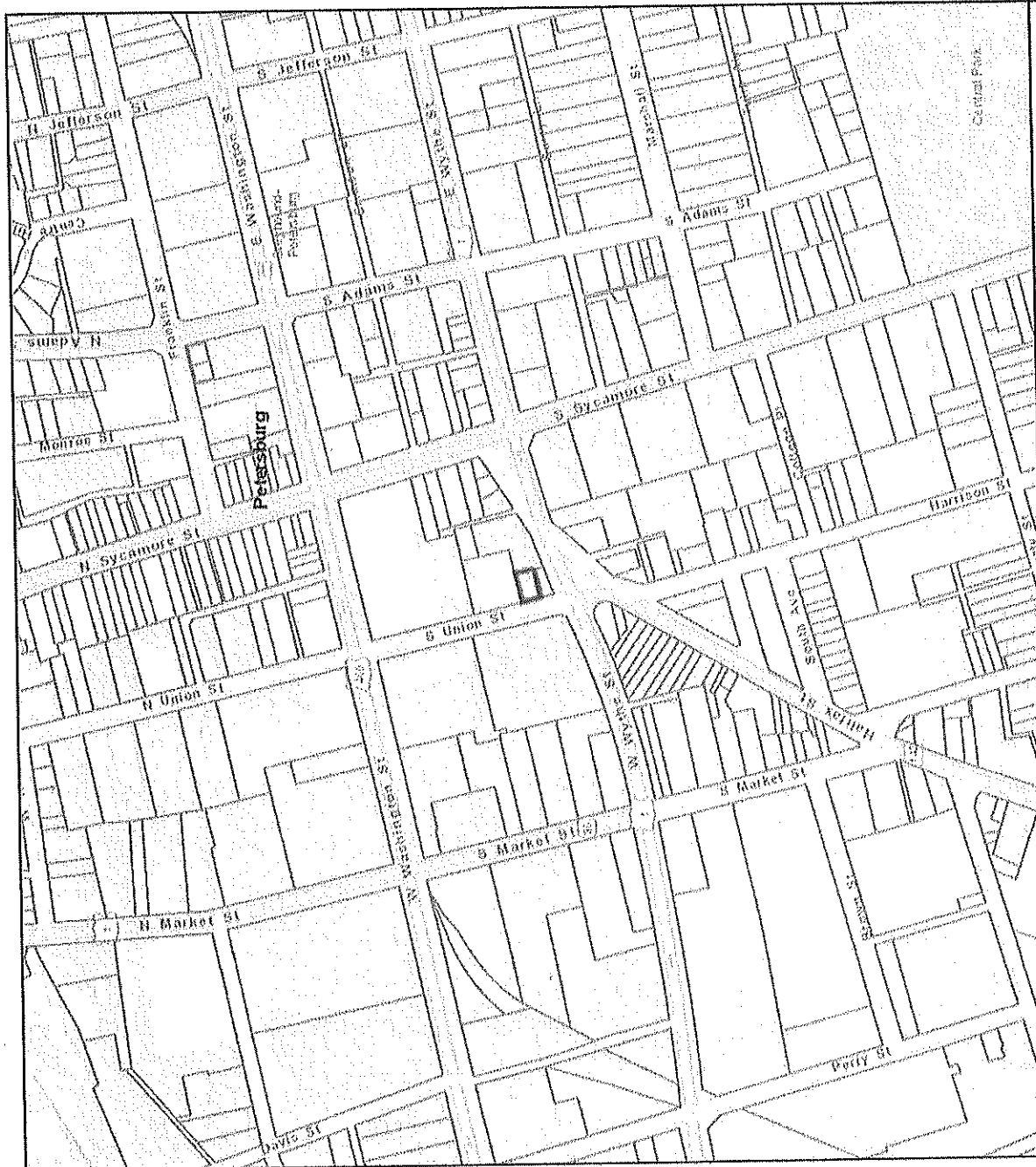
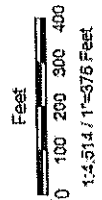
Property Tax (Coming Soon)

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Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels



Parcel #: 022060005

Date: 3/29/2023

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**Properties conveyed to the City of Petersburg
by the Estate of William A. Patton**

Petersburg, Virginia

Parcel:

010040800

Summary

Owner Name	HARVELL DAM ASSOCIATES LLC	National Historic District:	Old Towne
Owner Mailing Address	2066 DEFENSE RD PETERSBURG, VA 23805	Enterprise Zone:	Yes
Property Use	400	Opportunity Zone:	
State Class:	4 Commercial and Industrial	VA Senate District:	16
Zoning:	M-2	Va House District:	63
Property Address	620 JOHNSON LANE Petersburg, VA	Congressional District:	4
Legal Acreage:	27.27	City Ward:	4
Legal Description:	PARCELS 2 3 & TWO ISLANDS	Polling Place:	Union Train Station
Subdivision:	Wyoming	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8103
Local Historic District:	Old Towne	Elementary School:	Pleasant's Lane
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
HARVELL DAM CORPORATION	6/1/2015	\$0	2015/1233
	10/25/2010	\$0	2010/2664
	7/8/2003	\$2,500	2003/2975

Assessments


Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000
Improvement Value	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Total Value	\$71,000	\$71,000	\$71,000	\$71,000	\$71,000

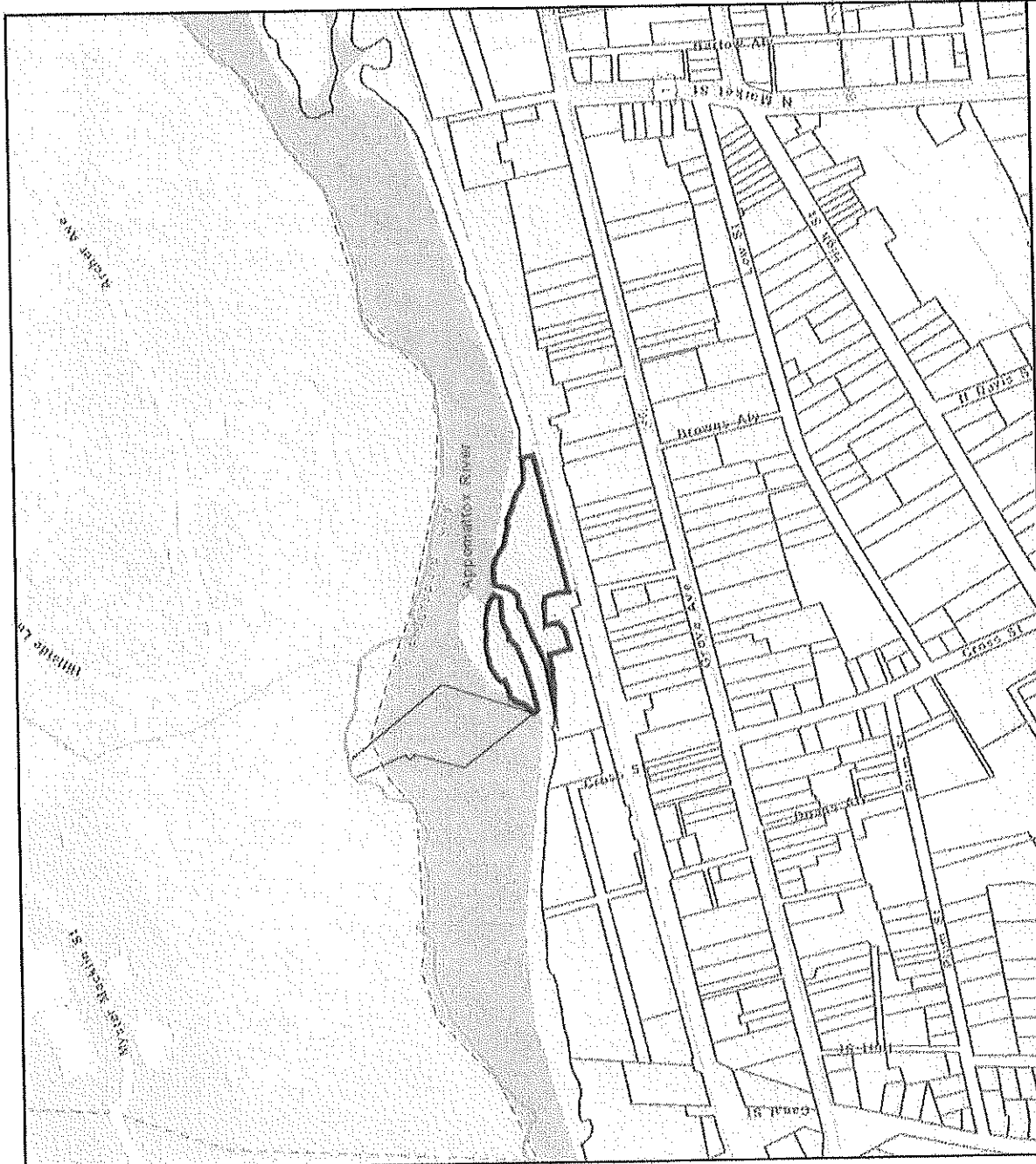
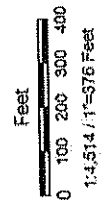
Property Tax (Coming Soon)

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Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels



Date: 3/29/2023

Parcel #: 010040800

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Petersburg, Virginia

Parcel:

069040002

Summary			
Owner Name	PATTON WILLIAM A	National Historic District:	
Owner Mailing Address	2066 DEFENSE RD PETERSBURG, VA 23805	Enterprise Zone:	
Property Use	150	Opportunity Zone:	
State Class:	1 Single Family Urban	VA Senate District:	16
Zoning:	R-1A	VA House District:	63
Property Address	2000 TYLER RD Petersburg, VA	Congressional District:	4
Legal Acreage:	8.85	City Ward:	7
Legal Description:	8.85 +/- ACRES	Polling Place:	Stuart School
Subdivision:	Westbourne	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8110
Local Historic District:		Elementary School:	Cool Springs
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements			
Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History			
Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
PATTON WILLIAM A	5/15/2014	\$0	2014/1089
	12/9/2003	\$53,000	2003/5410



Assessments					
Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$59,000	\$59,000	\$59,000	\$59,000	\$67,900
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$59,000	\$59,000	\$59,000	\$59,000	\$67,900

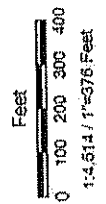
Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels



Parcel #: 069040002

Date: 3/29/2023

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

Petersburg, Virginia

Parcel:

070070001

Summary

Owner Name	PATTON WM A	National Historic District:	
Owner Mailing Address	2066 DEFENSE RD PETERSBURG, VA 23805	Enterprise Zone:	
Property Use	150	Opportunity Zone:	
State Class:	1 Single Family Urban	VA Senate District:	16
Zoning:	R-1	Va House District:	63
Property Address	2069 DEFENSE RD Petersburg, VA	Congressional District:	4
Legal Acreage:	.79	City Ward:	6
Legal Description:	0.26 ACRES	Polling Place:	Stuart School
Subdivision:		Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8110
Local Historic District:		Elementary School:	Cool Springs
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	12/30/1899	\$0	118/405

Assessments



Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$1,500	\$1,500	\$1,600	\$1,600	\$1,800
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$1,500	\$1,500	\$1,600	\$1,600	\$1,800

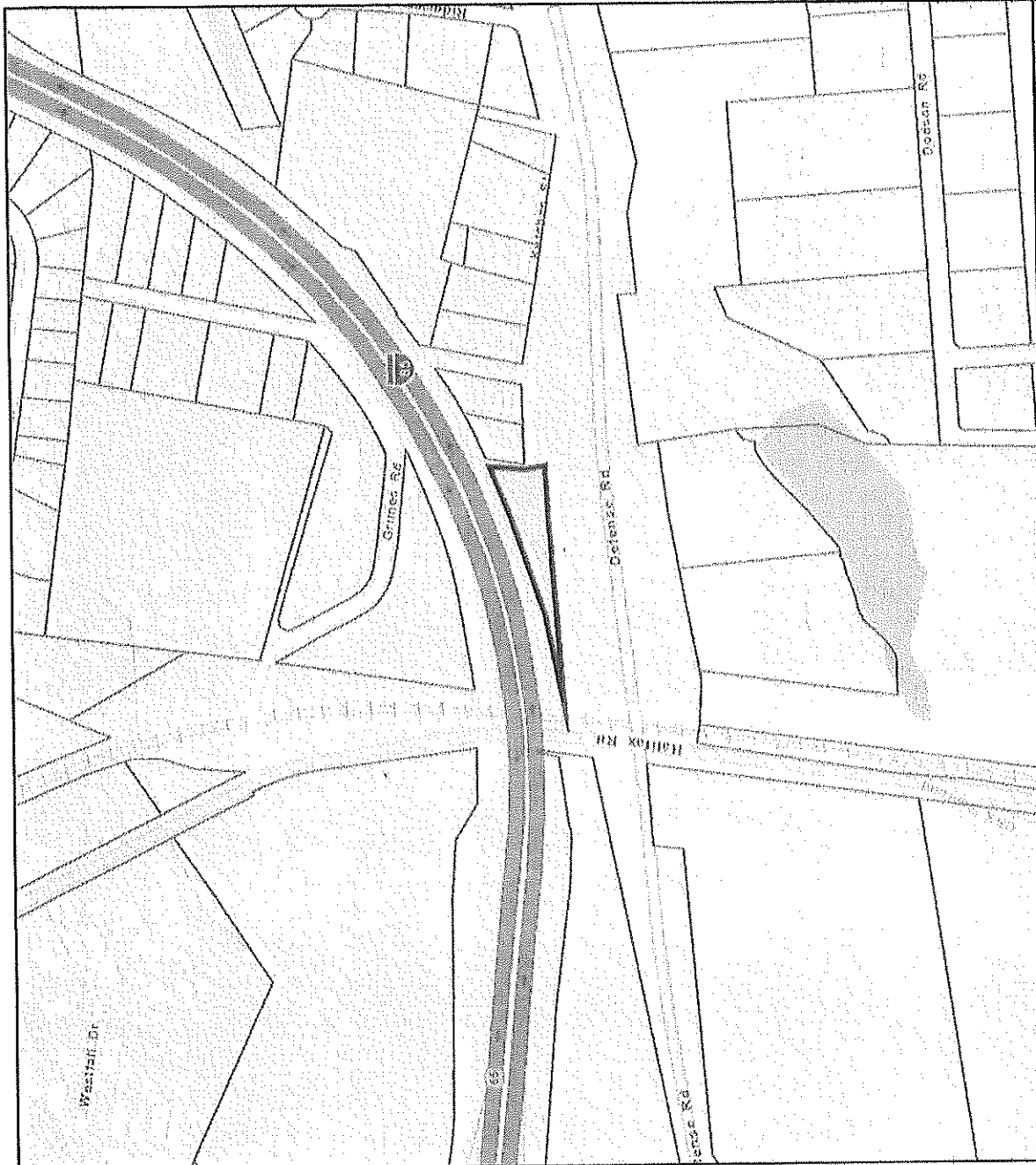
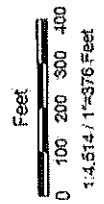
Property Tax (Coming Soon)

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Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels



Parcel #: 070070001

Date: 3/29/2023

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Petersburg, Virginia

Parcel: 069010001

Summary

Owner Name	PATTON WM A	National Historic District:	
Owner Mailing Address	2066 DEFENSE RD PETERSBURG, VA 23805	Enterprise Zone:	
Property Use	150	Opportunity Zone:	
State Class:	1 Single Family Urban	VA Senate District:	16
Zoning:	R-1A	VA House District:	63
Property Address	2047 KUTCHEN ST Petersburg, VA	Congressional District:	4
Legal Acreage:	.301	City Ward:	6
Legal Description:	KUTCHEN FARM	Polling Place:	Stuart School
Subdivision:	Kutchen Farm	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8110
Local Historic District:		Elementary School:	Cool Springs
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	12/30/1899	\$0	118/405

Assessments

Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$23,100	\$23,100	\$23,300	\$23,300	\$26,800
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$23,100	\$23,100	\$23,300	\$23,300	\$26,800

Property Tax (Coming Soon)

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City Properties	
29 South Union	\$ 56,300.00
41 Union Street	\$ 12,300.00
Total Assessed Value	\$ 68,600.00
Patton Estate Properties	
620 Johnson Lane	\$ 71,000.00
2000 Tyler Road	\$ 67,900.00
2069 Defense Road	\$ 1,800.00
2047 Kutchen Street	\$ 26,800.00
Total Assessed Value	\$ 167,500.00
Assessed Value Difference for City	\$ 98,900.00

PATTON LOI PICTURES

May 2, 2023

CITY PROPERTIES 29 AND 41 UNION STREET



CITY PROPERTIES 29 AND 41 UNION STREET (CONT'D)



PATTON PROPERTIES 620 JOHNSON LANE



PATTION PROPERTIES 620 JOHNSON LANE (CONT'D)



PATTON PROPERTIES 620 JOHNSON LANE (CONT'D)



PATTON PROPERTIES 2000 TYLER ROAD



PATTON PROPERTIES 2069 DEFENSE ROAD AND 2047 KITCHEN STREET



REAL ESTATE PURCHASE AGREEMENT

Assessed Value:

(Patton)

Tax Map No.: 010040800 – 620 Johnson Lane = \$71,000.00¹
Tax Map No.: 069040002 – 2000 Tyler Rd. = \$67,900.00
Tax Map No.: 070070001 – 2069 Defense Rd. = \$1,800.00
Tax Map No.: 069010001 - 2047 Kutchen Street = \$26,800.00
SUB: Section: Block:.12 AC Lot: 1 – Parcel ID 320A01100001-7588² = \$100.00
SUB: Section: Block: 0.2 AC Lot: 3 – Parcel ID 320A0100003-1819³ = \$200.00
Total: \$167,800.00

(City)

Tax Map No.: 022060004 – 29 Union St. = \$56,300.00
Tax Map No.: 02206005 - 41 Union St. = \$12,300.00
Total: \$68,600.00

Consideration: In Kind – assessed value difference of \$99,100.00 in favor of City

This Real Estate Purchase Agreement (the “Agreement”) is dated _____, between the CITY OF PETERSBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as “City,” and the ESTATE OF WILLIAM A. PATTON, hereinafter referred to as “Patton.” and recites and provides the following:

RECITALS

1. The City owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as:

29 Union Street - Tax Map Number 022060004
41 Union Street - Tax Map Number 02206005

(hereinafter collectively referred to as “City Property”).

¹ Property records indicate this property is owned by “Harvell Dam Corporation.” Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

² Property records indicate this property is owned by “Harvell Dam Corporation.” Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

³ Property records indicate this property is owned by “Harvell Dam Corporation.” Property must be acquired by Patton and conveyed to City. Patton must acquire and convey good, marketable, unencumbered title to this and all properties that are the subject of this transaction.

2. a) Patton owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as:
2000 Tyler Rd. - Tax Map No.: 069040002
2069 Defense Rd. - Tax Map No.: 070070001
2047 Kutchen Street - Tax Map No.: 069010001

b) Patton also represents that it controls and shall acquire good marketable title to certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as:

620 Johnson Lane - Tax Map No.: 010040800

c) Patton also represents that it controls and shall acquire good marketable title to certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Colonial Heights, Virginia (**Attachment A**), commonly known as:

SUB: Section: Block: .12 AC Lot: 1 – Parcel ID 320A01100001-7588
SUB: Section: Block: 0.2 AC Lot: 3 – Parcel ID 320A0100003-1819

d) Patton also represents that it owns and has in its possession certain engineering drawings and feasibility studies which convey along with the subject properties.

(The engineering drawings, feasibility studies, and real properties identified in paragraphs 2(a) through 2(d) are hereinafter collectively referred to as the “Patton Property”).
3. Patton has presented the City with a Letter of Interest dated March 7, 2023 (**Attachment B**), which is adopted and incorporated as if set forth fully herein, proposing to exchange the Patton Property for the City Property.

TERMS

In exchange for good and valuable consideration and the mutual promises herein made, the parties do hereby agree to such transaction upon the following terms:

1. **Sale and Purchase:** Subject to the terms and conditions hereof, the City and Patton do hereby agree to exchange good and marketable title to said properties free of all liens, encumbrances, and outstanding taxes. The last date upon which this Agreement is executed shall be hereinafter referred to as the “Effective Date”. All conveyances from the City as Grantor pursuant to this Agreement shall be made to “Patco Investments, LLC.”
2. **Purchase Price:** This is an in kind transaction. No monetary exchange between the parties will occur as part of this transaction.

3. **Closing:** Closing shall take place on or before ninety (90) calendar days after the completion of the Due Diligence Period described in Section 5. The parties may close on transaction prior to completion of the Due Diligence Period by mutual agreement. At Closing, the parties shall convey said properties, by Deed Without Warranty, good and marketable title in fee simple, subject to any and all easements, covenants, and restrictions of record and affecting the properties and current taxes.
4. **Title Defects:** In the event a title search done by either party during the Due Diligence Period reveals any title defects that are not acceptable, either party shall have the right, by giving written notice to the other within the Due Diligence Period, to either (a) terminate this Agreement, in which event this Agreement shall be null and void, and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party or (b) waive the title objections and proceed as set forth in this Agreement. The parties mutually agree to cooperate with each other to satisfy all reasonable requirements of their respective title insurance carrier.
5. **Due Diligence Period:** Not to exceed thirty (30) calendar days after the Effective Date. The Parties and their respective representatives, agents, employees, surveyors, engineers, contractors and subcontractors shall have the reasonable right of access to the properties that are the subject of this Agreement for the purpose of inspecting them, making engineering, boundary, topographical and drainage surveys, conducting soil test, planning repairs and improvements, and making such other tests, studies, inquires and investigations of the property as the party may deem necessary. The Parties agree that each survey, report, study, and test report shall be prepared for the benefit of, and shall be certified to, the both parties (and to such other parties as the party obtaining the document may require). A duplicate original of each survey, report, study, test report shall be delivered to the other party's counsel at the notice address specified in Section 15 hereof within ten (10) days following the receipt thereof by the party ordering the survey, report, study and/or test report.

Each party shall be responsible for paying their own respective closing costs.

- a. During the Due Diligence Period, the parties and any of their paid or voluntary associates and/or contractors must agree to sign a 'Hold Harmless Agreement' prior to entering upon properties subject to this Agreement for the purposes set forth herein. This agreement stipulates that to the fullest extent permitted by law, to defend (including attorney's fees), pay on behalf of, indemnify, and hold harmless the other party, including but not limited to elected and appointed officials, employees, volunteers, and others working on behalf of the other party against any and all claims, demands, suits or loss, including all costs connected

therewith, and for any damages which may be asserted, claimed or recovered against or from the other party, its elected and appointed officials, employees, volunteers, or others working on behalf of the City, by any reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof which arise out of or is in any way connected or associated with entering the property.

6. Termination Prior to Conclusion of Due Diligence Phase:

- a. If either party determines that the property is not feasible for intended or prospective use during the Due Diligence Period, then, after written notice to the other party, the party may cancel the Agreement and both parties waive any further rights or remedies they may have at law or in equity under this Agreement.

7. Representations and Warranties: The Parties mutually represent and warrant as follows:

- a. To the best of their knowledge, there is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against a party relating to the Property or against the Property. The parties are not subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator which results in a material adverse effect on the Property or the operation thereof.
- b. To the best of the party's knowledge, there are no pending or threatened (in writing) condemnation or eminent domain proceedings which affect any of the Property.
- c. To the best of party's knowledge, neither the execution nor delivery of the Agreement or the documents contemplated hereby, nor the consummation of the conveyance of the Property, will conflict with or cause a breach of any of the terms and conditions of, or constitute a default under, any agreement, license, permit or other instrument or obligation by which Seller or the Property is bound.
- d. Party has full power, authorization and approval to enter into this Agreement and to carry out its obligations hereunder. The person executing this Agreement on behalf of the party is fully authorized to do so, and no additional signatures are required.
- e. The Property has municipal water and sewer lines and has gas and electric lines at the line. Parties make no representation as to whether the capacities of such utilities are sufficient for the intended use of Property.

- f. Parties have not received any written notice of default under, and to the best of party's knowledge, the party and Property are not in default or in violation under, any restrictive covenant, easement or other condition of record applicable to, or benefiting, the Property.
- g. Party currently possesses and shall maintain until Closing general liability insurance coverage on the Property which policy shall cover full or partial loss of the Property for any reason in an amount equal to or exceeding the Purchase Price.

As used in this Agreement, the phrase "to the best of Party's knowledge, or words of similar import, shall mean the actual, conscious knowledge (and not constructive or imputed knowledge) without any duty to undertake any independent investigation whatsoever. Party shall certify in writing at the Closing that all such representations and warranties are true and correct as of the Closing Date, subject to any changes in facts or circumstances known to Party.

- 8. **Condition of the Property:** Parties mutually acknowledge that, except as otherwise set forth herein, the properties are being conveyed "AS IS, WHERE IS AND WITH ALL FAULTS", and parties acknowledge that they have inspected the properties and determined whether or not the properties are suitable for the intended use. Parties make no warranties or representations regarding the condition of the properties, including without limitation, the improvements constituting a portion of the properties or the systems therein.
- 9. **Insurance and Indemnification:** To the extent permissible under Virginia law, the parties shall indemnify each other from any loss, damage or expense (including reasonable attorney's fees and costs) resulting from the other party's use of, entry upon, or inspection of the properties during the Due Diligence Period. This indemnity shall survive any termination of this Agreement. Notwithstanding any other provision of this Agreement, each party's entry upon the subject property and exercise of due diligence is performed at each party's sole risk. Each party assumes the risk and shall be solely responsible for any injuries to themselves, their employees, agents, assigns and third parties who may be injured or suffer damages arising from a party's entry upon the property and the exercise of a party's due diligence pursuant to this Agreement.
- 10. **Risk of Loss:** All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by party owning their respective property until Closing. In the event of a loss or damage to the Property or any portion thereof before Closing, a party shall have the option of either (a) terminating this Agreement, rendering the Agreement null and void and none of the parties hereto shall then have any further obligation to any

other party hereto or to any third party, or (b) affirming this Agreement, in which event grantor shall assign to grantee all of grantor's rights under any applicable policy or policies of insurance and pay over to grantee any sums received as a result of such loss or damage. The parties agree to exercise reasonable and ordinary care in the maintenance and upkeep of their respective properties between the Effective Date and Closing. Parties and their representatives shall have the right to make an inspection at any reasonable time during the Due Diligence Period or prior to Closing.

11. **Condemnation:** If, prior to Closing, all of any part of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the right to (1) complete the purchase, in which event all condemnation proceeds or claims thereof shall be assigned to Purchaser, or (2) terminate this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall be terminated, and this Agreement shall be deemed null and void and none of the parties hereto shall then have any obligation to any other party hereto or to any third party, except as otherwise provided in this Agreement.
12. **Notices:** All notices and demands which, under the terms of this Agreement must or may be given by the parties hereto shall be delivered in person or sent by Federal Express or other comparable overnight courier, or certified mail, postage prepaid, return receipt requested, to the respective hereto as follows:

CITY:

The City of Petersburg
March Altman
City Manager
135 North Union Street
Petersburg, VA 23803

COPY TO:

Anthony C. Williams, City Attorney
City of Petersburg, Virginia
135 N. Union Street
Petersburg, VA 23803

PATTON:

Charles A. Patton, Co-Executor
Dale Patton, Co- Executor
11333 Beaver Castle Road
North Prince George, VA 23860

COPY TO:

Attorney Nathaniel Scaggs
HILL & RAINEY
2425 Boulevard, Suite 9
Colonial Heights, VA 23834

Notices shall be deemed to have been given when (a) delivered in person, upon receipt thereof by the person to whom notice is given, (b) as indicated on applicable delivery receipt, if sent by Federal Express or other comparable overnight courier, two (2) days after deposit with such courier, courier fee prepaid, with receipt showing the correct name and address of the person to whom notice is to be given, and (c) as indicated on applicable delivery receipt if sent via certified mail or similar service.

13. **Modification:** The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by the parties.
14. **Assignment; Successors:** This Agreement may not be transferred or assigned without the prior written consent of both parties. In the event such transfer or assignment is consented to, this Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.
15. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one of the same instrument.
16. **Survival:** All of the representations, warranties, covenants and agreements made in or pursuant to this Agreement made by the parties shall survive the Closing and shall not merge into the Deed or any other document or instrument executed and delivered in connection herewith.
17. **Captions and Counterparts:** The captions and paragraph headings contained herein are for convenience only and shall not be used in construing or enforcing any of the provisions of this Agreement.
18. **Governing Law; Venue:** This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of Virginia. Any dispute arising out of performance or non-performance of any term of this Agreement shall be brought exclusively in the Circuit Court for the City of Petersburg, Virginia.
19. **Entire Agreement:** This Agreement contains the entire agreement between the parties, and there are no other terms, conditions, promises, undertakings, statements or

representations, expressed or implied, concerning the sale contemplated by this Agreement. Any and all prior or subsequent agreements regarding the matters recited herein are hereby declared to be null and void unless reduced to a written addendum to this Agreement signed by all parties in accordance with this document.

20. **Copy or Facsimile:** Parties agree that a copy or facsimile transmission of any original document shall have the same effect as an original.
21. **Days:** Any reference herein to “day” or “days” shall refer to calendar days unless otherwise specified. If the date of Closing or the date for delivery of a notice or performance of some other obligation of a party falls on a Saturday, Sunday or legal holiday in the Commonwealth of Virginia, then the date for Closing or such notice of performance shall be postponed until the next business day.
22. **Title Protection:** Deed to this property is conveyed without warranty. During the due diligence period, the parties may research title issues associated with the property and may purchase title insurance at his own expense or terminate the agreement in accordance with the provisions of this contract in the event that issues regarding title are discovered.
23. **Compliance with Zoning, land use and Development requirements:** Execution of this document shall not be construed to affect in any way the obligation of the parties to comply with all legal requirements pertaining to zoning, land use, and other applicable laws.

24. IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

ESTATE OF WILLIAM A. PATTON

By: , Charles A. Patton

Title: Co-Executor

Date: 6/27/23

By: _____, Dale Patton

Title: Co- Executor

Date: _____

THE CITY OF PETERSBURG, VIRGINIA

By: _____, March Altman Approved as to Form:

Title: City Manager

Date: _____

By: _____
City Attorney

24. IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

ESTATE OF WILLIAM A. PATTON

By: _____, Charles A. Patton

Title: Co-Executor

Date: _____

By:  _____, Dale Patton

Title: Co- Executor

Date: 6/27/23

THE CITY OF PETERSBURG, VIRGINIA

By: _____, March Altman Approved as to Form:

Title: City Manager

Date: _____

By: _____
City Attorney

24. IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

ESTATE OF WILLIAM A. PATTON

By: , Charles A. Patton

Title: Co-Executor

Date: 6/27/23

By: , Dale Patton

Title: Co- Executor

Date: 6/22/23

THE CITY OF PETERSBURG, VIRGINIA

By: _____, March Altman Approved as to Form:

Title: City Manager

Date: _____

By: _____
City Attorney



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 5, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Anthony Williams

RE: **First Reading - An Ordinance to Direct the City Manager to Reimburse Bollingbrook Properties, LLC F/K/A Master Properties, LLC and Worther G. Becker, III and Karen K. Becker for Expenses Incurred in Real Property Transaction Recorded in Instrument 202302112. (Page 63)**

PURPOSE: To reimburse expenses incurred for downtown properties purchase.

REASON: Council has directed the formal consideration of an Ordinance to reimburse the owners for expenses incurred as a result of the owners granting extensions relating to the City's purchase of certain downtown properties.

RECOMMENDATION: Approve Ordinance

BACKGROUND: The City recently purchased certain real property downtown. Closing on the properties was extended at the request of the City to facilitate confirmation of clear title and the performance of a Phase 1 ESA. The Purchase Agreement and Addendums do not address the accrual of real property taxes during the extension period, and the City is not under a legal obligation to reimburse these expenses. Notwithstanding, in the interest of fair and equitable dealings, and in consideration of the owners' voluntarily agreeing to these two extensions, City Council has indicated that it would like to consider reimbursement to the owners for the expenses incurred in the amount of \$3,602.82.

COST TO CITY: \$3602.82

BUDGETED ITEM: No

REVENUE TO CITY: UNK

CITY COUNCIL HEARING DATE: 7/26/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. downtown final

AN ORDINANCE TO DIRECT THE CITY MANAGER TO REIMBURSE BOLLINGBROOK PROPERTIES, LLC F/K/A MASTER PROPERTIES, LLC AND WORHTER G. BECKER, III AND KAREN K BECKER FOR EXPENSES INCURRED IN REAL PROPERTY TRANSACTION RECORDED IN INSTRUMENT 202302112

WHEREAS, the City recently purchased certain real property from Bollingbrook Properties, LLC F/K/A Master Properties, LLC and Worther G. Becker, III and Karen K Becker (Collectively “the owners”) which was recorded in the land records of the Circuit Court Clerk under Instrument 202302112; and

WHEREAS, the closing on said property was extended twice (from March 31, 2023 to May 31, 2023 and again from May 31, 2023 to June 15, 2023) due to no fault of the owners (to allow additional time for the City to confirm clear title and complete a Phase I ESA), by the owners upon request of the City; and

WHEREAS, no contractual obligation was required or reached concerning the accrual of real property taxes during these extensions; and

WHEREAS, such taxes were paid by the owners as a result of the need to extend the closing date; and

WHEREAS, the accrued taxes during the extension period have been calculated in the attached (**Exhibit A**) as \$3602.82; and

WHEREAS, it is the belief of City Council that while not under a contractual obligation to cover the cost of these expenses, in the interest of fair and equitable dealings, and in consideration of the owners’ willingness to grant the extensions, Council wishes to reimburse the owners for these expenses.

NOW therefore be it ORDAINED that the City Manager and City Attorney are hereby directed to take all necessary action to reimburse the owners in the amount of \$3,602.82 as identified in this Ordinance.

Street Address	Tax Map #	Assessed	Annual	Tax Rate	Taxes Due for:	Taxes Due for:
		Value	Tax	Per Day	March 31-May 31, 2023	May 31-June 15, 2023
					62 Days Total	16 Days Total
48 E. Bank St.	011-220800	\$ 64,600	\$ 820.42	\$ 2.25	\$ 139.50	\$ 36.00
20 E. Bank St.	011-220802	\$ 188,000	\$ 2,387.60	\$ 6.54	\$ 405.48	\$ 104.64
18 E. Bank St.	011-220803	\$ 254,400	\$ 3,230.88	\$ 8.85	\$ 548.70	\$ 141.60
243 N. Sycamore St.	011-220804	\$ 140,100	\$ 1,779.27	\$ 4.87	\$ 301.94	\$ 77.92
241 N. Sycamore St.	011-220018	\$ 15,500	\$ 196.85	\$ 0.54	\$ 33.48	\$ 8.64
301 N. Sycamore St.	011-140014	\$ 33,500	\$ 425.45	\$ 1.17	\$ 72.54	\$ 18.72
315 N. Sycamore St.	011-140020	\$ 55,200	\$ 701.04	\$ 1.92	\$ 119.04	\$ 30.72
17 E. Bank St.	011-140011	\$ 55,500	\$ 704.85	\$ 1.93	\$ 119.66	\$ 30.88
35 E. Bank St.	011-140009	\$ 315,500	\$ 4,006.85	\$ 10.98	\$ 680.76	\$ 175.68
20 Bollingbrook St.	011-140004	\$ 66,600	\$ 845.82	\$ 2.32	\$ 143.84	\$ 37.12
31 Bollingbrook St.	011-090015	\$ 63,800	\$ 810.26	\$ 2.22	\$ 137.64	\$ 35.52
226 Second St.	011-220005	\$ 74,700	\$ 948.69	\$ 2.60	\$ 161.20	\$ 41.60
				Total:	\$ 2,863.78	\$ 739.04