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HOUSE BILL NO. 949

House Amendments in [] — February 6, 2004

A BILL to authorize the Governor to convey certain subaqueous lands in the Elizabeth River at Norfolk to the City of Norfolk.

Patron Prior to Engrossment—Delegate Howell, A.T.

Referred to Committee on General Laws

Whereas, in 2000, the Virginia Port Authority formally requested that the City of Norfolk (the City) begin handling homeport cruise activity at the City's Nauticus pier on the Elizabeth River in Norfolk, with Norfolk's willingness to handle passenger activity at Nauticus enabling the Port Authority to focus on its core cargo business; and

Whereas, the City appropriated \$2 million in 2001 to strengthen the Nauticus pier to handle cruise ships for the Commonwealth; and

Whereas, the requirements for Federal Inspection Stations for Customs, Immigration and Naturalization Service, and the U.S. Department of Agriculture dramatically increased after September 11, 2001, and the City is now required to construct a full-scale passenger terminal or all homeport cruise operations in the Commonwealth will cease in 2006; and

Whereas, the cruise terminal must be located adjacent to the current pier on piles above a portion of state bottomlands which the City desires to obtain by a conveyance of such subaqueous land from the Commonwealth; now, therefore

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Governor is hereby authorized to convey, upon consultation with the Marine Resources Commission and the Attorney General, and in consideration of the mutual promises of the parties and the payment of \$1, an irregular-shaped lot, piece or parcel of [subaqueous land containing approximately eight acres, situate, lying and being in the downtown section of the City of Norfolk, said parcel being further described as follows: All subaqueous lands bounded on the north by the City Hall Avenue Canal, said canal being shown on that certain plat entitled, "Plat of Merchants & Miners Transportation Co.'s Property," dated February 14, 1911, and being on file in the office of the Division of Surveys, Department of Public Works, City of Norfolk, as file number 1-4-52; on the east by Boush Street and Matthews Street; on the south and west by a Pierhead Line (Port Warden line) of the Eastern Branch of the Elizabeth River; being all the subaqueous lands with the boundaries shown on a plat entitled, "Exhibit A," said plat being prepared by the Bureau of Surveys, Department of Public Works, City of Norfolk, land situate, lying and being in the downtown section of the City of Norfolk, Virginia, said parcel being further described as follows: all the subaqueous lands bounded on the north by the City Hall Avenue Canal, said canal being shown on a plat entitled, "Plat of Merchants & Miners Transportation Co's Property," said plat being dated February 14, 1911, and being on file in the Department of Public Works in the Division of Surveys in the City of Norfolk, Virginia, as file number 1-4-52; on the east by Boush Street and Matthews Street; on the south and west by the Pierhead Lines (Port Warden Lines) of the Eastern Branch of the Elizabeth River, said parcel being further described as follows: beginning at a point that is the intersection of the northern line of Main Street extended westwardly to its intersection with the western line of Matthews Street, said point of intersection being shown on a plat entitled, "Exhibit A," said plat prepared by the Division of Surveys and being on file in the Department of Public Works in the Division of Surveys in the City of Norfolk, Virginia, in Tube 507; thence, from the point of beginning thus described, the following two courses and distances along said western line of Matthews Street: S 19-10'-42" W, 360.00 feet, more or less, to a point; thence, S 35-34'-43" W, 219.23 feet, more or less, to a point on the Pierhead Line (Port Warden Line) running along the northern shore of the Eastern Branch of the Elizabeth River; thence, the following three courses and distances along said Pierhead Line (Port Warden Line): N 42-04'-56" W, 257.80 feet, more or less, to a point; thence, N 25-52'-55" W, 800.08 feet, more or less, to a point; thence, N 15-19'-53" W, 230.00 feet, more or less, to a point on the northern boundary of said parcel; thence, S 82-16'-46" E, 586.82 feet, more or less, to a point; thence, S 76-00'-00" E, 525.00 feet, more or less, to a point; thence, S 10-11'-42" W, 34.00 feet, more or less, to a point; thence, S 79-48'-14" E, 16.13 feet, more or less, to a point on the western line of Boush Street; thence, the following two courses and distances along said western line of Boush Street: S 25-57'-05" W, 197.08 feet, more or less, to a point; thence, S 21-18'-27" W, 225.00 feet, more or less, to a point; thence, N 68-41'-33" W, 42.21 feet, more or less, to a point; thence, S 21-18'-27" W, 25.00 feet, more or less, to a point; thence, N 68-08'-18" W, 60.00 feet, more or less, to the point of beginning.*

ENGROSSED

HB949E

59 *The above-described parcel contains 15.00 acres, more or less, eight acres, more or less, of which*
60 *are subaqueous lands.]*

61 *§ 2. Such conveyance shall be made in a form approved by the Attorney General. The appropriate*
62 *officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and*
63 *other documents as may be necessary to accomplish the conveyance.*