

2005 SESSION

SENATE SUBSTITUTE

055069748

SENATE BILL NO. 1031

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on February 1, 2005)

(Patron Prior to Substitute— Senator Lambert)

A BILL for the relief of certain citizens in the County of Henrico.

Whereas, construction of Interstate 895 has taken place in the Varina District; and

Whereas, as a result of the extensive excavation necessary for the construction of I-895, several private, residential wells went dry in 2001 and 2002; and

Whereas, the contractor for I-895, FD/MK, commissioned two ground water studies concluding that FD/MK was not responsible for the wells going dry; and

Whereas, FD/MK nonetheless paid for improvements to a number of wells that had gone dry as an act of good faith to assist the community; and

Whereas, six other private residential wells in the vicinity of I-895, located at the residence of Alice Jordon at 7320 Wilson Road, the residence of Kelly Woodard at 7408 Wilson Road, the residence of Fred Kunkel at 7671 Wilton Road, the residence of Robert Lampie at 7690 Wilton Road, the residence of Ruth Williamson at 7715 Wilton Road, and the residence of Denny Williams at 7728 Wilton Road, went dry shortly after the agreement with FD/MK was reached; and

Whereas, according to billing statements for the improvements to the wells, the costs amounted to \$5,110.40 for Alice Jordon, \$5,073.75 for Kelly Woodard, \$4,320.20 for Fred Kunkel, \$5,186.23 for Robert Lampie, \$4,826.18 for Ruth Williamson, and \$4,235.60 for Denny Williams; and

Whereas, efforts to have FD/MK include those six wells with the other wells they agreed to pay for have not been successful; now, therefore

Be it enacted by the General Assembly of Virginia:

1. § 1. That there is hereby appropriated from funds remaining in the Interstate 895 Capital Cost Savings Account the aggregate sum of \$28,752.36 for the relief of the six private homeowners whose wells have gone dry, to be apportioned as follows: \$5,110.40 to Alice Jordon, \$5,073.75 to Kelly Woodard, \$4,320.20 to Fred Kunkel, \$5,186.23 to Robert Lampie, \$4,826.18 to Ruth Williamson, and \$4,235.60 to Denny Williams, to be paid by checks issued by the State Treasurer on warrant of the Comptroller upon execution by each of the above named individuals, and if applicable any other person with an interest in the real estate, of a release and waiver forever releasing (i) the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision thereof; (ii) any legal counsel appointed pursuant to § 19.2-159 of the Code of Virginia; and (iii) all other parties of interest from any present or future claims they may have against such enumerated parties in connection with the aforesaid occurrence.

SENATE SUBSTITUTE

SB1031S1