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SENATE BILL NO. 353

Senate Amendments in [] - February 9, 2018

A BILL to authorize the Department of Conservation and Recreation to convey certain property adjacent to the White Oak Technology Park and Elko Tract Road to the Economic Development Authority of Henrico County.

Patrons Prior to Engrossment—Senators McClellan and Dunnavant; Delegates: Adams, D.M., Bagby, Bourne, Ingram, McQuinn, Rodman and VanValkenburg

Referred to Committee for Courts of Justice

Whereas, the Department of Conservation and Recreation ("the Department") acquired 39.564 acres of land at the corner of Elko Road and Elko Tract Road in Henrico County ("the Property") from the Division of Engineering and Buildings (now the Department of General Services) by Agreement dated August 10, 1976, of record in Deed Book 1691, Page 89, in the Office of the Circuit Court Clerk of Henrico County, which property was held for possible construction of a new headquarters building for the Department; and

Whereas, the Department of General Services subsequently transferred adjacent lands to the Industrial Development Authority of Henrico County, now known as the Economic Development Authority of Henrico County ("the Authority") for the development of the White Oak Technology Park, by Deed of Bargain and Sale dated September 25, 1996, of record in Deed Book 2675, Page 1312, in the Office of the Circuit Court Clerk of Henrico County; and

Whereas, a portion of the White Oak Technology Park property lying south of Portugee Road is environmentally sensitive and is unsuitable for development; and

Whereas, the Department no longer has any need for the Property and is willing to transfer it to the Authority in exchange for the placement by the Authority of a deed of open space easement and natural area preserve dedication under the Open-Space Land Act (§ 10.1-1700 et seq. of the Code of Virginia) and the Virginia Natural Area Preserves Act (§ 10.1-209 et seq. of the Code of Virginia) on certain portions of the White Oak Technology Park property that are unsuitable for development; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Department of Conservation and Recreation ("the Department"), with approval of the Governor pursuant to § 10.1-109 of the Code of Virginia, [or his designee,] is hereby authorized to convey to the Economic Development Authority of Henrico County ("the Authority") a parcel of 39.564 acres of land at the corner of Elko Road and Elko Tract Road in Henrico County ("the Property"), which the Department acquired from the Division of Engineering and Buildings by Agreement dated August 10, 1976, of record in Deed Book 1691, Page 89, in the Office of the Circuit Court Clerk of Henrico County. The conveyance shall be made without any monetary consideration and shall be subject to easements and other restrictions of record.*

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

§ 3. *That as a condition of such conveyance, the Authority shall simultaneously convey to the Department a deed of open space easement and natural area preserve dedication on land, the extent of which shall be mutually deemed sufficient by the Department and the Authority, comprising a portion of that property known as White Oak Technology Park, which property was acquired by the Authority from the Department of General Services by Deed of Bargain and Sale dated September 25, 1996, of record in Deed Book 2675, Page 1312, in the Office of the Circuit Court Clerk of Henrico County.*

§ 4. *That the Authority shall not be required to provide any payment to the Commonwealth under the terms of the Real Estate Purchase Agreement dated May 20, 1996, and amended December 12, 2017, for transfer of the deed of open space easement and natural area preserve dedication set forth above.*

ENGROSSED

SB353E