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SENATE BILL NO. 888**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee for Courts of Justice
on February 5, 2018)

(Patron Prior to Substitute—Senator McDougle)

A *BILL* to authorize the Virginia Marine Resources Commission to convey a permanent easement and rights-of-way across the Rappahannock River, including a portion of the Baylor Survey, to Virginia Electric and Power Company (Dominion Energy Virginia) for the purpose of installing, constructing, maintaining, repairing, and operating an underground electric transmission line and to repeal Chapter 377 of the Acts of Assembly of 2015.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Virginia Marine Resources Commission is hereby authorized to grant and convey to Virginia Electric and Power Company, its successors and assigns, upon such terms and conditions as the Commission, with the approval of the Governor and the Attorney General, shall deem proper, a permanent easement and right-of-way of 200 feet of width, and a temporary right-of-way of a reasonable width, as needed for the purpose of installing, constructing, maintaining, repairing, and operating an underground electric transmission line across the Rappahannock River, including a portion of the Baylor Survey, the center line of such easement being described as follows:

Beginning at a point on the mean low water mark on the south side of the Rappahannock River and east of the Robert O. Norris Bridge, State Route 3, said point also being on the southerly line of the Commonwealth of Virginia and being S. 15°27'20" E., a distance of 5.40' from the northwesterly property corner of a parcel of land owned by David B. Wallace and Heidi M. Ott as recorded in Deed Book 282, page 699 in the Clerk's Office of the Circuit Court of Middlesex County, Virginia, said point having a coordinate value of North 3,753,477.44, East 12,081,494.01 based on the Virginia State Plane Coordinate System, South Zone, NAD 1983 (2011), thence continuing in the waters of the Rappahannock River, N. 37°08'57" E., a distance of 224.70' to a point having a coordinate value of North 3,753,656.54, East 12,081,629.71, thence on a curve to the right having a radius of 1990.00', an arc length of 160.99', and a chord bearing and distance of N. 39°28'00" E., 160.94' to a point having a coordinate value of North 3,753,780.79, East 12,081,732.01, thence N. 41°47'04" E., a distance of 1410.46' to a point having a coordinate value of North 3,754,832.51, East 12,082,671.84, thence N. 36°35'14" E., a distance of 6853.09' to a point having a coordinate value of North 3,760,335.21, East 12,086,756.59, thence N. 34°30'43" E., a distance of 1530.60' to a point having a coordinate value of North 3,761,596.43, East 12,087,623.79, thence on a curve to the right having a radius of 990.00', an arc length of 47.03', and a chord bearing and distance of N. 35°52'23" E., 47.03' ending at a point on the mean low water mark on the north side of the Rappahannock River and east of the Robert O. Norris Bridge, State Route 3, said point also being on the northerly line of the Commonwealth of Virginia and being S. 77°21'59" E., a distance of 62.15' from the southwesterly property corner of a parcel of land owned by Highbank Association Incorporated as recorded in instrument number LR20080000163 in the Clerk's Office of the Circuit Court of Lancaster County, Virginia, said point having a coordinate value of North 3,761,634.54, East 12,087,651.35, and containing 46.42 acres more or less.

§ 2. The portion of the property described in § 1 of this act that lies within the Baylor Survey shall not be considered part of the natural oyster beds, rocks, and shoals in the waters of the Commonwealth and is described as follows:

Area within Public Ground No. 1 Middlesex County

Beginning at a point on the southerly line of the Baylor Survey grounds of Public Ground No. 1 in the waters of the Rappahannock River, located in Middlesex County, Virginia (119.001.0300), said point also being along the centerline of a 200' Virginia Electric and Power Company right-of-way, having a coordinate value of North 3,754,348.40, East 12,082,239.23, based on the Virginia State Plane Coordinate System, South Zone, NAD 1983 (2011) and being the point of beginning: thence, from said point of beginning along the southerly line of the Baylor Survey Grounds of Public Ground No. 1, N. 75°00'02" W., a distance of 112.02' to a point having a coordinate value of North 3,754,377.39, East 12,082,131.03, thence leaving the aforesaid southerly line, N. 41°47'04" E., a distance of 695.18' to a point having a coordinate value of North 3,754,895.76, East 12,082,594.25, thence N. 36°35'14" E., a distance of 1582.23' to a point on the northerly line of the Baylor Survey Grounds of Public Ground No. 1 having a coordinate value of North 3,756,166.21, East 12,083,537.33, thence along the aforesaid northerly line, S. 73°58'25" E., a distance of 106.80' to a point, said point being along the centerline of a 200' Virginia Electric and Power Company right-of-way, having a coordinate value of North 3,756,136.72, East 12,083,639.98, thence S. 73°58'25" E., a distance of 106.80' to a point having a coordinate value of North 3,756,107.24, East 12,083,742.63, thence leaving the aforesaid northerly line,

SENATE SUBSTITUTE

SB888S1

60 S. 36°35'14" W., a distance of 1666.32' to a point having a coordinate value of North 3,754,769.26,
61 East 12,082,749.43, thence S. 41°47'04" W., a distance of 603.30' to a point, said point being on the
62 southerly line of the aforesaid Public Ground No. 1 having a coordinate value of North 3,754,319.41,
63 East 12,082,347.44, thence along the aforesaid southerly line, N. 75°00'02" W., a distance of 112.02' to
64 the point of beginning, containing 10.44 acres.

65 *Area within Public Ground No. 1 Lancaster County*

66 *Beginning at a point on the northerly line of the Baylor Survey Grounds of Public Ground No. 1 in*
67 *the waters of the Rappahannock River, located in Lancaster County, Virginia (103.001.0300), said point*
68 *also being along the centerline of a 200' Virginia Electric and Power Company right-of-way, having a*
69 *coordinate value of North 3,760,975.70, East 12,087,196.98 based on the Virginia State Plane*
70 *Coordinate System, South Zone, NAD 1983 (2011) and being the point of beginning: thence, from said*
71 *point of beginning along the northerly line of the Baylor Survey Grounds of Public Ground No. 1, S.*
72 *36°47'27" E., a distance of 105.57' to a point, having a coordinate value of North 3,760,891.15, East*
73 *12,087,260.20, thence leaving the aforesaid northerly line, S. 34°30'43" W., a distance of 745.26' to a*
74 *point having a coordinate value of North 3,760,277.06, East 12,086,837.96, thence S. 36°35'14" W., a*
75 *distance of 1454.73' to a point on the southerly line of the Baylor Survey Grounds of Public Ground*
76 *No. 1, having a coordinate value of North 3,759,108.98, East 12,085,970.87, thence along the aforesaid*
77 *southerly line, N. 55°16'47" W., a distance of 100.05' to a point, said point being along the centerline of*
78 *a 200' Virginia Electric and Power Company right-of-way, having a coordinate value of North*
79 *3,759,165.97, East 12,085,888.64, thence N. 55°16'47" W., a distance of 100.05' to a point having a*
80 *coordinate value of North 3,759,222.95, East 12,085,806.40, thence leaving the aforesaid southerly line*
81 *N. 36°35'14" E., a distance of 1457.63' to a point having a coordinate value of North 3,760,393.36, East*
82 *12,086,675.21, thence N. 34°30'43" E., a distance of 809.32' to a point, said point being on the*
83 *northerly line of the aforesaid Public Ground No. 1 having a coordinate value of North 3,761,060.24,*
84 *East 12,087,133.75, thence along the aforesaid northerly line S. 36°47'27" E., a distance of 105.57' to*
85 *the point of beginning, containing 10.25 acres.*

86 *§ 3. The instruments granting and conveying the easement and rights-of-way from the Commonwealth*
87 *to Virginia Electric and Power Company shall be in a form approved by the Attorney General. The*
88 *legal descriptions in §§ 1 and 2 may be modified to correct any errors discovered during the process of*
89 *finalizing these instruments. The appropriate officials of the Commonwealth are hereby authorized to*
90 *prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the*
91 *conveyance.*

92 **2. That Chapter 377 of the Acts of Assembly of 2015 is repealed.**