

# 2007 RECONVENED SESSION

## HOUSE SUBSTITUTE

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### HOUSE BILL NO. 2642

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor  
on March 26, 2007)

(Patron Prior to Substitute—Delegate Gear)

A BILL to authorize the Marine Resources Commission to convey certain lands in the City of Hampton.

#### Be it enacted by the General Assembly of Virginia:

1. § 1. That the Marine Resources Commission is hereby authorized to sell and convey on behalf of the Commonwealth to S&S Marine Supply and its successors and assigns, upon such terms and conditions and the payment of an amount commensurate with the property interest being conveyed as provided in §§ 4 and 5, with the approval of the Governor and in a form approved by the Attorney General, such rights, title, and interest as the Commonwealth may have in a piece or parcel of subaqueous land in the City of Hampton, Virginia, being more particularly described as follows:

Beginning at the northwest corner of Parcel C, said parcel being as particularly designated as "Parcel C," on a certain plat entitled, "Plat Showing Parcels - A, B, C, C-1, C-2 and C-3; Property of Marine International Corporation Of Virginia," which said plat was made by William M. Sours, C.L.S., dated November 4, 1970, revised November 24, 1970, and revised August 30, 1972, and recorded in Deed Book 470, page 706 in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia; said point of beginning being on the approximate mean low water line as shown on said plat; thence, N 08°37'08" W, 19', more or less, to a point being N 08°37'08" W, 75.98' from the centerline of the 30' right-of-way (ingress/egress easement) as shown in D.B. 470, PG. 706; thence, N 80°26'24"E, 86', more or less, to the approximate mean low water line as shown on said plat; thence along the mean low water line in an westerly direction, 90', more or less, to the point of beginning; containing 1,200 square feet (0.03 acres), more or less.

§ 2. That the Marine Resources Commission is hereby authorized to sell and convey on behalf of the Commonwealth to S&S Marine Supply and its successors and assigns, upon such terms and conditions and the payment of an amount commensurate with the property interest being conveyed as provided in §§ 4 and 5, with the approval of the Governor and in a form approved by the Attorney General, such rights, title, and interest as the Commonwealth may have in a piece or parcel of subaqueous land in the City of Hampton, Virginia, being more particularly described as follows:

Beginning at the northeast corner of Parcel C, said parcel being as particularly designated as "Parcel C," on a certain plat entitled, "Plat Showing Parcels - A, B, C, C-1, C-2 and C-3; Property of Marine International Corporation Of Virginia," which said plat was made by William M. Sours, C.L.S., dated November 4, 1970, revised November 24, 1970, and revised August 30, 1972, and recorded in Deed Book 470, page 706 in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia; thence, N 80°26'24" E, 7', more or less, to a point N 80°26'24" E, 256.29' from the northwest corner of Parcel I, here before described; thence, S 33°18'44"E, 10.74' to a point; thence S 08°13'08" E, 245.01' to a point; thence S 87°25'44" W, 129', more or less, to the existing approximate mean low water line; thence along the mean low water line in a westerly direction 84', more or less, to a point; thence N 30°52'27" W, 58', more or less, to a point, that point also being the southwest corner of said parcel C and the approximate mean low water line as shown on said plat; thence along the mean low water line in an easterly and northerly direction, 399', more or less, to the point of beginning; containing 10,900 square feet (0.25 acres), more or less.

§ 3. That the Marine Resources Commission is hereby authorized to sell and convey on behalf of the Commonwealth to Iola L. Lawson and her successors and assigns, upon such terms and conditions and the payment of an amount commensurate with the property interest being conveyed as provided in §§ 4 and 5, with the approval of the Governor and in a form approved by the Attorney General, such rights, title, and interest as the Commonwealth may have in a piece or parcel of subaqueous land in the City of Hampton, Virginia, being more particularly described as follows:

Beginning at the southwest corner of Parcel A-1, said parcel being as particularly designated as "Parcel A-1," on a certain plat entitled, "Plat Showing Parcels - A, B, C, C-1, C-2 and C-3; Property of Ivy Home Company," which said plat was made by William M. Sours, C.L.S., dated November 4, 1970, revised November 24, 1970, and revised October 13, 1971, and recorded in Deed Book 468, page 357 in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia; thence, along the westerly boundary of said Parcel A-1, N 09°53'02" W, 130.48' to a point; thence, N 35°06'58"E, 35.36' to a point; thence N 09°53'01" W, 9', more or less, to the existing approximate mean low water line; thence along the mean low water line in an easterly direction, 169', more or less, to a point; thence, S 60°51'00" E, 14', more or less to a point; thence, N 82°09'47" E, 6.12' to a point; thence S 07°54'07" E, 163.54' to a point; thence S 33°18'44" E, 2.09' to a point also being located N 80°26'24" E, 189.72'

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60 *from the point of beginning; thence S 80°26'24" W, 7', more or less, to the approximate mean low water*  
61 *line as shown on said Plat; thence, along the mean low water line, 326', more or less to a point on the*  
62 *southerly line of aforesaid Parcel A-1; thence, S 80°26'24" W, 19', more or less to the point of*  
63 *beginning; containing 22,400 square feet (0.51 acres), more or less.*

64 *§ 4. Except as provided in § 5, the grantee shall compensate the Commonwealth in an amount*  
65 *commensurate with the property interest being conveyed, which shall be considered equivalent to 25*  
66 *percent of the assessed value of the specified parcel, exclusive of any buildings or other improvements.*  
67 *The assessed value shall be established as the average of the local real estate tax assessments for the*  
68 *most recent 10 years available for the specified parcel. If no such assessments are available for the*  
69 *specified parcel, then the assessed value shall be calculated as the percentage, by square footage or*  
70 *acreage, that the specified parcel represents of the larger parcel for which such assessments are*  
71 *available.*

72 *§ 5. If the Commission determines that unique circumstances exist, the Commission may allow the*  
73 *grantee to compensate the Commonwealth in an amount less than 25 percent of the assessed value of*  
74 *the specified parcel. Any such determination by the Commission shall be justified in writing and shall*  
75 *not be subject to judicial review.*