

1998 SESSION

INTRODUCED

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SENATE BILL NO. 718

Offered March 13, 1998

A BILL to give the consent of the Commonwealth to the extension of the lease for the operation of a certain hotel at Fort Monroe.

Patron—Williams

Introduced at the request of Governor

Referred to the Committee for Courts of Justice

Whereas, pursuant to an act of the General Assembly passed March 1, 1821, David Campbell, Governor of the Commonwealth, conveyed to the United States certain lands and shoals at Old Point Comfort, Virginia, upon certain terms and conditions; and

Whereas, the deed provided, "That the United States shall use the said . . . land for the purpose of fortification and national defense, and no other, and if the United States at any time abandon the said lands and shoals or appropriate to any other purposes than those herein mentioned, then this conveyance to be void, and the said lands and shoal to revert and revest in the Commonwealth of Virginia"; and

Whereas, for many years under a grant from the Secretary of War of the United States, made pursuant to a joint resolution of the Congress of the United States, and with the consent of the Commonwealth in an act of the 1887 General Assembly, later reaffirmed by a 1922 act, a hotel known as the Chamberlin Hotel has been maintained on the United States government reservation at Fort Monroe, Virginia; and

Whereas, certain portions of the existing structure have been used for such business or professional office space as deemed appropriate by the operator of such hotel, as well as for hotel purposes, and such action has been with the consent of the Commonwealth; and

Whereas, in 1983, the United States would not permit the use of the site for business or professional office space for purposes not necessarily related to the fortification and other objects of national defense, until the consent of the Commonwealth was obtained, and such consent was given pursuant to Chapter 246 of the 1983 Acts of Assembly; and

Whereas, the United States has proposed to enter into a new lease of the Chamberlin Hotel with a new private lessee, the term thereof to end December 31, 2037, but the United States will not approve the lease until the consent of the Commonwealth is obtained; and

Whereas, the term of the proposed lease will extend beyond the original 100-year period addressed by the 1887 and 1922 Acts of Assembly; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. §1. With the approval of the Governor and in a form approved by the Attorney General, the consent of the Commonwealth is hereby given to such individuals or company, and their successors and assigns, as may be granted the privilege by the United States to maintain and operate the hotel presently known as the Chamberlin Hotel at Fort Monroe, Virginia, to lease, sublease or use such structure for hotel, business or professional office space as deemed appropriate by the operator of the hotel holding the privilege from the United States for a term up to and including December 31, 2037, hereby abridging and suspending for the period of such term, the provision of the deed from the Commonwealth to the United States by which such site would revert and revest in the Commonwealth.

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SB718