



## TOWN COUNCIL WORK SESSION

Monday, January 4, 2016 @ 7:00p.m.  
Front Royal Administration Building

### **Town/Staff Related Issues:**

1. Request from Christendom College to Purchase Town Property – Joe Silek, Jr.
2. Continued Discussion of Deed of Easement from Winchester Road (E&A), LLC and Winchester Realty (E &A), LLC for Water and Sewer Right-of-Way at Riverton Commons – *Town Attorney*
3. Continued Discussion of Deed of Easement for Middle School Entrance at Leach Run Parkway – *Town Attorney*
4. Request from County Regarding Video Equipment in the Board Room – *Town Manager*
5. Continued Discussion of Town Drone Policy – *Town Manager*

### **Council/Mayor Related Items**

6. Liaison Committee Meeting Items
7. Request to Donate an Electric Light for a Pole to Humane Society – *Mayor Darr*
8. Earmark Corridor Funds towards Economic Development – *Councilman Hrbeke*
9. Continued Discussion of Referring Property Maintenance Code to the Planning Commission – *Councilman Hrbeke*
10. Request to Re-introduce Postcards for Utility Bills – *Councilman Tewalt*
11. Continued Discussion of Food Trucks – *Mayor Darr*
12. Update on Council Retreat
13. Council Discussion/Goals (*time permitting*)
14. CLOSED MEETING – Council Vacancy

### **Motion to Go Into Closed Meeting**

I move that Council convene and go into Closed Meeting for the purpose of appointment of a specific public appointee or employees of a public body, namely, a Town Council Member to fill the seat vacated by the resignation of Town Council Member Daryl L. Funk, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia.

### **Motion to Certify Closed Meeting at its Conclusion** [*At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:*]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

1

Town of Front Royal, Virginia  
Work Session Agenda Form

Date: January 4, 2016

**Agenda Item:** Christendom College Request - Town Property Interest

**Summary:** The Town has received a request from a representative of Christendom College to consider sale of the Town's half interest in property on the north and south side of I-66 west of Shenandoah Shores Road. The Town received the half interest in the property from Walter Duncan in anticipation of construction of an interstate interchange. The Town has previously been informed by FHWA representatives that the proposed location of an interchange at Shenandoah Shores Road is too close Exit 6 to meet FHWA requirements.

**Council Discussion:** Council is requested to consider entering discussion with Christendom College regarding the Town's interest in this property.

**Staff Evaluation:** The Town's interest in the property allows the Town to continue pursuit of an interstate interchange in the future.

**Budget/Funding:** The Director of Finance will be available to address fiscal issues.

**Legal Evaluation:** The Town Attorney will be available to address legal issues.

**Staff Recommendations:** Staff recommends that Council discuss this request.

**Town Manager Recommendation:** The Town Manager recommends that Council discuss this request and consider the possibility of a future interstate interchange at this location.

**Council Recommendation:**

- Additional Work Session     Regular Meeting     No Action  
Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)



# LAWSON AND SILEK, P.L.C.

43 CHESTER STREET  
POST OFFICE BOX 602  
FRONT ROYAL, VIRGINIA 22630  
TELEPHONE: (540) 635-9415  
FACSIMILE: (540) 635-9421  
E-MAIL: JSILEK@LAWSONANDSILEK.COM

December 16, 2015

## Via First Class Mail

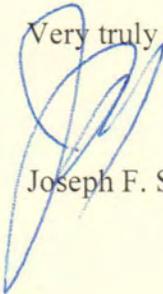
Mr. Steve Burke, Town Manager  
Town of Front Royal  
102 East Main Street  
Town Administration Building  
P.O. Box 1560  
Front Royal, Virginia 22630

Dear Mr. Burke:

This letter is being sent as a follow-up to my December 10, 2015 telephone conversation with you concerning my client's, Christendom College, desire to enter into negotiations with the Town of Front Royal ("Town") to purchase the Town's one-half (1/2) undivided interest in two (2) parcels on either side of Interstate 66 on Route 606. My client has obtained Forest Ann Duncan's one-half (1/2) undivided interest in the parcels and now they wish to acquire the Town's interests. Enclosed you will find a copy of a plat detailing the two (2) parcels in question. I would appreciate you taking this matter up with the Town counsel and get back with me when we can meet and discuss the transaction.

If you have any questions, please let me know.

Very truly yours,

  
Joseph F. Silek, Jr.

Enclosure

cc: Ken Ferguson

LINE	BEARING	DISTANCE
L1	S 27°07'45" W	33.73'
L2	N 62°17'19" W	25.21'
L3	S 27°56'57" W	332.42'
L4	N 22°26'48" E	75.59'
L5	N 36°08'06" W	14.52'
L6	N 56°15'40" E	59.29'
L7	N 49°51'34" E	88.16'
L8	N 29°37'26" E	29.90'
L9	N 60°54'12" E	49.85'
L10	N 66°26'37" E	90.86'
L11	N 73°26'33" E	65.76'
L12	N 50°36'27" E	71.99'
L13	N 67°50'24" E	40.47'
L14	S 85°44'58" E	29.42'
L15	N 54°49'10" E	45.74'
L16	N 37°33'11" E	73.02'
L17	N 27°54'48" E	69.36'
L18	N 38°42'19" E	51.83'
L19	N 15°38'17" W	53.07'
L20	N 57°12'29" E	54.62'
L21	N 32°49'31" E	37.04'
L22	N 51°36'43" E	8.44'
L23	S 74°23'42" E	30.44'
L24	S 53°31'56" E	330.70'
L25	N 50°39'35" E	59.54'
L26	N 25°25'22" E	74.95'
L27	N 00°59'05" E	44.58'
L28	N 21°24'13" W	74.19'
L29	N 19°14'03" W	80.97'
L30	N 05°23'10" W	34.37'
L31	N 22°13'50" E	47.67'
L32	N 09°14'52" E	310.63'
L33	N 49°49'00" E	46.16'
L34	N 48°29'26" E	56.41'
L35	N 46°08'58" E	45.00'
L36	N 30°13'00" E	71.51'
L37	S 69°05'15" E	9.62'
L38	S 59°13'50" E	164.09'
L39	S 54°57'33" E	73.97'
L40	S 64°14'57" E	81.39'
L41	S 57°24'57" E	224.38'
L42	S 56°21'05" E	67.70'
L43	S 59°23'37" E	215.05'
L44	S 64°32'22" E	108.29'
L45	S 55°21'21" E	91.08'
L46	S 68°27'02" E	147.59'
L47	S 67°28'12" E	88.29'
L48	S 23°33'35" W	190.94'
L49	S 00°12'31" W	166.21'
L50	S 00°15'42" W	159.63'
L51	S 09°39'01" E	116.12'
L52	S 22°27'26" E	289.87'
L53	S 30°33'25" E	86.29'

REVIEWED AND CERTIFIED AS EXEMPT FROM THE WARREN COUNTY SUBDIVISION ORDINANCE UNDER SECTION 155-3 (1) (E).

*Tamm G. Logan* 11/16/2015  
 PLANNING DIRECTOR DATE

E03-2015

- DENOTES CONC. VDOT MONUMENT UNLESS OTHERWISE NOTED.
- DENOTES PIN SET.
- DENOTES EXISTING PIN OR PIPE.
- x-x- DENOTES WIRE OR BOARD FENCE.
- DENOTES OVERHEAD WIRES.

NO TITLE REPORT FURNISHED TO THIS OFFICE.  
 SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO:  
 1/2 INTEREST TO W & MD PROPERTIES LLC PER INSTRUMENT # 130002716.  
 1/2 INTEREST TO FOREST ANNE DUNCAN PER DEED BOOK 437 PAGE 361 AND WF # 0400152A.

PARCEL SITUATED IN ZONE X (AREA OUTSIDE THE FLOOD ZONE) AND AND FLOOD ZONES A AND AE PER FIRM MAP #S 51187C0108C AND 51187C0110C EFFECTIVE DATE 6/2/08.

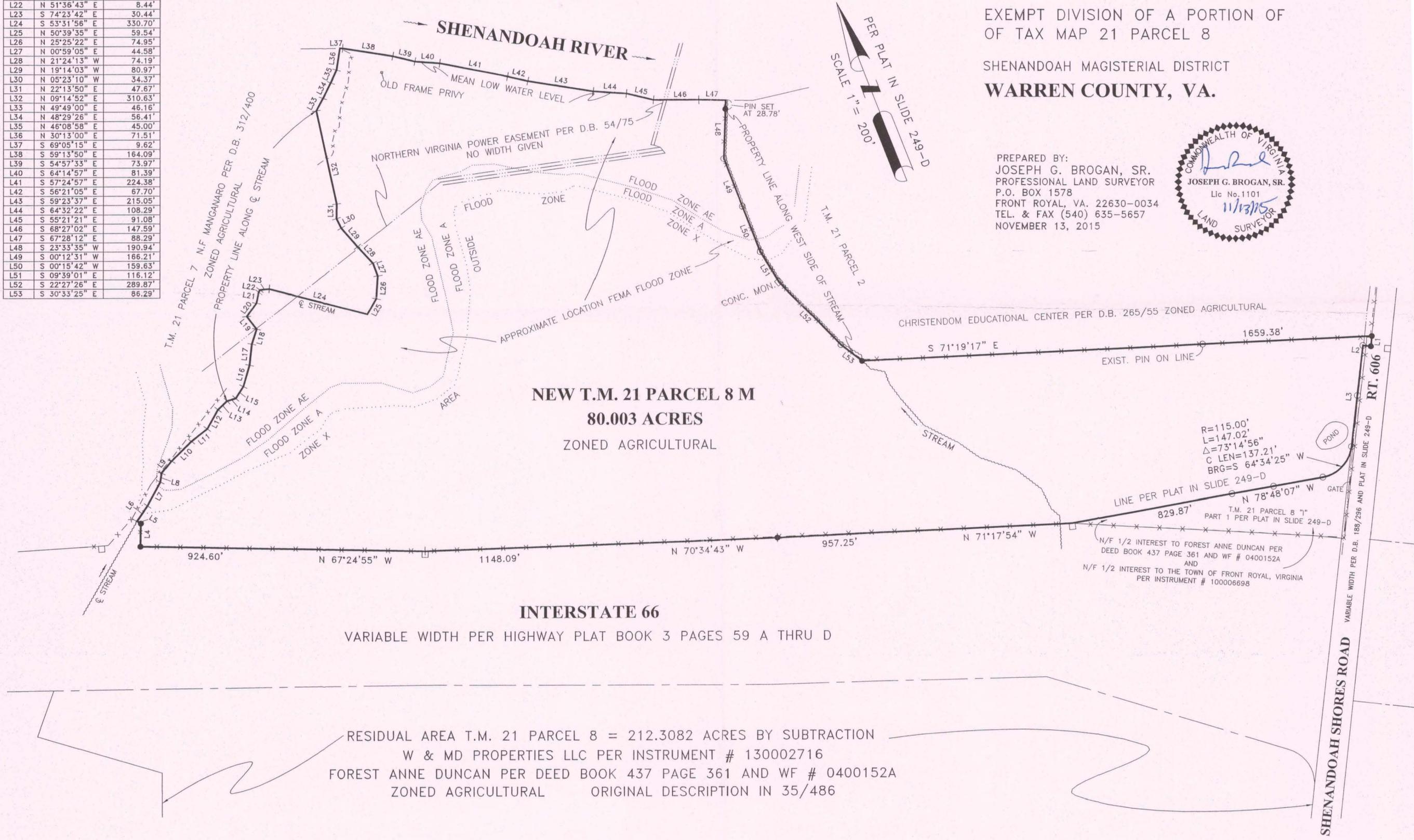
NOTE: NEW T.M. PARCEL 8 M IS ALL THE LAND OF T.M. PARCEL 8 SITUATED NORTH OF INTERSTATE 66.

AREA TABULATION:  
 ORIG. AREA T.M. PARCEL 8 292.3112 ACRES PER TAX RECORDS  
 NEW T.M. PARCEL 8 M -80.003 ACRES  
 RESIDUAL AREA T.M. PARCEL 8 212.3082 ACRES BY SUBTRACTION

EXEMPT DIVISION OF A PORTION OF OF TAX MAP 21 PARCEL 8

SHENANDOAH MAGISTERIAL DISTRICT  
**WARREN COUNTY, VA.**

PREPARED BY:  
 JOSEPH G. BROGAN, SR.  
 PROFESSIONAL LAND SURVEYOR  
 P.O. BOX 1578  
 FRONT ROYAL, VA. 22630-0034  
 TEL. & FAX (540) 635-5657  
 NOVEMBER 13, 2015



RESIDUAL AREA T.M. 21 PARCEL 8 = 212.3082 ACRES BY SUBTRACTION  
 W & MD PROPERTIES LLC PER INSTRUMENT # 130002716  
 FOREST ANNE DUNCAN PER DEED BOOK 437 PAGE 361 AND WF # 0400152A  
 ZONED AGRICULTURAL ORIGINAL DESCRIPTION IN 35/486

2



## Town of Front Royal, Virginia Work Session Agenda Form

Date: January 4, 2016

**Agenda Item:** Deed of Easement from Winchester Road (E&A), LLC and Winchester Realty (E&A), LLC to the Town for water/sewer easements and rights-of-way acquisition for facilities serving Land Units 8, 9, 12 and 13, Riverton Commons Land Condominium, located in Riverton Commons.

**Summary:** It is proposed that the Town acquire water/sewer easements and rights-of-way over portions of Land Units 8, 9, 12 and 13, Riverton Commons Land Condominium, located in Riverton Commons, for access and maintenance to water/sewer facilities to be owned by the Town, necessary to provide utility service to these parcels. Land Unit 9 is the location of the new Urgent Care.

**Council Discussion:** Town Council is asked to consider approving the Deed of Easement, to be executed by the Mayor.

**Staff Evaluation:** The proposed easements/rights-of-way acquisitions are required to provide water/sewer service to these parcels located outside of Town limits.

**Budget/Funding:** None.

**Legal Evaluation:** The Town Attorney will be available for legal questions.

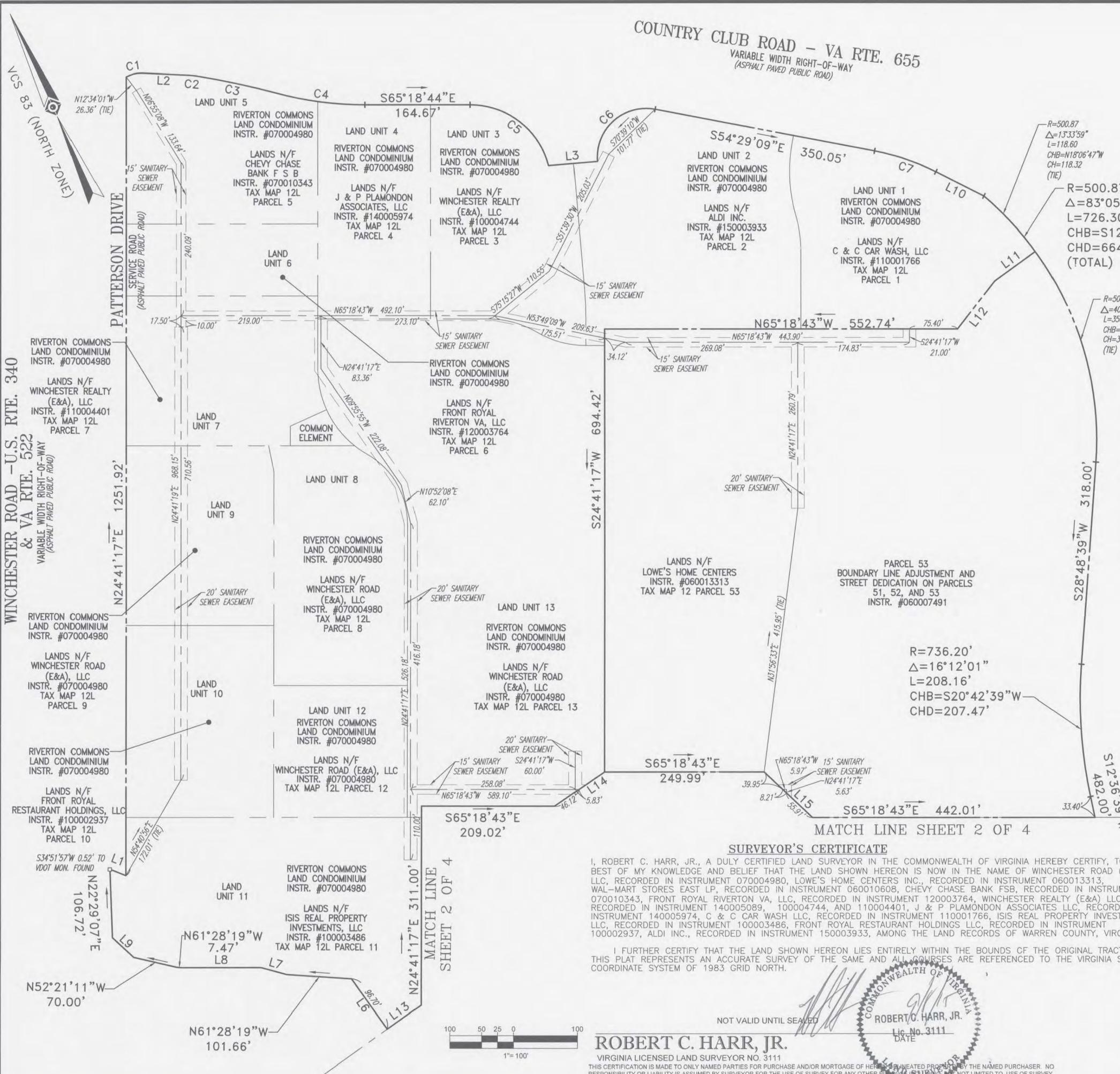
**Staff Recommendations:** Steve Burke, Town Manager/Town Engineer, Jeremy Camp, Director of Planning and Zoning, and Jimmy Hannigan, Director of Environmental Services, will be available to answer questions.

**Town Manager Recommendation:** The Town Manager recommends that the Town acquire water/sewer line easements and rights-of-way over portions of Land Units 8, 9, 12 and 13, Riverton Commons Land Condominium, owned by Winchester Road (E&A), LLC and Winchester Realty (E&A), LLC.

**Council Recommendation:**

Additional Work Session     Regular Meeting     No Action  
Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)

Work Session



VICINITY MAP  
 ADC THE MAP PEOPLE  
 PERMIT USE NO. 20602153-5  
 SCALE: 1"=2,000'

NOTES:  
 1. THE PURPOSE OF THIS PLAT IS TO DEDICATE SANITARY SEWER AND WATERLINE EASEMENTS ON PARCELS 51 & 53 AND RIVERTON COMMONS LAND CONDOMINIUM.  
 2. THE PROPERTY DELINEATED HEREON IS SHOWN ON WARREN COUNTY TAX ASSESSMENT MAP NO. 12 PARCELS 51, 52 & 53.  
 3. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A CURRENT BOUNDARY SURVEY PREPARED BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.  
 4. NO TITLE REPORT FURNISHED. THE PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED. ALL PREVIOUSLY RECORDED RIGHTS-OF-WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.  
 5. THE EXISTENCE OF VEGETATED OR TIDAL WETLANDS WAS NEITHER INVESTIGATED NOR CONFIRMED DURING THE PERFORMANCE OF THE FIELD SURVEY.  
 6. THE PROPERTY IS ZONED COMMERCIAL (HIGHWAY OVERLAY DISTRICT).

R=736.20'  
 $\Delta=16^{\circ}12'01''$   
 L=208.16'  
 CHB=S20°42'39"W  
 CHD=207.47'

MATCH LINE SHEET 2 OF 4

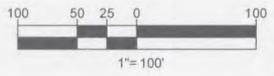
**SURVEYOR'S CERTIFICATE**

I, ROBERT C. HARR, JR., A DULY CERTIFIED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE LAND SHOWN HEREON IS NOW IN THE NAME OF WINCHESTER ROAD (E&A) LLC, RECORDED IN INSTRUMENT 070004980, LOWE'S HOME CENTERS INC., RECORDED IN INSTRUMENT 060013313, WAL-MART STORES EAST LP, RECORDED IN INSTRUMENT 060010608, CHEVY CHASE BANK FSB, RECORDED IN INSTRUMENT 070010343, FRONT ROYAL RIVERTON VA, LLC, RECORDED IN INSTRUMENT 120003764, WINCHESTER REALTY (E&A) LLC, RECORDED IN INSTRUMENT 140005089, 100004744, AND 110004401, J & P PLAMONDON ASSOCIATES LLC, RECORDED IN INSTRUMENT 140005974, C & C CAR WASH LLC, RECORDED IN INSTRUMENT 110001766, ISIS REAL PROPERTY INVESTMENTS LLC, RECORDED IN INSTRUMENT 100003486, FRONT ROYAL RESTAURANT HOLDINGS LLC, RECORDED IN INSTRUMENT 100002937, ALDI INC., RECORDED IN INSTRUMENT 150003933, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.

I FURTHER CERTIFY THAT THE LAND SHOWN HEREON LIES ENTIRELY WITHIN THE BOUNDS OF THE ORIGINAL TRACT; THAT THIS PLAT REPRESENTS AN ACCURATE SURVEY OF THE SAME AND ALL COURSES ARE REFERENCED TO THE VIRGINIA STATE COORDINATE SYSTEM OF 1983 GRID NORTH.

COMMONWEALTH OF VIRGINIA  
 ROBERT C. HARR, JR.  
 Lic. No. 3111  
 DATE

ROBERT C. HARR, JR.  
 VIRGINIA LICENSED LAND SURVEYOR NO. 3111



PLAT SHOWING  
 DEDICATION OF SANITARY SEWER  
 AND WATERLINE EASEMENTS  
 ON  
**PARCELS 51 AND 53**  
 AND  
**RIVERTON COMMONS  
 LAND CONDOMINIUM**

NORTH RIVER MAGISTERIAL DISTRICT  
 WARREN COUNTY, VIRGINIA  
 SCALE: 1"=100' DATE DRAWN: 10/24/07 - SHEET 1 OF 4  

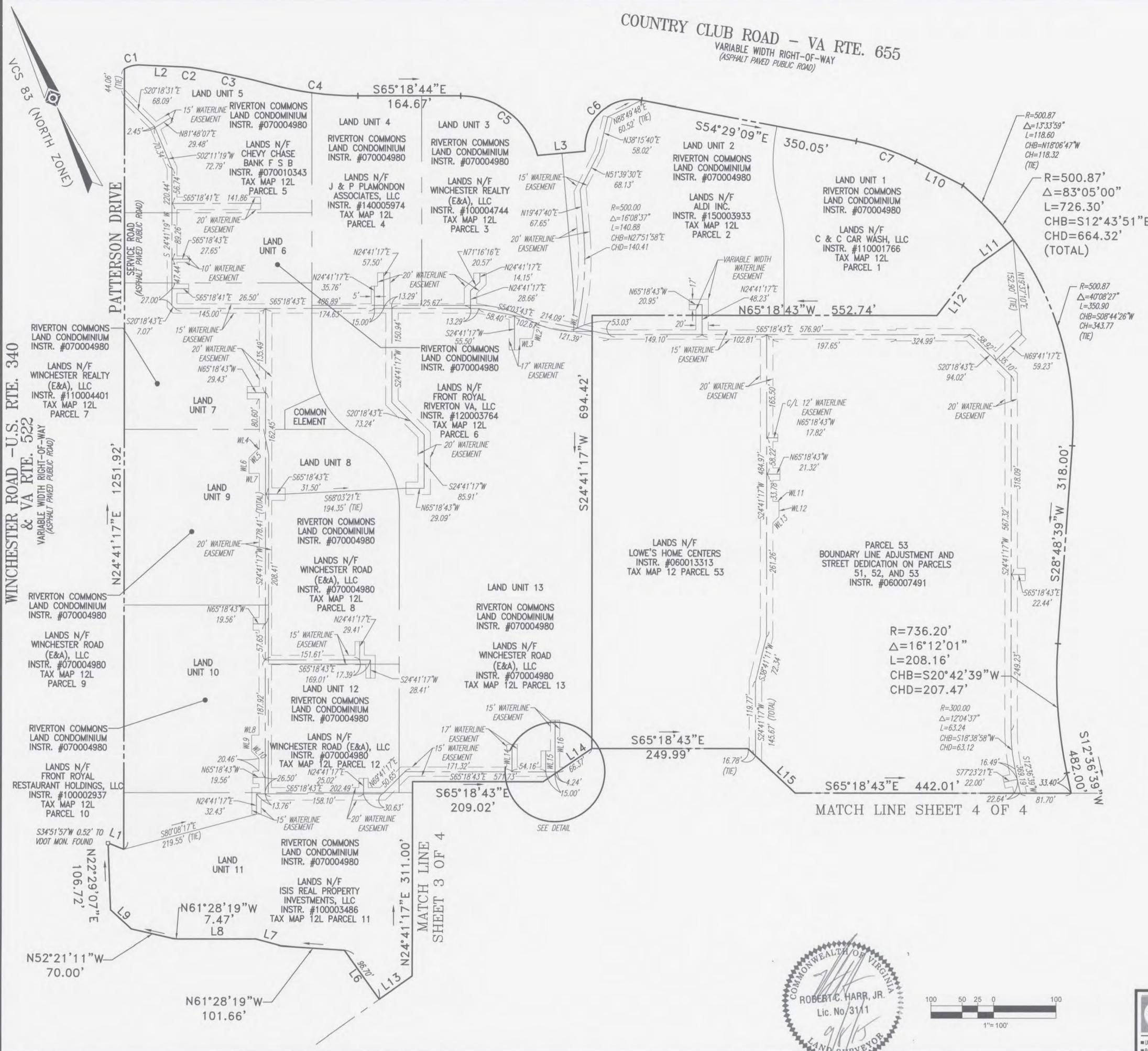
NO.	REVISION	DATE
1	REVISE UTILITY EASEMENT	07/27/15
2	REVISE PER ATTORNEY COMMENTS	09/08/15

**BOHLER ENGINEERING**  
 22636 DAVIS DRIVE, SUITE 250  
 STERLING, VIRGINIA 20164  
 703.709.9500 - 703.709.9501 FAX  
 www.bohlerengineering.com

■ UPTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA ■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

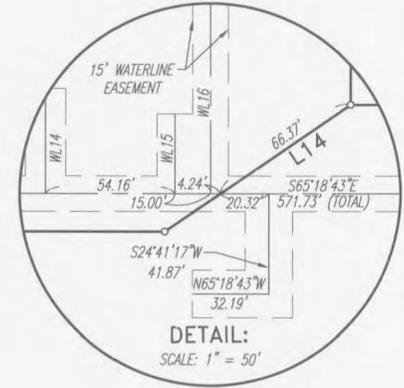
COUNTRY CLUB ROAD - VA RTE. 655  
 VARIABLE WIDTH RIGHT-OF-WAY  
 (ASPHALT PAVED PUBLIC ROAD)

WINCHESTER ROAD - U.S. RTE. 340  
 & VA RTE. 522  
 VARIABLE WIDTH RIGHT-OF-WAY  
 (ASPHALT PAVED PUBLIC ROAD)



EASEMENT LINE TABLE

LINE	BEARING	LENGTH
WL1	N35°56'17"E	14.26
WL2	S35°56'17"W	23.41
WL3	N65°18'43"W	19.84
WL4	N65°18'43"W	2.32
WL5	S70°04'28"W	19.91
WL6	S24°41'17"W	24.66
WL7	S65°18'43"E	16.49
WL8	N65°18'43"W	11.60
WL9	S24°41'17"W	26.02
WL10	S20°18'43"E	16.40
WL11	S65°18'43"E	9.82
WL12	S24°41'17"W	24.96
WL13	S69°41'17"W	13.89
WL14	N24°41'17"E	44.15
WL15	N24°41'17"E	33.57
WL16	N24°41'17"E	83.10



R=736.20'  
 Δ=16°12'01"  
 L=208.16'  
 CHB=S20°42'39"W  
 CHD=207.47'

R=300.00  
 Δ=12°04'37"  
 L=63.24  
 CHB=S18°38'58"W  
 CHD=63.12

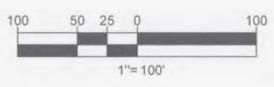
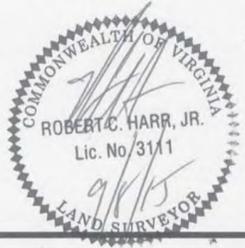
R=500.87  
 Δ=13°33'59"  
 L=118.60  
 CHB=N18°06'47"W  
 CH=118.32  
 (TIE)

R=500.87  
 Δ=83°05'00"  
 L=726.30'  
 CHB=S12°43'51"E  
 CHD=664.32'  
 (TOTAL)

R=500.87  
 Δ=40°08'27"  
 L=350.90  
 CHB=S08°44'26"W  
 CH=343.77  
 (TIE)

PLAT SHOWING  
 DEDICATION OF SANITARY SEWER  
 AND WATERLINE EASEMENTS  
 ON  
**PARCELS 51 AND 53**  
 AND  
**RIVERTON COMMONS  
 LAND CONDOMINIUM**

NORTH RIVER MAGISTERIAL DISTRICT  
 WARREN COUNTY, VIRGINIA  
 SCALE: 1"=100' DATE DRAWN: 10/24/07 - SHEET 3 OF 4  
 NO. REVISION DATE  
 1 REVISE UTILITY EASEMENT 07/27/15  
 2 REVISE PER ATTORNEY COMMENTS 09/08/15



**BOHLER ENGINEERING**  
 22636 DAVIS DRIVE, SUITE 250  
 STERLING, VIRGINIA 20164  
 703.709.9500 - 703.709.9501 FAX  
 www.bohlerengineering.com

**This instrument was prepared by J. Daniel Pond II, Esquire, VSB #13624  
35 N. Royal Avenue Front  
Royal, VA 22630**

**This DEED OF EASEMENT** made and entered into this 20 day of November, 2015, by and between **Winchester Road (E&A), LLC** South Carolina limited liability company, and **Winchester Realty (E&A), LLC**, a South Carolina limited liability company, GRANTORS, and **Town of Front Royal, Virginia, a Municipal Corporation**, GRANTEE.

WITNESSETH:

Whereas, Winchester Road (E & A), LLC is the owner of Land Units 8, 9, 12 and 13 as shown on that certain plat of survey dated March 19, 2007 and revised May 18, 2007, prepared by Control Point Associates, Inc. and recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia in Slide 233-T, having acquired the same by deed recorded in the aforesaid Clerk's Office in Instrument #070004980; and

Whereas, Winchester Realty (E & A), LLC is the owner of Land Units 3 and 7 as shown on the aforesaid plat of survey, having acquired the same by deeds recorded in the aforesaid Clerk's Office in Instrument #100004744 (Unit 3) and Instrument #11000440 (Unit 7); and

Whereas, the Grantors wish to grant unto the Town of Front Royal, Virginia easements and rights-of-way for the installation and maintenance of sanitary sewer lines and water lines onto, over and through the aforesaid units, and to that end have caused to be prepared this instrument.

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash in hand paid by the Grantee to the Grantors, receipt of which is hereby acknowledged, the Grantors grant and convey unto the Grantee, its successors and assigns, the following rights in real property situated in the North River Magisterial District, Warren County, Virginia, to-wit:

The privileges, easements, and rights-of-way in perpetuity to construct, lay, maintain, repair, inspect, improve and operate within the easements and rights-of-way of varying widths herein described and referred to, mains, works and systems for the operation of utilities over, upon, across and under the properties of the Grantors as shown on Sheet 1 and Sheet 3 of a plat of survey dated October 24, 2007 and revised on July 27, 2015 and on September 8, 2015, prepared by Bohler Engineering and attached hereto and made a part of this instrument.

These easements and rights-of-way shall be for the construction, installation, inspection, repair and maintenance of mains, works, and systems for the transmission of water and the collection and transmission of sewage, and waste water, including, but not limited to, water meters and water meter vaults, (herein "facilities") over, across and under the properties of the Grantors, with the location and width of said easements and rights-of-way as shown on the aforesaid attached plat. The real parcels encumbered by this instrument are known and designated as Land Units 3, 7, 8, 9, 12 and 13 on the aforesaid plat recorded in the aforesaid Clerk's Office in Slide 233-T.

There is also hereby conveyed rights-of-way of ingress, egress, and access over, upon, and across the properties of the Grantors to the above-described easements for the purpose of allowing access to facilities located thereon by the employees, agents, and contractors of the

Grantee.

The further terms and conditions of this grant are as follows:

(a) That the Grantee may (but is not required to) trim, cut, remove, and keep clear all trees, limbs, undergrowth, and any and all other obstructions, within the said easements and rights-of way, that may in any manner, in Grantee's sole judgment, endanger or interfere with the proper and efficient operation of the facilities, and the Grantee shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easements and rights-of-way herein granted for the aforesaid purpose. Nothing contained herein shall be construed to require Grantee to install, repair or maintain any portion of any water and sewer service laterals providing utilities to any improvements located on the aforesaid Land Units.

(b) The granting of the easements and rights-of-way hereinafter described neither expressly nor impliedly constitutes any payment, nor the waiver of any obligation for the payment, by the Grantors or their successors or assigns, or any cut-in fee or charge, tax, assessment or other charge or obligation whatsoever now due or heretofore due or hereafter to become due and payable to the Grantee or to any person, firm or other corporation whatsoever.

(c) That Grantee will exercise reasonable care to protect the properties of the Grantors from damage or injury occasioned in the enjoyment of the easements and rights-of-way herein granted, and to promptly repair the said properties or reimburse the Grantors for any property damaged beyond repair.

(d) That, if Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to these easements and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks

and boulders shall, at the expense of Grantee be removed from the properties of the Grantors.

(e) Once constructed and installed, the facilities shall become the property of the Grantee and Grantors shall have no right, title, interest, estate or claim whatsoever in facilities by virtue of the rights conveyed herein.

(f) The easements are non-exclusive.

(g) Facilities installed pursuant to the easement shall be underground, except for manhole and vault covers which shall be flush with adjacent grade, except as is otherwise consistent with best practices or as shown on plans approved by Grantors.

(h) Grantors retain the right to use the surface areas of such encumbered parcels for any use not inconsistent with the rights granted the Grantee, including use of the easements areas for pavement, drives, curbing, sidewalks and landscaping.

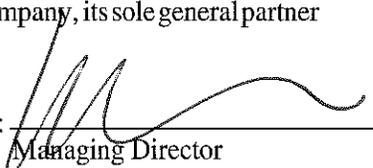
(i) Grantors reserve the right to require the Grantee to relocate its facilities to another location on the affected parcels, subject to the conveyance of a similar easements and rights-of-way, all at the cost and expense of the Grantors.

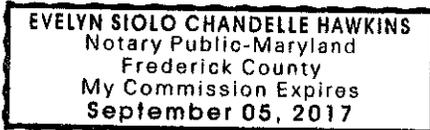
WITNESS the following signatures and seals.

WINCHESTER ROAD (E&A) LLC, a South  
Carolina limited liability company

By: Edens Limited Partnership, a Delaware limited  
partnership, its sole member

By: Edens GP, LLC, a Delaware limited liability  
company, its sole general partner

By:   
Managing Director



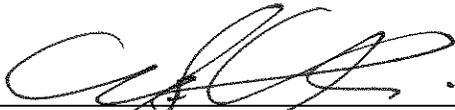
STATE OF MARYLAND

COUNTY OF FREDERICK

I, Evelyn Hawkins, A Notary Public for the state and county aforesaid, do hereby certify that William Caldwell personally appeared before me this day and acknowledged that he is a Managing Director of Edens GP, LLC, a Delaware limited liability company, sole general partner of Edens Limited Partnership, a Delaware limited partnership, sole member of Winchester Road (E&A), LLC, and that by authority duly given he executed the foregoing instrument on behalf of Edens GP, LLC, acting for and on behalf of Winchester Road (E&A), LLC as the act and deed of the foregoing Winchester Road (E&A), LLC for the purposes stated in such instrument and he is personally known to me.

Witness my hand and official seal

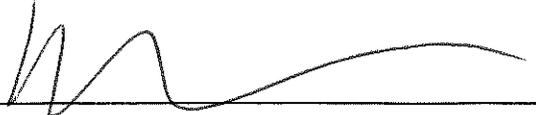
this 20 day of November, 2015.

  
\_\_\_\_\_  
Notary Public for Maryland  
My commission/expires: 9/5/2017

[SEAL]

WINCHESTER REALTY (E&A) LLC, a South  
a South Carolina limited liability company

By: Edens Realty, Inc. a South Carolina corporation,  
its sole Member

By:   
\_\_\_\_\_  
Managing Director

**EVELYN SIOLO CHANDELLE HAWKINS**  
Notary Public-Maryland  
Frederick County  
My Commission Expires  
**September 05, 2017**

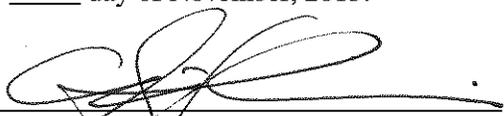
STATE OF MARYLAND

COUNTY OF FREDERICK

I, Evelyn Hawkins A Notary Public for the state and county aforesaid, do hereby certify that William Caldwell personally appeared before me this day and acknowledged that he is a Managing Director of Edens Realty, Inc., a South Carolina corporation, which is the sole member of Winchester Realty (E&A), LLC, a South Carolina limited liability company, and that by authority duly given he executed the foregoing instrument on behalf of Edens Realty, Inc. acting for and on behalf of Winchester Realty (E&A), LLC as the act and deed of the foregoing Winchester Realty (E&A), LLC for the purposes stated in such instrument and he is personally known to me.

Witness my hand and official seal

this 20 day of November, 2015.

  
\_\_\_\_\_  
Notary Public for Maryland

My commission expires: 9/5/2017

[SEAL]

**EVELYN SIOLO CHANDELLE HAWKINS**  
Notary Public-Maryland  
Frederick County  
My Commission Expires  
**September 05, 2017**

The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town, as evidenced by a Resolution adopted by the Town Council.

WITNESS the following signature:

TOWN OF FRONT ROYAL, VIRGINIA

By: \_\_\_\_\_  
Timothy W. Darr, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer E. Berry  
Clerk of Council

STATE OF VIRGINIA

COUNTY OF WARREN, TO-WIT:

I, \_\_\_\_\_ A Notary Public in and for the State and County aforesaid, do hereby certify that Timothy W. Darr, Mayor and Jennifer E. Berry, Clerk, whose names are signed on behalf of the Town of Front Royal, Virginia, to the foregoing Deed of Easement bearing the date of November 10, 2015, have each this day personally appeared and acknowledged the same before me in my State and County aforesaid.

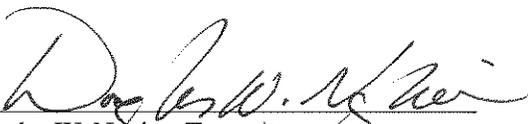
My commission expires: \_\_\_\_\_

Registration No.: \_\_\_\_\_

Given under my hand this \_\_\_\_\_ day of November, 2015.

\_\_\_\_\_  
Notary Public

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Douglas W. Napier, Town Attorney

Date: 11-24-2015

# RIVERTON COMMONS UTILITY EASEMENTS

## PROPOSED WATERLINE AND SANITARY SEWER EASEMENTS



FOR PLAT,  
Book 182 Page 308

11,877  
EWC/ca  
4/6/71

THIS DEED, made this 15<sup>th</sup> day of April, 1971, by and between RICHARD W. BOISSEAU, Special Commissioner in the Chancery cause of Barbara Higgins Boisseau, Guardian against Gayle Hargrave Boisseau, now Gayle Boisseau Harris, an infant, et al, Defendants, BARBARA BOISSEAU PEACE and CRAWFORD GRADY PEACE, JR., her husband, BARBARA HIGGINS BOISSEAU and RICHARD W. BOISSEAU, her husband, RICHARD W. BOISSEAU, Executor of the Estate of Paul W. Rudacille, Deceased, GAYLE BOISSEAU HARRIS and FRANK MALCOLM HARRIS, her husband, parties of the first part and the TOWN OF FRONT ROYAL, VIRGINIA, party of the second part.

WHEREAS, by virtue of a decree entered by the Circuit Court of Warren County, Virginia on the 7<sup>th</sup> day of April, 1971 in the entitled cause, it was ordered and decreed that Richard W. Boisseau be appointed Special Commissioner for the purpose of conveying certain utility easements in and over property in which Martha Frances Boisseau, an infant, Richard Winfield Boisseau, III, an infant, and persons yet to be born or created have an interest, to the Town of Front Royal, Virginia;

WHEREAS, that certain tract or parcel of land lying and being situate at the southwestern corner of the intersection of State Highway No. 55 and No. 522 in the Town of Front Royal, Warren County, Virginia, containing 38.574 acres and being a part of the same property originally acquired by Paul W. Rudacille and the children of Gladys Lee Higgins by deed dated March 15, 1921 executed by W. E. Rudacille, widower, of record in Deed Book 60, page 280 in the Office of the Clerk of the Circuit Court of Warren County, Virginia, is owned jointly by Barbara Higgins Boisseau and the Estate of Paul W. Rudacille, deceased;

AND WHEREAS, in pursuance of the statute of such cases made and provided, the names of the parties on whose behalf this

No. 752  
Ex. 6-22  
Mtd. \_\_\_\_\_  
Del. \_\_\_\_\_

conveyance is made by the said Richard W. Boisseau, Special Commissioner are here set out, to-wit: Martha Frances Boisseau, Richard Winfield Boisseau, III and persons unknown or persons yet to be born or created.

NOW THEREFORE, THIS DEED WITNESSETH: That for an in consideration of the party of the second part releasing, relinquishing, and abandoning all easements that now exist or may have existed in the past over that certain tract of land lying and being situate at the southwestern corner of the intersection of State Highways No. 55 and 522 in the Town of Front Royal, Warren County, Virginia, containing 38.574 acres and being a part of the same property originally acquired by Paul W. Rudacille and the children of Gladys Lee Higgins by deed dated March 15, 1921 executed by W. E. Rudacille, widower, of record in Deed Book 60, page 280 in the Clerk's Office aforesaid, the parties of the first part do hereby grant and convey unto the party of the second part the following three easements on said property for the purpose of constructing, maintaining, repairing, reconstructing and replacing of sewer, water and other utilities, together with the right of ingress and egress over the same for the foregoing purposes:

EASEMENT NO. 1

BEGINNING at a point on the southerly side of Route 55 (South Street), S 69-38-08 E, 25.29 feet from a highway monument at the northwest corner of the Shopping Center; running thence along the southerly side of Route 55, S 69-38-08 E, 10.10 feet to the easterly side of the easement; thence leaving the road and with the easement the following courses: S 11-57-02 W, 49.04 feet; S 85-43-45 E, 22.51 feet; thence N 4-16-15 E, 44.00 feet to the southerly side of Route 55; thence S 69-38-08 E 20.81 feet and with the southerly side of Route 55; thence leaving the road and with the easement the following courses: S 4-16-15 W, 38.23 feet to a point, corner to Easement No. 2; thence with easement No. 2 S 8-06-39 W, 10.02 feet; thence leaving easement No. 2 and continuing with the line of easement No. 1 N 85-43-45 W, 33.05 feet; thence S 11-57-02

W, 707.22 feet; thence S 26-30-00 E, 206.16 feet; thence S 78-02-58 E, 250.00 feet; thence S 33-02-58 E, 198.01 feet; thence S 78-02-58 E, 259.79 feet; thence N 11-57-02 E, 37.38 feet to a point corner to Eastment No. 2; thence S 78-02-58 E, 15.00 feet to a point, corner to Easement No. 2 and Easement No. 3; thence continuing with the line of Easement No. 1, S 11-57-02 W, 52.38 feet; thence N 78-02-58 W, 281.01 feet; thence N 33-02-58 W, 155.90 feet; thence S 56-57-02 W, 5.00 feet; thence N 33-02-58 W, 40.00 feet; thence N 78-02-58 W, 251.38 feet; thence N 26-30-00 W, 222.78 feet; thence N 11-57-02 E, 773.49 feet to the beginning.

EASEMENT NO. 2

BEGINNING at a point on the southerly side of Route 55 (South Street) 396.71 feet westerly from the southwest corner of Route 522 and 55; thence leaving the road S 18-58-00 W, 28.00 feet; thence S 14-24-20 W, 508.99 feet; thence S 78-02-58 E, 30.00 feet; thence S 11-57-02 W, and passing Easement No. 3 in two locations 314.61 feet to a point corner to Easement No. 3 and Easement No. 1; thence with the line of Easement No. 1 and Easement No. 2 N 78-02-58 W, 15.00 feet; thence continuing with the line of Easement No. 2 N 11-57-02 E, 292.62 feet; thence N 78-02-58 W, 533.00 feet; thence N 11-57-02 E, 348.00 feet; thence S 78-02-58 E, 12.00 feet; thence N 11-57-02 E, 283.62 feet; thence N 33-02-58 W, 72.82 feet; thence N 78-02-58 W, 172.74 feet to a point corner to Easement No. 1; thence with the line of Easement No. 1 and Easement No. 2, N 8-06-39 E, 10.02 feet; thence continuing with the line of Easement No. 2 S 78-02-58 E, 177.50 feet; thence S 33-02-58 E, 81.13 feet; thence S 11-57-02 W, 613.74 feet; thence S 78-02-58 E, 485.99 feet; thence N 14-24-20 E, 509.86 feet; thence N 18-58-00 E, 29.39 feet to a point on the southerly side of Route 55; thence S 65-02-07 E, along the southerly side of Route 55, 10.06 feet to the beginning.

EASEMENT NO. 3

BEGINNING at a point on the westerly side of Route 522, 751.54 feet from the southwest corner of Route 522 and Route 55; thence with the westerly side of Route 522, S 7-58-33 W, 25.06 feet to a point; thence leaving the road and with the line of Easement No. 3, N 78-07-35 W, 225.44 feet; thence S 7-58-33 W, 72.84 feet to a point on the southerly line of the Shopping Center property; thence with the southerly line of the Shopping Center N 78-02-58 W, 10.04 feet; thence leaving the aforementioned southerly line and with the line of Easement No. 3, N 7-58-33 E, 72.84 feet; thence N 78-07-35 W, 202.95 feet to a point corner to Easements No. 1 and No. 2; thence with the line between Easements No. 2 and 3, N 11-57-02 E, 25.00 feet; thence continuing with the line of Easement No. 3, S 78-07-35 E, 201.22 feet; thence N 7-58-33 E, 257.40 feet; thence

N 75-00-00 W, 183.63 feet to a point in the line of Easement No. 2; thence with the division line between Easements No. 2 and No. 3, N 11-57-02 E, 10.03 feet; thence continuing with line of Easement No. 3, S 75-00-00 E, 193.00 feet; thence S 7-58-33 W, 266.93 feet; thence S 78-07-35 E, 225.44 feet to the beginning.

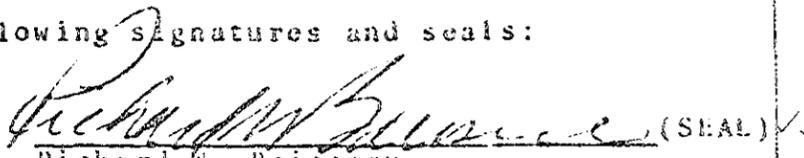
Said easements conveyed hereby are shown on a plat and survey, dated April 3, 1970, prepared by Joseph G. Brogan, Sr., C.L.S., attached hereto, incorporated herein, and made a part hereof.

Parties of the first part, furthermore, hereby release any "right to use without charge of water perpetually from said pipes through one spigot at any one point along said pipeline and system on said land" as contained in that deed made July 1, 1909 between Taylor F. Yates, et ux, and W. E. Rudacille, and of record in Deed Book 13, page 327-328 in the aforesaid Clerk's Office.

The Town of Front Royal, Warren County, Virginia, by uniting in this deed, hereby releases, relinquishes and abandons all easements that now exist or may have existed in the past over that certain tract of land lying and being situate in the southwest corner of the intersection of State Highways No. 55 and No. 522 in the Town of Front Royal, Warren County, Virginia, containing 38.574 acres and being a part of the same property originally acquired by Paul W. Rudacille and the children of Gladys Lee Higgins by deed dated March 19, 1921 and of record in Deed Book 60, page 280 in the aforesaid Clerk's Office.

Reference is here made to the aforesaid deeds and the references therein contained for further and more particular description of the property subject to the easements hereby conveyed.

WITNESS the following signatures and seals:

 (SEAL)  
Richard W. Boisseau,  
Special Commissioner

Barbara Boisseau Peace (SEAL)  
Barbara Boisseau Peace

Crawford Grady Peace, Jr. (SEAL)  
Crawford Grady Peace, Jr.

Barbara Higgins Boisseau (SEAL)  
Barbara Higgins Boisseau

Richard W. Boisseau (SEAL)  
Richard W. Boisseau

Richard W. Boisseau, Exec. (SEAL)  
Richard W. Boisseau, Executor  
of the Estate of Paul W. Rudacille,  
Deceased

Gayle Boisseau Harris (SEAL)  
Gayle Boisseau Harris

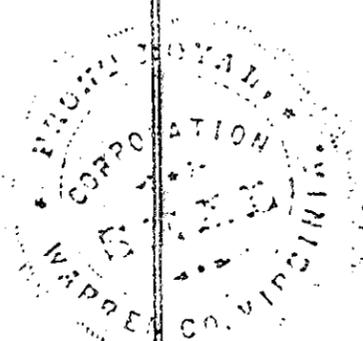
Frank Malcolm Harris (SEAL)  
Frank Malcolm Harris

TOWN OF FRONT ROYAL, VIRGINIA

By William A. Lillard, Jr.  
William A. Lillard, Jr., Mayor

Attest:

Vernon MacTurk  
Vernon MacTurk, Clerk



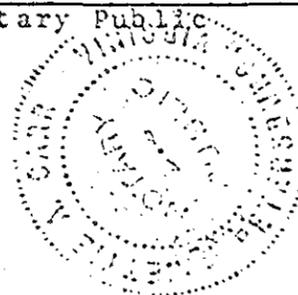
STATE OF VIRGINIA  
City OF Petersburg, To-wit:

I, Walter A. Coe, a Notary Public in  
and for the State and City aforesaid, hereby certify that  
Richard W. Boisseau, whose name is signed to the foregoing deed  
bearing date the 15 day of April, 1971, as  
Special Commissioner and as Executor of the Estate of Paul W.  
Rudacille, deceased, has this day personally appeared before  
me and acknowledged the same.

Given under my hand this 15 day of April, 1971.

My Commission expires 2-6-72.

Walter A. Coe  
Notary Public



STATE OF VIRGINIA  
City OF Petersburg, To-wit:

I, Nellie A. Cas, a Notary Public in and for the State and City aforesaid, hereby certify that Barbara Boisseau Peace and Crawford Grady Peace, Jr., her husband, whose names are signed to the foregoing deed bearing date the 15 day of April, 1971, have this day personally appeared before me and acknowledged the same.

Given under my hand this 15 day of April 1971, 1971.

My Commission expires 2-6-72.

Nellie A. Cas  
Notary Public

STATE OF VIRGINIA  
City OF Petersburg, To-wit:

I, Nellie A. Cas, a Notary Public in and for the State and City aforesaid, hereby certify that Barbara Higgins Boisseau and Richard W. Boisseau, her husband, whose names are signed to the foregoing deed bearing date the 15 day of April, 1971, have this day personally appeared before me and acknowledged the same.

Given under my hand this 15 day of April 1971, 1971.

My Commission expires 2-6-72.

Nellie A. Cas  
Notary Public

STATE OF VIRGINIA  
City OF Petersburg, To-wit:

I, Nellie A. Cas, a Notary Public in and for the State and City aforesaid, hereby certify that Gayle Boisseau Harris and Frank Malcolm Harris, her husband, whose names are signed to the foregoing deed bearing date the 15 day of April, 1971, have this day personally appeared before me and acknowledged the same.

Given under my hand this 15 day of April 1971, 1971.

My Commission expires 2-6-72.

Nellie A. Cas  
Notary Public

STATE OF VIRGINIA  
COUNTY OF WARREN, To-wit:

I, Walter M. DUNCAN, a Notary Public in and for the State and County aforesaid, hereby certify that

William A. Lillard, Jr., as Mayor and Vernon MacTurk as Clerk of the Town of Front Royal, Virginia, whose names are signed to the foregoing deed bearing date the 15 day of APRIL 1971, have this day personally appeared before me and acknowledged the same.

Given under my hand this 25 day of MAY 1971, 1971.  
My Commission expires 12 FEBRUARY 1973

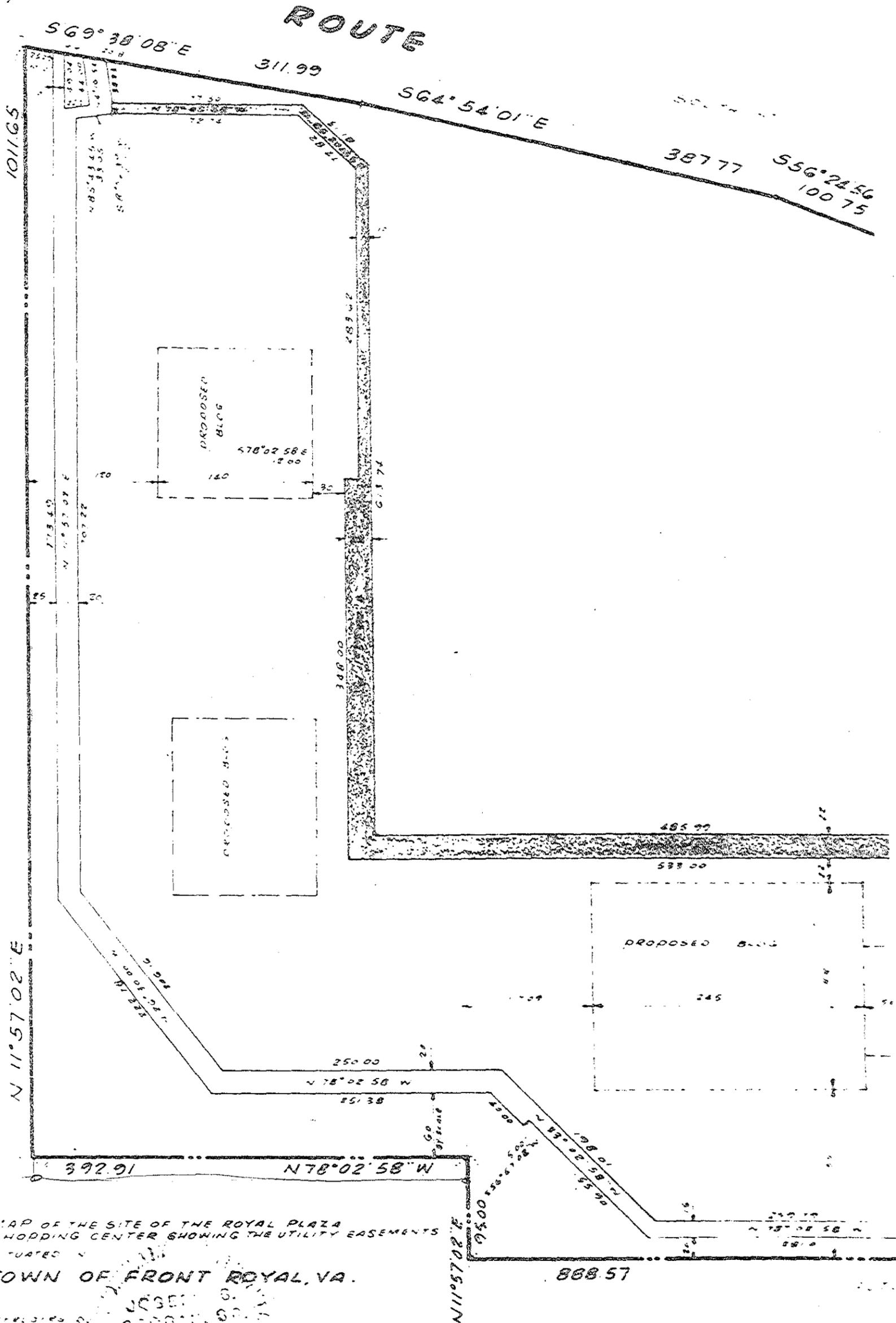
Walter M. Duncan  
Notary Public

VIRGINIA: In the office of the Clerk of the Circuit Court of Warren County, May 26, 1971 at 12:55 P.M. The foregoing <sup>instrument</sup> was this day presented in said office and, with certificate annexed, admitted to record. The taxes imposed by §58-54 and §58-54.1 of the code have been paid.

State Tax 15  
58-54

Grantor Tax —  
58-54.1

Tested Edward M. Mathews Clerk



MAP OF THE SITE OF THE ROYAL PLAZA SHOPPING CENTER SHOWING THE UTILITY EASEMENTS SITUATED

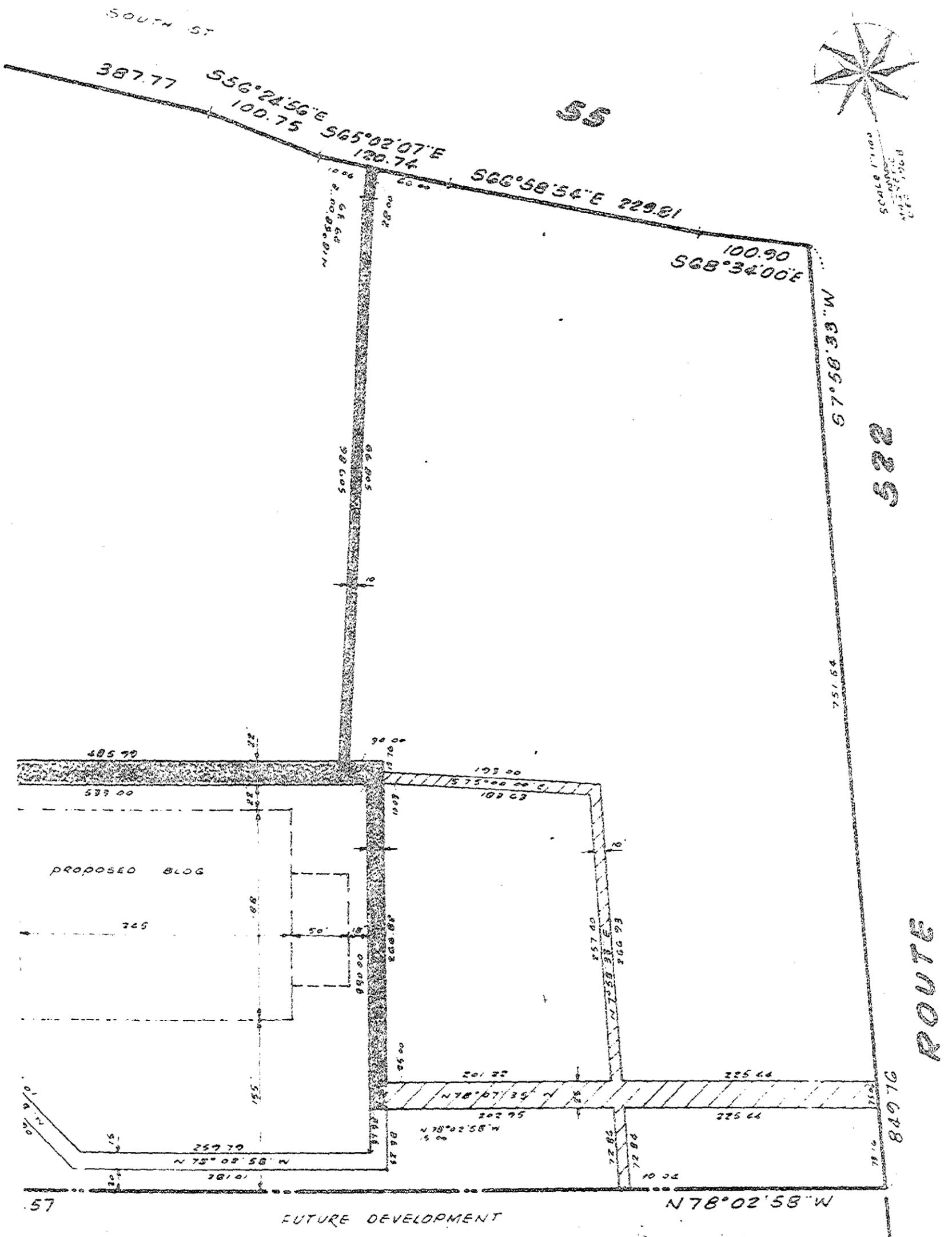
TOWN OF FRONT ROYAL, VA.

SEAN P. BROGAN, SURVEYOR  
 APRIL 3, 1970

NOTES

BOUNDARY SURVEY PREPARED BY THIS OFFICE  
 EASEMENTS TAKEN FROM PLANS ON FILE  
 BUILDING LOCATIONS & DIMENSIONS FROM

- EASEMENT
- EASEMENT
- EASEMENT



68  
 BOUNDARY SURVEY PREPARED BY THIS OFFICE IN APR. 1969 (RE-MAPPED FROM 100' X 100' SURVEY)  
 DIMENSIONS TAKEN FROM BLOBS PREPARED BY J. ROBERT CARLTON & ASSOC. P.U.S. - 6 "A", DATED 12-70  
 INCLUDING LOCATIONS & DIMENSIONS FROM PLANS 645.2

-  EASEMENT NO 1
-  EASEMENT NO 2
-  EASEMENT NO 3

# COMMONWEALTH ASSISTED LIVING SOUTHERLANDS BUILDING ADDITION

## TOWN OF FRONT ROYAL, VIRGINIA

### PROJECT DIRECTORY

**DEPARTMENT OF PLANNING & ZONING**  
JEREMY F. CAMP  
DIRECTOR OF PLANNING & ZONING  
TOWN OF FRONT ROYAL  
102 EAST MAIN STREET  
TOWN ADMINISTRATION BUILDING  
P.O. BOX 1560  
FRONT ROYAL, VA 22630  
(540) 631-2787

**PUBLIC WORKS DEPARTMENT**  
TERRY LEWIS  
MANAGER OF INFRASTRUCTURE  
WALTER M DUNCAN PUBLIC WORKS CENTER  
800 CROSBY ROAD  
P.O. BOX 1560  
FRONT ROYAL, VA 22630  
(540) 635-7819

**EROSION & SEDIMENT CONTROL ADMINISTRATOR**  
DAVID BEAHM  
WARREN COUNTY BUILDING OFFICIAL  
220 NORTH COMMERCE AVENUE  
SUITE 400  
FRONT ROYAL, VA 22630  
(540) 636-9973

**STORMWATER MANAGEMENT PROGRAM ADMINISTRATOR**  
DAVID BEAHM  
WARREN COUNTY BUILDING OFFICIAL  
220 NORTH COMMERCE AVENUE  
SUITE 400  
FRONT ROYAL, VA 22630  
(540) 636-9973

**CHIEF ENGINEER**  
DALE SIBERT  
FRONT ROYAL VOLUNTEER FIRE & RESCUE  
221 NORTH COMMERCE AVENUE  
FRONT ROYAL, VA 22630  
(540) 635-2540

**DISTRICT FIRE CHIEF**  
LARRY OLIVER  
FRONT ROYAL VOLUNTEER FIRE & RESCUE  
221 NORTH COMMERCE AVENUE  
FRONT ROYAL, VA 22630  
(540) 635-2540

**VIRGINIA DEPARTMENT OF TRANSPORTATION**  
STAUNTON DISTRICT OFFICE  
RANDY S. KISER, P.E.  
DISTRICT ADMINISTRATOR  
811 COMMERCE ROAD  
STAUNTON, VA 24402-2249  
(540) 332-9075

**VIRGINIA DEPARTMENT OF HEALTH-DRINKING WATER**  
JAMES W. MOORE, III, P.E.  
FIELD DIRECTOR  
131 WALKER STREET  
LEXINGTON, VA 24450  
(540) 463-7136

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
AMY THATCHER OWENS  
REGIONAL DIRECTOR  
4411 EARLY ROAD  
HARRISONBURG, VA 22801  
(540) 574-7808

**DEPARTMENT OF ENERGY RESOURCES (ELEC)**  
JOSEPH WALTZ  
DIRECTOR OF ENERGY RESOURCES  
520A EAST 6TH STREET  
FRONT ROYAL, VA 22630  
(540) 635-3027

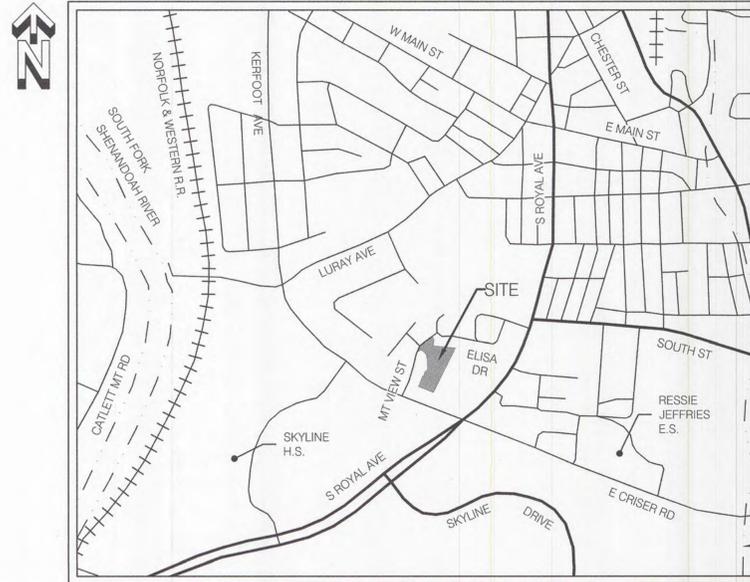
### STANDARD PROJECT LEGEND:

- W— PROPOSED WATER LINE
- SS— PROPOSED SEWER LINE
- FM— PROPOSED FORCE MAIN
- TELE— PROPOSED TELEPHONE
- ELEC— PROPOSED OVERHEAD POWER
- UP— PROPOSED UNDERGROUND POWER
- GAS— PROPOSED GAS LINE
- GEOTHERMAL— PROPOSED GEOTHERMAL LINE
- STEAM— PROPOSED STEAM LINE
- COMM— PROPOSED COMMUNICATIONS LINE
- — — — — EXISTING STORM SEWER
- — — — — PROPOSED STORM SEWER
- ⊗ EXISTING WATER GATE VALVE
- ⊗ PROPOSED WATER GATE VALVE
- ⊗ AIR RELEASE VALVE
- ⊗ EXISTING FIRE HYDRANT
- ⊗ PROPOSED FIRE HYDRANT
- ⊗ WATER METER
- ⊕ TEE
- ⊕ WATER MAIN CROSS
- ⊕ WATER MAIN REDUCER
- ⊕ WATER MAIN PLUG
- ⊗ EXISTING SANITARY MANHOLE
- ⊗ PROPOSED SANITARY MANHOLE
- ⊗ SANITARY SEWER CLEANOUT
- ⊕ EXISTING DRAINAGE STRUCTURE
- ⊕ PROPOSED DRAINAGE STRUCTURE
- ⊕ COMM— COMMUNICATION PULLBOX
- ⊕ COMM— COMMUNICATIONS MANHOLE/HANDHOLE
- ⊕ ELEC— ELECTRICAL POWER MANHOLE/HANDHOLE
- ⊕ SITE LIGHTING
- ⊕ UTILITY POLE
- — — — — EXISTING CONTOURS
- — — — — PROPOSED CONTOURS
- — — — — EXISTING CURB & GUTTER
- — — — — PROPOSED CURB & GUTTER
- — — — — REVERSE CURB & GUTTER
- ⊕ FENCE/GUARDRAIL
- ⊕ SIGN
- ⊕ STEAM LINE GRATE
- ⊕ BENCHMARK

- NOTE:  
1. ANY SYMBOL NOT CALLED OUT IN LEGEND WILL BE LABELED ON PLAN.  
2. NOT ALL SYMBOLS IN LEGEND APPLY TO THIS PLAN.  
3. AN "X" IN FRONT OF ANY UTILITY LINE TYPE INDICATES EXISTING.

### ABBREVIATIONS:

- BM BENCHMARK
- CC CENTER TO CENTER
- CG CURB & GUTTER
- CL CENTER LINE
- CMP CORRUGATED METAL PIPE
- CONC CONCRETE
- DI DUCTILE IRON PIPE
- Δ DELTA
- ESMT EASEMENT
- EP EDGE OF PAVEMENT
- ELEV ELEVATION
- EW ENDWALL
- EX EXISTING
- FES FLARED END SECTION
- FF FINISH FLOOR
- FH FIRE HYDRANT
- FM FORCE MAIN
- INV INVERT
- L LENGTH
- LF LINEAR FEET
- MH MANHOLE
- NTS NOT TO SCALE
- NF NOW OR FORMERLY
- OC ON CENTER
- PL PROPERTY LINE
- PROP PROPOSED
- PC POINT OF CURVATURE
- PCC POINT OF COMPOUND CURVATURE
- PCTC POINT OF CURVATURE TOP OF CURB
- PI POINT OF INTERSECTION
- PRC POINT OF REVERSE CURVE
- PT POINT OF TANGENCY
- PVC POINT OF VERTICLE CURVATURE
- PVI POINT OF VERTICLE INTERSECTION
- PVT POINT OF VERTICLE TANGENT
- PVMT PAVEMENT
- R RADIUS
- RCP REINFORCED CONCRETE PIPE
- RD ROOF DRAIN
- ROW RIGHT-OF-WAY
- R/W RIGHT-OF-WAY
- SCH SCHEDULE
- SEW SANITARY SEWER
- SS SANITARY SEWER
- STA STATION
- STD STANDARD
- STR STRUCTURE
- SWM STORMWATER MANAGEMENT
- WM WATER MAIN
- TBM TEMPORARY BENCH MARK
- TYP TYPICAL
- F/C FACE OF CURB
- S/S SPOT SHOT
- T/C TOP OF CURB
- T/G TOP OF GRADE
- T/P TOP OF PAVEMENT
- T/S TOP OF SIDEWALK
- T/W TOP OF WALL
- B/W BOTTOM OF WALL
- FCR FOOT CANDLE RADIUS
- W/ WITH
- CO CLEAN OUT



VICINITY MAP  
SCALE: 1" = 1,000'

PLANS PREPARED BY:  
**VALLEY ENGINEERING**  
CONTACT: CARL SNYDER, JR., P.E.

3231 PEOPLES DRIVE  
HARRISONBURG, VIRGINIA 22801  
TELEPHONE (540) 434-6365 OR (800) 343-6365  
FAX (540) 432-0685  
www.valleyesp.com

OWNER / DEVELOPER:  
**COMMONWEALTH ASSISTED LIVING, LLC**  
**MCAP SOUTHERLAND, LLC**  
CONTACT: ROBERT E. BARRETT, CMP  
534 EAST MAIN STREET, SUITE B  
P.O. BOX 2064  
CHARLOTTESVILLE, VIRGINIA 22902  
TELEPHONE (434) 218-2908 OR (800) 784-7288  
WWW.COMMONWEALTHAL.COM

**FLOODZONE:**  
PARCELS NOT LOCATED IN FEMA DEFINED 100 YEAR FLOOD ZONE.  
THIS PROPERTY IS LOCATED IN ZONE 'X' AS SHOWN ON FEMA MAP  
#51187C0112C DATED JUNE 3, 2008

**PARKING ANALYSIS:**  
EXISTING PARKING SPACES: 45 SPACES AND 2 HANDI-CAP SPACES  
= 47 TOTAL EXISTING PARKING SPACES  
REQUIRED PARKING SPACES: 1 SPACE / 4 BEDS + 1 SPACE PER  
EMPLOYEE

NUMBER OF EXISTING BEDS = 76  
NUMBER OF PROPOSED BEDS = 16 (8 BEDROOMS)  
TOTAL NUMBER OF BEDS = 92  
NUMBER OF EMPLOYEES = 92  
TOTAL NUMBER OF SPACES REQUIRED = 45 SPACES  
\*NO ADDITIONAL PARKING SPACES REQUIRED\*

**ADT SUMMARY:**  
USE: ASSISTED LIVING (254) - WORST CAST TIMES  
WEEKDAY - OCCUPIED BEDS  
EXISTING = 76 (2.74 TPD) = 208 TRIPS  
PROPOSED = 92 (2.74 TPD) = 252 TRIPS  
SUNDAY - OCCUPIED BEDS - PEAK HOUR  
EXISTING = 76 (0.42 TPH) = 32 TRIPS  
PROPOSED = 92 (0.42 TPH) = 39 TRIPS

NOTE: THESE PLANS ARE VALID FOR  
5 YEARS FROM THE APPROVAL DATE.

APPROVALS	
ALL TOWN REAL ESTATE TAXES HAVE BEEN PAID IN FULL	
DIRECTOR OF FINANCE	DATE
REVIEWED AND APPROVED BY TOWN OF FRONT ROYAL	
DIRECTOR OF PLANNING & ZONING	DATE
TOWN MANAGER	DATE
DIRECTOR OF ENVIRONMENTAL SERVICES	DATE
DIRECTORY OF ENERGY SERVICES	DATE

SHEET INDEX	
PAGE	DESCRIPTION
C0.01	TITLE SHEET
C1.01	GENERAL NOTES, DETAILS, & DEMO PLAN
C3.01	EROSION & SEDIMENT CONTROL NOTES
C4.01	SITE PLAN WITH GRADING & EROSION CONTROLS

TAX MAPS: 20A6-1-5 & 20A6-33A  
AREA: 2.808 ACRES (D.B. 557, Pg.736)  
0.222 ACRES (OPEN SPACE D.B. 523, Pg.886)  
ZONED: R-3 RESIDENTIAL  
USE: NURSING HOME  
SET-BACKS: FRONT - 30.0'  
SIDE - 7.0'  
REAR - 25.0'  
MAXIMUM LOT COVERAGE = 40%  
PROPOSED LOT COVERAGE = 17.74%  
MAXIMUM BUILDING HEIGHT = 35.0'  
MINIMUM LOT SIZE = 6,000 SF  
TOTAL NEW BUILDING AREA = 2,448 SF FOOTPRINT (4,785 SF TOTAL)  
TOTAL DISTURBED AREA = 4,385 SF

COMMONWEALTH  
ASSISTED LIVING  
SOUTHERLANDS  
ADDITION

600 MOUNT VIEW STREET  
FRONT ROYAL, VA 22630  
(540) 692-3020

VALLEY ENGINEERING  
IDEAS MADE REAL

3231 PEOPLES DRIVE  
HARRISONBURG, VIRGINIA 22801  
TELEPHONE (540) 434-6365 DT (800) 343-6365  
FAX (540) 432-0685  
www.valleyesp.com

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PRELIMINARY ISSUE  
NOT FOR CONSTRUCTION

REVISIONS:  
10/23/2015 - COUNTY COMMENTS  
AND COORDINATION  
11/11/2015 - TOWN COMMENTS

DATE: 9/17/2015

PROJECT No.: 10746-7

EXP./CLIENT No.: 10746-7

SCALE: 1" = 1000'

TITLE  
SHEET

SHEET NO.:

C0.01

RESPONSIBLE LAND DISTURBER:  
NAME: \_\_\_\_\_  
CERT #: \_\_\_\_\_  
EXPIRATION: \_\_\_\_\_

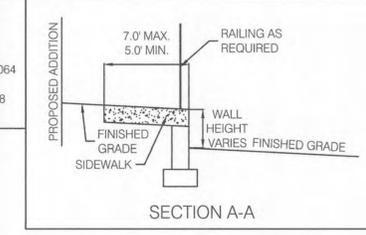
**SITE DEVELOPMENT NOTES:**

1. WATER, SANITARY, AND SPRINKLER COVERAGE FOR PROPOSED ADDITION TO BE SUPPLIED BY EXTENSION OF EXISTING SERVICES WITHIN EXISTING FACILITY.
2. NO DOMESTIC WATER OR SANITARY IMPROVEMENTS WITH THIS ADDITION.
3. NO PUBLIC IMPROVEMENTS OR MODIFICATIONS ARE PROPOSED WITH THIS ADDITION.
4. NO TRAFFIC IMPACT ANALYSIS WAS PERFORMED FOR THIS ADDITION.
5. EXTERIOR LIGHTING PROPOSED WITH THIS ADDITION IS LIMITED TO WALL MOUNTED FIXTURES ADJACENT TO PROPOSED DRIVEWAY LOCATIONS.
6. NO DRIVEWAY OR ENTRANCE (VEHICULAR) MODIFICATIONS ARE PROPOSED.
7. NO STEEP SLOPES ARE BEING IMPACTED OR PROPOSED BASED UPON ARE OF SLOPED DISTURBED (<5,000 SF).
8. NO SIGNAGE IS PROPOSED WITH THIS ADDITION.
9. SURVEY COMPILED AND PROVIDED BY BELL LAND SURVEYS, LLC, 30 INDUSTRIAL DRIVE, SUITE 1B, LOUISA, VA 23093 (540) 967-1514.
10. NO STORMWATER MANAGEMENT IS BEING PROVIDED FOR THIS PROPOSED ADDITION DUE TO SIZE OF PROJECT (<5,000 SF).
11. EXISTING DRAINAGE PATTERNS ARE NOT BEING MODIFIED WITH THIS ADDITION.
12. NO RIGHTS-OF-WAY OR EASEMENTS ARE PROPOSED.
13. NO GRAVE, CEMETERY, OR OTHER STRUCTURE INDICATING A PLACE OF BURIAL EXISTS ON THIS SITE.
14. LOCATION OF EXISTING 6" FIRE SERVICE AND FIRE VAULTS BASED OFF OF INTERPRETATION OF DRAWINGS MADE AFTER SITE SURVEY WAS COMPLETED. FIELD VERIFY AND COORDINATE SLEEVING OF EXISTING 6" FIRE SERVICE WITH OWNER.
15. NO MODIFICATION TO TRASH COLLECTION IS PROPOSED / REQUIRED.
16. ANY DAMAGE TO EXISTING WATER METER VAULT, OR ANY OTHER EXISTING / PROPOSED PUBLIC IMPROVEMENTS, WILL REQUIRE RETURNING DAMAGED ITEM TO EXISTING CONDITION AT CONTRACTOR'S EXPENSE.

CURVE TABLE					
#	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	50.00'	38°53'10"	33.93'	N 03°27'30" E	33.29'
C2	50.00'	37°06'12"	32.38'	N 41°27'23" E	31.82'
C3	25.00'	62°10'55"	27.13'	N 28°55'02" E	25.82'
C4	80.00'	46°54'00"	65.48'	S 25°37'23" E	63.67'
C5	25.00'	122°57'14"	53.65'	N 69°26'57" E	43.93'
C6	99.43'	46°34'54"	80.84'	N 31°15'47" E	78.63'
C7	140.00'	13°13'10"	32.30'	N 42°28'12" W	32.23'
C8	25.00'	103°37'40"	45.22'	N 02°44'24" E	39.30'
C9	909.00'	03°06'13"	49.24'	N 09°31'27" E	49.23'
C10	909.00'	03°02'48"	48.34'	N 12°35'57" E	48.33'

LANDSCAPE LEGEND	
SYMBOL	COMMON NAME
	3 GALLON NANDINA DOMESTICA (HARBOR DWARF)
	2" CALIPER ACER PALMATUM (JAPANESE MAPLE)
	HEDERA HELIX (ENGLISH IVY)

**PROJECT OWNER/DEVELOPER**  
 COMMONWEALTH ASSISTED LIVING LLC  
 CONTACT:  
 534 EAST MAIN STREET, SUITE B; P.O. BOX 2064  
 CHARLOTTESVILLE, VIRGINIA 22902  
 TELEPHONE (434) 218-2908 OR (800) 784-7288  
 WWW.COMMONWEALTHAL.COM



**COMMONWEALTH ASSISTED LIVING SOUTHERLANDS ADDITION**  
 600 MOUNT VIEW STREET  
 FRONT ROYAL, VA 22630  
 (540) 692-3020

**VALLEY ENGINEERING**  
 IDEAS MADE REAL  
 9231 PEOPLES DRIVE  
 HARRISBURG, VIRGINIA 22601  
 TELEPHONE (540) 434-6466 OR (800) 343-6365  
 FAX (540) 432-0685  
 WWW.VALLEYESP.COM

**PRELIMINARY ISSUE NOT FOR CONSTRUCTION**

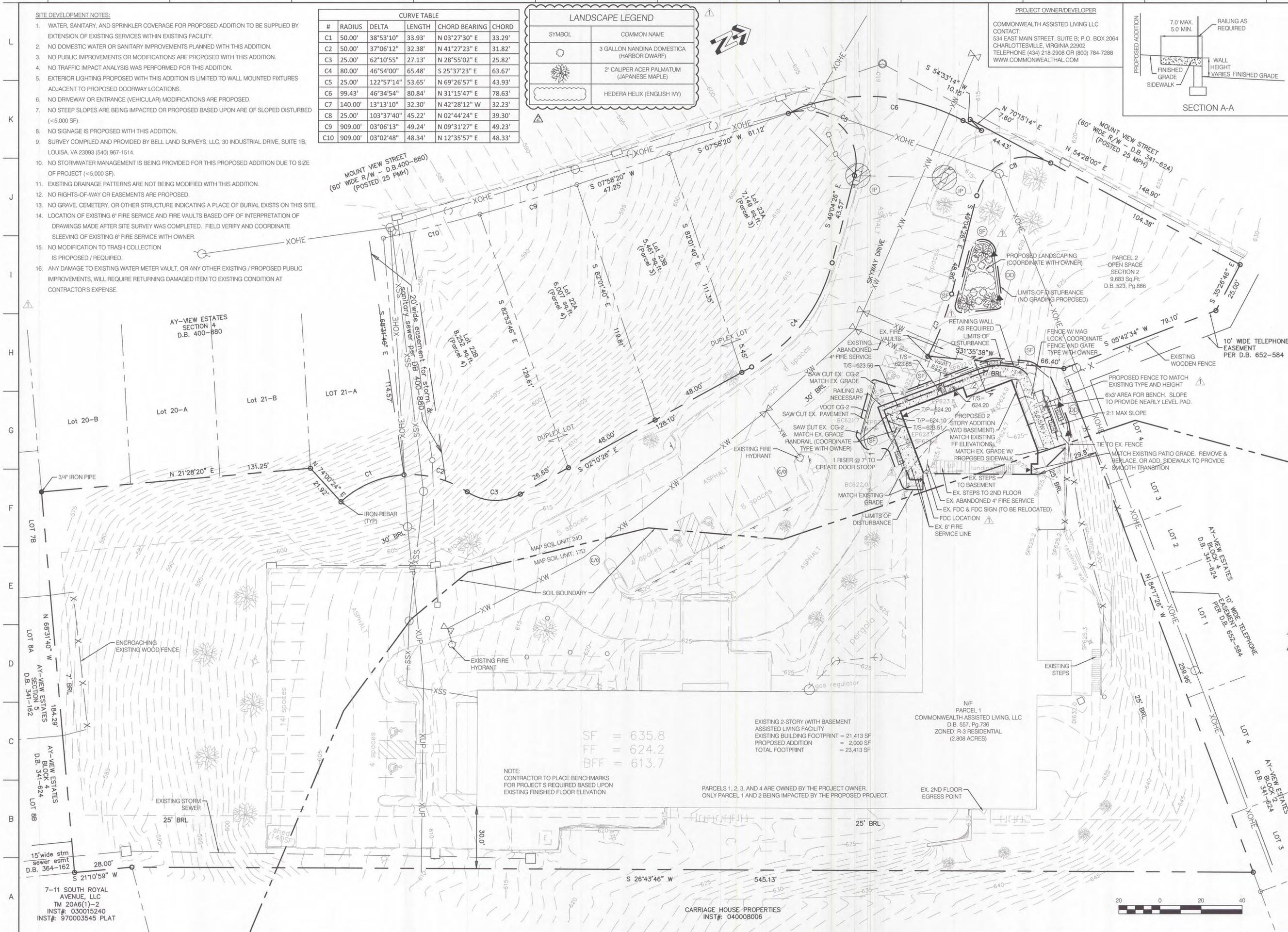


**REVISIONS:**  
 10/23/2015 - COUNTY COMMENTS AND COORDINATION  
 11/11/2015 - TOWN COMMENTS

DATE: 9/17/2015  
 PROJECT No.: 10746-7  
 EXP./CLIENT No.: 10746-7  
 SCALE: 1" = 20'

**SITE PLAN WITH GRADING & EROSION CONTROLS**

SHEET NO.: **C4.01**



SF = 635.8  
 FF = 624.2  
 BFF = 613.7

EXISTING 2-STORY (WITH BASEMENT) ASSISTED LIVING FACILITY  
 EXISTING BUILDING FOOTPRINT = 21,413 SF  
 PROPOSED ADDITION = 2,000 SF  
 TOTAL FOOTPRINT = 23,413 SF

NOTE: CONTRACTOR TO PLACE BENCHMARKS FOR PROJECT S REQUIRED BASED UPON EXISTING FINISHED FLOOR ELEVATION

PARCELS 1, 2, 3, AND 4 ARE OWNED BY THE PROJECT OWNER. ONLY PARCEL 1 AND 2 BEING IMPACTED BY THE PROPOSED PROJECT.

NF PARCEL 1  
 COMMONWEALTH ASSISTED LIVING, LLC  
 D.B. 557, Pg.736  
 ZONED: R-3 RESIDENTIAL (2.808 ACRES)



CARRIAGE HOUSE PROPERTIES  
 INST#: 040008006

7-11 SOUTH ROYAL AVENUE, LLC  
 TM 20A6(1)-2  
 INST#: 030015240  
 INST#: 970003545 PLAT



3



## Town of Front Royal, Virginia Work Session Agenda Form

Date: January 4, 2016

**Agenda Item:** APPROVAL AND ACCEPTANCE OF DEEDS OF EASEMENT FOR MIDDLE SCHOOL ENTRANCE, KIDWELL AND TESTERMAN

**Summary:** In order to develop a new Middle School and construct a safe school bus entrance from Happy Creek Road, the Warren County School Board and the County of Warren have requested the Town to approve and accept the two attached Deeds of Dedication of Rights of Way and Easements for rights of way (access, brush clearing, etc. during construction), permanent storm drainage easements, and temporary construction easements. These Deeds have already been signed by the property owners, signifying their agreement, if the Town approves the acceptance. The Town and its contractors and assigns may (which legally means are not required to) construct, operate and maintain a system and/or facility for the removal from and transmission away from the right of way (2,187 s.f. Road Dedication Parcel parallel to Happy Creek Road in the case of the Kidwell property; and 625 s.f. Road Dedication Parcel in the case of the Testerman property) of storm water away from Happy Creek Road that might be areas of the road dedications.

**Council Discussion:** Council is requested to approve and accept the Deeds of Dedication, as ultimately the roads will be part of the street system of the Town.

**Staff Evaluation:** The Deeds appear to be in routine legal form.

**Budget/Funding:** None required at this time on the part of the Town.

**Legal Evaluation:** The Town Attorney has approved the form of the Deeds of Dedication.

**Staff Recommendations:** Staff concurs with the form of the Deeds of Dedication.

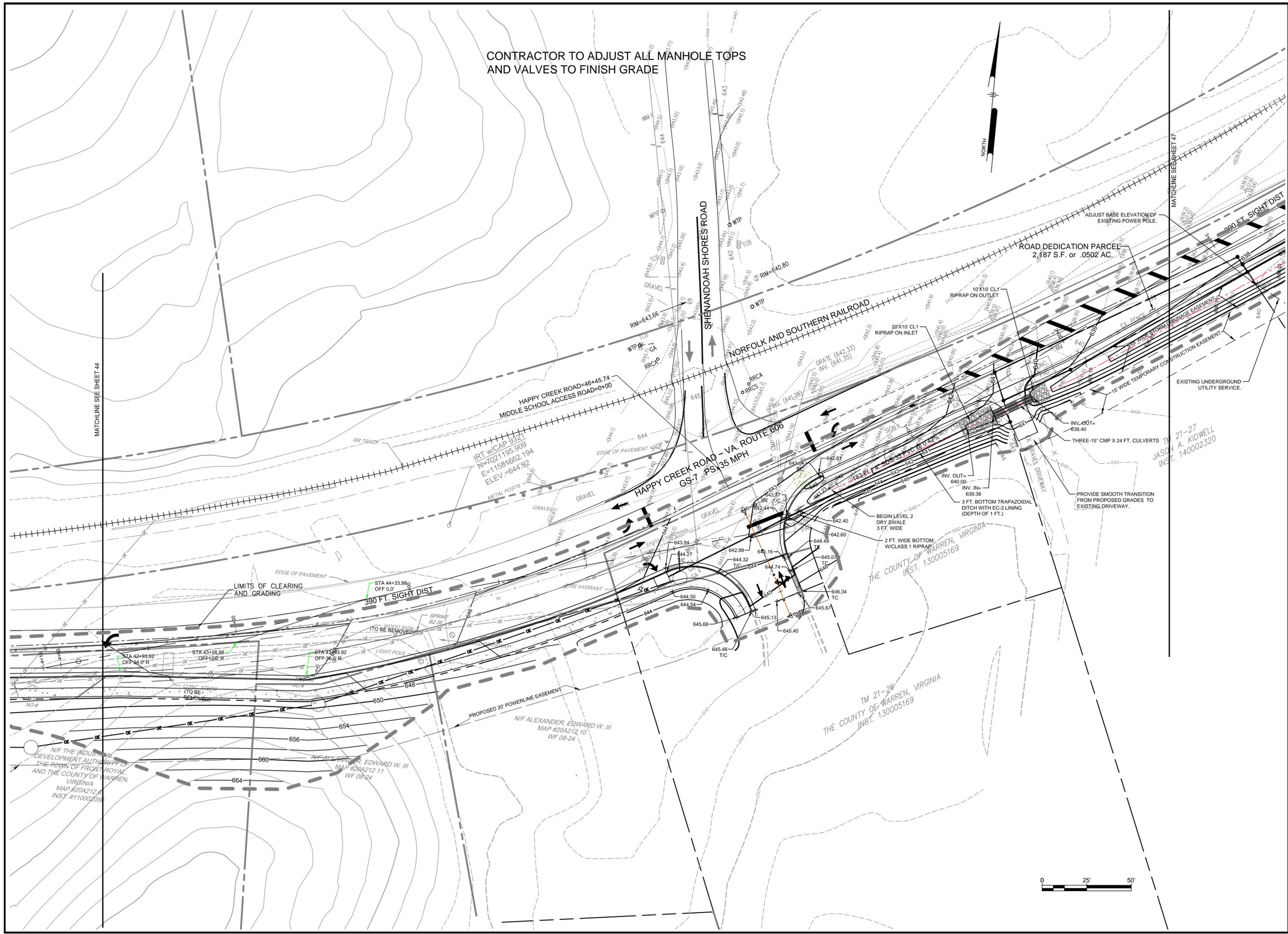
**Town Manager Recommendation:** The Town Manager concurs with staff's recommendations, as the Town is not required to do anything further.

**Council Recommendation:**

Additional Work Session     Regular Meeting     No Action  
Consensus Poll on Action: \_\_\_ (Aye) \_\_\_ (Nay)

Work Session

CONTRACTOR TO ADJUST ALL MANHOLE TOPS  
AND VALVES TO FINISH GRADE





**PENNONI ASSOCIATES INC.**  
117 East Piccadilly Street  
Winchester, VA 22601  
T 540.667.2139 F 540.665.0493

---



RONALD A. MISLOFSKY, JR.  
No. 20674  
9-28-15  
PROFESSIONAL ENGINEER

---

**LEACH RUN PARKWAY**  
WARREN COUNTY  
FRONT ROYAL, VIRGINIA

**GRADING PLAN**

**FRONT ROYAL/WARREN COUNTY EDA**  
400-D HENDRICK LANE  
FRONT ROYAL, VIRGINIA

---

REVISED PER ADDENDUM #1	JDS	REVISIONS	DATE	NO.	BY
1	JDS	REVISED R.O.W. DEDICATION AND EASEMENTS	5-22-15		
2	JDS		9-28-15		

---

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATE. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

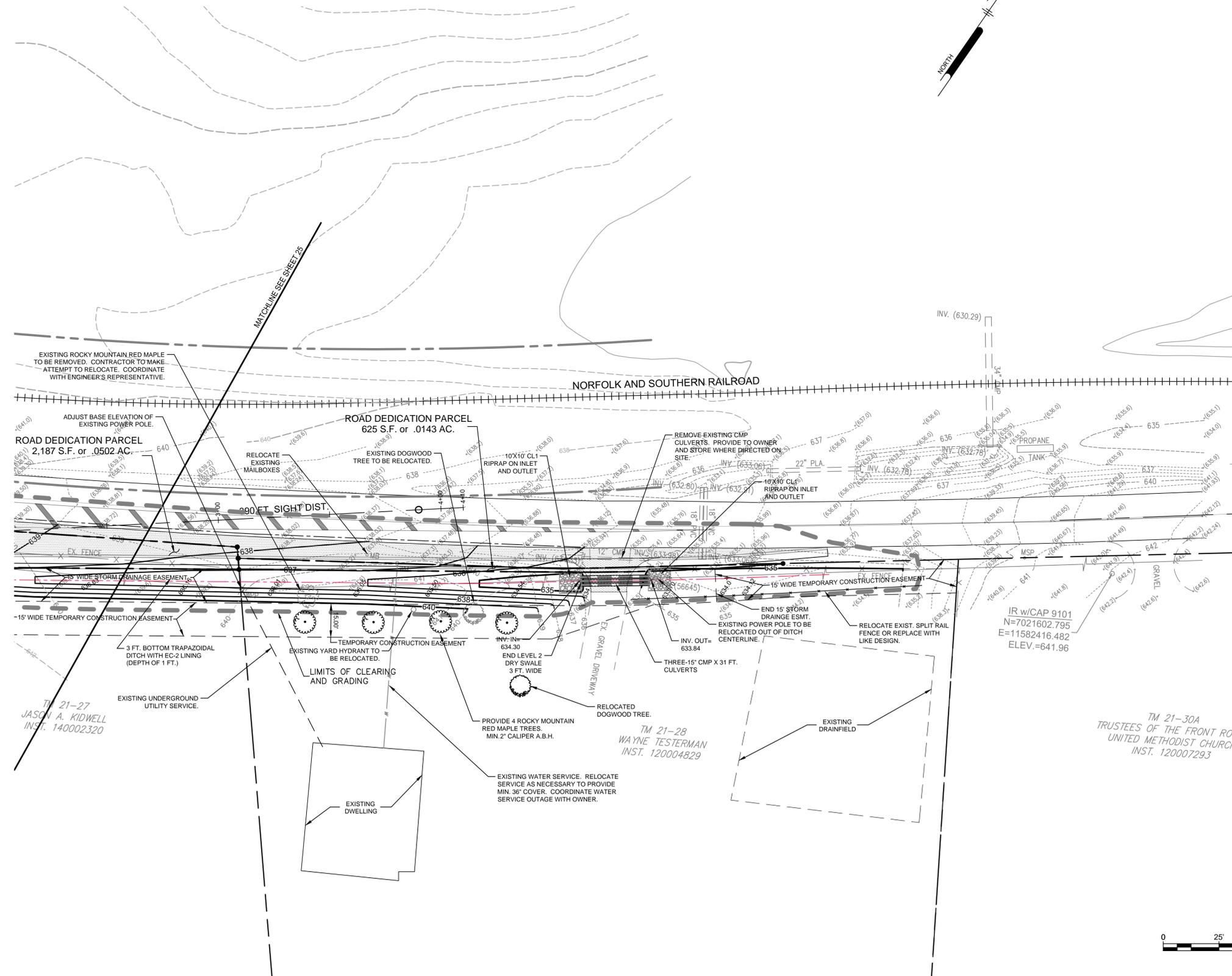
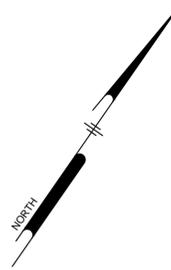
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PROJECT	WRRN1302
DATE	2015-05-20
DRAWING SCALE	1"=25'
DRAWN BY	JDS
APPROVED BY	MSS

CS1518

SHEET 46 OF 161

CONTRACTOR TO ADJUST ALL MANHOLE TOPS  
AND VALVES TO FINISH GRADE



**Pennoni**  
**PENNONI ASSOCIATES INC.**  
 117 East Piccadilly Street  
 Winchester, VA 22601  
 T 540.667.2139 F 540.665.0493

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR  
AND OWNER MUST BE NOTIFIED OF ANY  
DISCREPANCIES BEFORE PROCEEDING WITH WORK



**LEACH RUN PARKWAY**  
 WARREN COUNTY  
 FRONT ROYAL, VIRGINIA

**GRADING PLAN**

FRONT ROYAL WARREN COUNTY EDA  
 400-D KENDRICK LANE  
 FRONT ROYAL, VIRGINIA

REVISED PER ADDENDUM #1	JDS	BY
1	JDS	
2	JDS	

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATE. AND OWNER SHALL INDIGNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	WRRN1302
DATE	2015-05-20
DRAWING SCALE	1"=25'
DRAWN BY	JDS
APPROVED BY	MSS

**CS1519**  
 SHEET 47 OF 161

K:\PROJECTS\WRRN1302\Leach Run Parkway\DESIGN\CS1519.dwg, 10/28/2015 10:12:41 AM, DWG TO PDF, 1:1



# COUNTY OF WARREN

Office of the County Attorney  
Warren County Government Center  
220 North Commerce Avenue, Suite 100  
Front Royal, Virginia 22630

Phone: (540) 636-6674  
FAX: (540) 636-6980

email: [bmitchell@warrencountyva.net](mailto:bmitchell@warrencountyva.net)  
[dwhitten@warrencountyva.net](mailto:dwhitten@warrencountyva.net)  
[jwoody@warrencountyva.net](mailto:jwoody@warrencountyva.net)

*Blair D. Mitchell*  
County Attorney

*Dan N. Whitten*  
Assistant County Attorney

*Jennifer L. Woody*  
Paralegal

November 30, 2015

## BOARD OF SUPERVISORS

\*\*\*\*\*

### CHAIRMAN

Richard H. Traczyk  
Shenandoah  
District

### VICE-CHAIR

Linda P. Glavis  
South River  
District

Tony F. Carter  
Happy Creek  
District

Archie A. Fox  
Fork  
District

Daniel J. Murray, Jr.  
North River  
District

Douglas W. Napier  
Front Royal Town Attorney  
102 E. Main Street  
Front Royal, Virginia 22630

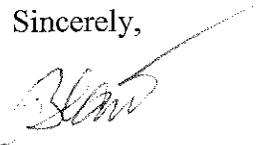
**RE: Easements for Leach Run Parkway; Kidwell and Testerman**

Dear Doug:

Enclosed are the original deeds that have already been signed by Jason and James Kidwell and Wayne Testerman. They now need to be signed by you, Timothy W. Darr, Mayor and Steven M. Burke, Town Manager. Please put this on the town agenda at your earliest convenience for approval and acceptance by the town. Also enclosed are original plats and copies of the agreements with regard to the above.

Please call my office if you should have any questions.

Sincerely,

  
Blair D. Mitchell  
Warren County Attorney

BDM/jlw  
Enclosures

\*\*\*\*\*

Douglas P. Stanley  
County Administrator

NOV 30 2015

*Celebrating 175 Years*  
1836 - 2011

This deed is exempt from the recordation taxes imposed by Va. Code Ann. §§ 58.1-801 and 58.1-803, pursuant to § 58.1-811.

Consideration: ~~\$0.00~~

Assessment: \$0.00

Prepared by: Blair D. Mitchell  
County Attorney  
220 N. Commerce Avenue, Suite 100  
Front Royal, Virginia 22630  
Telephone: (540) 636-6674  
Fax: (540) 636-6980

Tax Map Reference No.:  
Portion of 21-27

**DEED OF DEDICATION OF RIGHT-OF-WAY AND EASEMENTS**

**THIS DEED OF DEDICATION OF RIGHT-OF-WAY AND EASEMENTS**

is made and entered into this 29<sup>th</sup> day of October, 2015, by and between **JASON A. KIDWELL** and **JAMES M. KIDWELL, JR.**, widowed and not remarried (**GRANTOR**), and **THE TOWN OF FRONT ROYAL, VIRGINIA**, a Virginia municipal corporation, whose address is **102 East Main Street, Front Royal, Virginia 22630 (GRANTEE)**.

**WITNESSETH:**

**WHEREAS**, Jason A. Kidwell is the owner of a parcel of real estate known and designated as "Residue of TM #21-27 Jason A. Kidwell, Inst. #140002320", on a plat entitled "Plat of Road Dedication & Various Easements, Kidwell Property, Happy Creek District, Warren County, Virginia, Scale: 1" = 50' Date: August 7, 2015, Present Owner: Jason A. Kidwell, TM #21-27, inst. #140002320", dated August 7, 2015, made by Michael M. Artz, Land Surveyor, for Pennoni Associates, Inc., a copy of which is attached hereto and made a part hereof ("the Property"); and

**WHEREAS**, James M. Kidwell, Jr., is the holder of a life estate on the Property; and

WHEREAS, the Warren County School Board is developing nearby land as a middle school site, which requires a portion of the Property for right-of-way, drainage easement and temporary construction easement for a safe school bus entrance from Happy Creek Road; and

WHEREAS, the Grantor desires to convey the said right-of-way and easements;

NOW, THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby dedicates, grants, and conveys with Special Warranty unto the Grantee, in fee simple, the following described property in the **HAPPY CREEK MAGISTERIAL DISTRICT** of Warren County, Virginia, to-wit:

All that certain lot, piece, or parcel of land lying and being situate in the Happy Creek Magisterial District of Warren County, Virginia, containing 0.0502 acres or 2,187 square feet of land shown and designated as "Road Dedication Parcel 0.0502 Ac. 2,187 sf" on the aforesaid plat.

AND BEING a portion of the property conveyed to Jason A. Kidwell by deed dated May 16, 2014, from James M. Kidwell, Jr., of record in the Clerk's Office of the Circuit Court of Warren County, Virginia, as Instrument Number 140002320, it being a **portion of Tax Assessor's Parcel 21-27**.

There are also hereby conveyed the following easements on the aforesaid property:

A temporary construction easement on the south side of the said land being dedicated above, to be used by the Grantee's contractors during construction of road improvements and of the said school bus entrance, shown and designated as "15' Wide Temporary Construction Easement" as shown on the aforesaid plat. The temporary construction easement to become null and void at such time as the school bus entrance construction is complete and bonds have been released.

A permanent storm drainage easement fifteen feet (15') in width and approximately one hundred fifty-four and seventy-one one hundredths feet (154.71') in length along the frontage of the Property within which the Grantee and its contractors, successors and assigns may construct, operate and maintain a system and/or facility for the removal from and transmission

away from the said right-of-way of storm water, as shown and designated as "15' Wide Storm Drainage Easement" as shown on the south side of the said right-of-way on the aforesaid plat.

The further terms and conditions of this grant are as follows:

(a) During the construction phase of the middle school bus entrance project the Grantee may (but is not required to) access the easement areas to have access to assist in the construction of the school bus entrance within the right-of-way dedicated above, which may include the trimming, cutting, removing, and keeping clear all trees, limbs, undergrowth, and any and all other obstructions, within the said easement strips, that may in any manner in the School Board's judgment endanger or interfere with the proper and efficient operation of the works and systems therein or thereon and the Grantee shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easements herein granted for the aforesaid purpose.

(b) The Grantee will exercise reasonable care to protect the Property from damage or injury occasioned in the enjoyment of the easements and rights herein granted, and to promptly repair the said property or reimburse the Grantor for any property damaged beyond repair.

(c) If Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to this easement and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall, at the expense of Grantee be removed from the Property.

(d) That Grantor shall have no right, title, interest, estate or claim whatsoever in or to any of the lines, pipes, or other equipment and accessories installed by virtue hereof.

Grantor further covenants that they have the right to convey the said property and easements; that the Grantee shall have quiet and peaceful enjoyment and possession of said property and easements, and that the Grantor will execute such further assurances of the said grant and easements herein contained as may be requisite.

James M. Kidwell, Jr., Grantor, joins in this Deed as a Grantor as holder of a life estate in the Property as described in the source deed mentioned above.

*[signatures begin on the next following page]*

WITNESS the following signatures and seals:

Jason A. Kidwell (SEAL)  
Jason A. Kidwell

**COMMONWEALTH OF VIRGINIA  
COUNTY OF WARREN, TO-WIT:**

I, the undersigned Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Jason A. Kidwell, whose name is signed to the foregoing Deed of Dedication of Right-of-Way and Easements bearing the date of the 29<sup>th</sup> day of October, 2015, has this day personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this 29 day of October, 2015.

Michael Henry  
NOTARY PUBLIC

My commission expires 4/30/18

Certificate number 7360170

James M. Kidwell, Jr. (SEAL)  
James M. Kidwell, Jr.

**COMMONWEALTH OF VIRGINIA  
COUNTY OF WARREN, TO-WIT:**

I, the undersigned Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that James M. Kidwell, Jr., whose name is signed to the foregoing Deed of Dedication of Right-of-Way and Easements bearing the date of the

\_\_\_\_ day of \_\_\_\_\_, 2015, has this day personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this 29 day of October, 2015.

Michael A. Henry  
NOTARY PUBLIC

My commission expires 4/30/18

Certificate number 7260170

The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town of Front Royal.

WITNESS the following signature:

**TOWN OF FRONT ROYAL, VIRGINIA**

BY: \_\_\_\_\_  
**Timothy W. Darr, Mayor**

Attest:

\_\_\_\_\_  
**Steven M. Burke, Town Manager**

**COMMONWEALTH OF VIRGINIA**  
**COUNTY OF WARREN, TO-WIT:**

I, the undersigned Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Timothy W. Darr, Mayor, and Steven M. Burke, Town Manager, whose names are signed on behalf of the Town of Front Royal, Virginia, to

the foregoing Deed of Dedication of Right-of-Way have this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

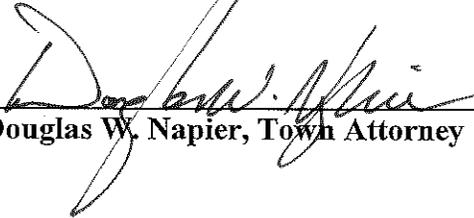
Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Certificate number: \_\_\_\_\_

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Douglas W. Napier, Town Attorney

DATE: 11-30-2015



AGREEMENT FOR CONVEYANCE OF RIGHT-OF-WAY

This AGREEMENT FOR CONVEYANCE OF RIGHT-OF-WAY (Agreement) dated this 16<sup>th</sup> day of October, 2015, by and between the COUNTY OF WARREN, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the County) and JASON A. KIDWELL and JAMES M. KIDWELL, JR., (the Kidwells)

Witnesseth:

WHEREAS, the County is assisting the Warren County School Board and the Town of Front Royal in the improvement of Happy Creek Road and the development of a middle school site on Happy Creek Road; and

WHEREAS Jason A. Kidwell is the owner of Tax Map Parcel 21-27 fronting on Happy Creek Road in Warren County (the Property) by virtue of a deed dated May 16, 2014, from James M. Kidwell, Jr., recorded at Instrument Number 140002320 in the Clerk's Office of the Circuit Court of Warren County, Virginia, wherein James M. Kidwell, Jr., retained a life estate in the Property; and

WHEREAS, in order to complete the road and school projects, engineers for the projects have determined that a small amount of land is needed from the Kidwells for right-of-way, drainage easement, and temporary construction easement, as shown on a plat entitled "Plat of Road Dedication & Various Easements, Kidwell Property, Happy Creek District, Warren County, Virginia, Scale: 1" = 50', Date: August 7, 2015, Present Owner: Jason A. Kidwell, TM #21-27, Inst. #140002320" dated August 7, 2015, made by Michael M. Artz, Land Surveyor for Pennoni Associates Inc., a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Kidwells desire to convey the right-of-way and easements for the projects to the Town of Front Royal in return for certain work and improvements to be completed on the Property by Warren County, and the County desires to complete the work and improvements for the Kidwells;

NOW THEREFORE, for and in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

Within 10 days of the date of this Agreement, the Kidwells will execute and deliver to the County a Deed of Dedication of Right-of-Way and Easements as drafted by the County Attorney, conveying to the Town of Front Royal the right-of-way and easements shown on the aforesaid plat;

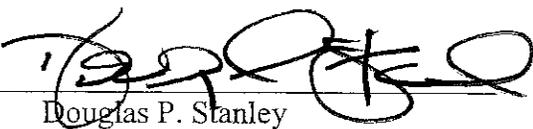
During the construction of the road improvements by the Town of Front Royal, the Economic Development Authority, and/or the County, and their contractors, the County will provide for the installation of three (3) culvert pipes fifteen inches (15") in diameter and twenty-four feet (24') in length beneath the entrance to the driveway serving the Property, adjacent to and parallel with the right-of-way line of the south side of Happy Creek Road, to improve the flow of surface water and storm water from the paved surface of Happy Creek Road;

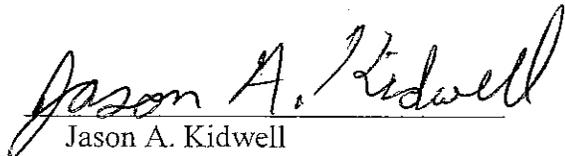
During the construction of the road improvements by the Town of Front Royal, the Economic Development Authority, and/or the County, and their contractors, the County will provide for the paving of the front thirty feet (30') of the Kidwells' current gravel driveway, a minimum of twelve feet (12') in width, as it comes off Happy Creek Road, in its current location;

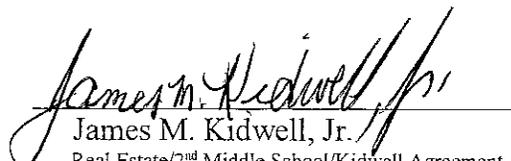
During the construction of the road improvements by the Town of Front Royal, the Economic Development Authority, and/or the County, and their contractors, the County will maintain and provide any needed repairs to and/or relocation of an existing livestock fence along the northern portion of the property which fence retains and keeps the Kidwells' horses on the Property.

Witness the following signatures:

County of Warren, Virginia

By:   
Douglas P. Stanley  
County Administrator

  
Jason A. Kidwell

  
James M. Kidwell, Jr.  
Real Estate/2<sup>nd</sup> Middle School/Kidwell Agreement 10-01-2015

This deed is exempt from the recordation taxes imposed by Va. Code Ann. §§ 58.1-801 and 58.1-803, pursuant to § 58.1-811.

Consideration: \$0.00

Assessment: \$0.00

Prepared by: Blair D. Mitchell  
County Attorney  
220 N. Commerce Avenue, Suite 100  
Front Royal, Virginia 22630  
Telephone: (540) 636-6674  
Fax: (540) 636-6980

Tax Map Reference No.:  
Portion of 21-28

**DEED OF DEDICATION OF RIGHT-OF-WAY AND EASEMENTS**

**THIS DEED OF DEDICATION OF RIGHT-OF-WAY AND EASEMENTS**

is made and entered into this 24<sup>th</sup> day of November, 2015, by and between **WAYNE TESTERMAN, (GRANTOR), and THE TOWN OF FRONT ROYAL, VIRGINIA**, a Virginia municipal corporation, whose address is **102 East Main Street, Front Royal, Virginia 22630 (GRANTEE)**.

**WITNESSETH:**

**WHEREAS**, the Grantor is the owner of a parcel of real estate known and designated as “Residue of TM #21-28 Wayne Testerman, Inst. #120004829”, on a plat entitled “Plat of Road Dedication & Various Easements, Testerman Property, Happy Creek District, Warren County, Virginia, Scale: 1” = 50’ Date: September 29, 2015, Present Owner: Wayne Testerman, TM #21-28, Inst. #120004829”, dated September 29, 2015, made by Michael M. Artz, Land Surveyor, for Pennoni Associates, Inc., a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, the Warren County School Board is developing nearby land as a middle school site, which requires a portion of the Grantor’s property to be conveyed to the Town of Front Royal for right-of-way, drainage easement and temporary construction easement for a safe school bus entrance on Happy Creek Road; and

**WHEREAS**, the Grantor desires to convey the said right-of-way and easements;

**NOW, THEREFORE**, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby dedicates, grants, and conveys with Special Warranty unto the Grantee, in fee simple, the following described property in the **HAPPY CREEK MAGISTERIAL DISTRICT** of Warren County, Virginia, to-wit:

All that certain lot, piece, or parcel of land lying and being situate in the Happy Creek Magisterial District of Warren County, Virginia, containing 0.0143 acres or 625 square feet of land shown and designated as "Road Dedication Parcel 0.0143 Ac. 625 sf" on the aforesaid plat.

**AND BEING** a portion of the property conveyed to Wayne Testerman by deed dated August 17, 2012, from NVA Properties, LLC, a Virginia Limited Liability Company, of record in the Clerk's Office of the Circuit Court of Warren County, Virginia, as Instrument Number 120004829, it being a **portion of Tax Assessor's Parcel 21-28**.

There are also hereby conveyed the following easements on the aforesaid property:

A temporary construction easement on the south side of the said land being dedicated above, to be used by the Grantee's contractors during construction of the said school bus entrance, shown and designated as "15' Wide Temporary Construction Easement (2,422 sf)" as shown on the aforesaid plat. The temporary construction easement to become null and void at such time as the school bus entrance construction is complete and bonds have been released.

A temporary construction easement on the south side of the said land being dedicated above, to be used by the Grantee's contractors during construction of the said school bus entrance, shown and designated as "15' Wide Temporary Construction Easement (1,612 sf)" as shown on the aforesaid plat. The temporary construction easement to become null and void at such time as the school bus entrance construction is complete and bonds have been released.

A permanent storm drainage easement fifteen feet (15') in width and shown and designated as "15' Wide Storm Drainage Easement (3,213 sf)" as shown on the aforesaid plat, within which the Grantee and its contractors, successors and assigns may construct, operate and maintain a system and/or

facility for the removal from and transmission away from the said right-of-way of storm water.

The further terms and conditions of this grant are as follows:

(a) During the construction phase of the middle school bus entrance project the Grantee may (but is not required to) access the easement areas to have access to assist in the construction of the school bus entrance within the right-of-way dedicated above, which may include the trimming, cutting, removing, and keeping clear all trees, limbs, undergrowth, and any and all other obstructions, within the said easement strips, that may in any manner in the School Board's judgment endanger or interfere with the proper and efficient operation of the works and systems therein or thereon and the Grantee shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easements herein granted for the aforesaid purpose.

(b) The Grantee will exercise reasonable care to protect Grantor's property from damage or injury occasioned in the enjoyment of the easements and rights herein granted, and to promptly repair the said property or reimburse the Grantor for any property damaged beyond repair.

(c) If Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to this easement and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall, at the expense of Grantee be removed from Grantor's property.

(d) That Grantor shall have no right, title, interest, estate or claim whatsoever in or to any of the lines, pipes, or other equipment and accessories installed by virtue hereof.

Grantor further covenants that they have the right to convey the said property and easements; that the Grantee shall have quiet and peaceful enjoyment and possession of said property and easements, and that the Grantor will execute such further assurances of the said grant and easements herein contained as may be requisite.

WITNESS the following signatures and seals:

*[signatures begin on the next following page]*

Wayne M Testerman (SEAL)  
Wayne Testerman

**COMMONWEALTH OF VIRGINIA  
COUNTY OF WARREN, TO-WIT:**

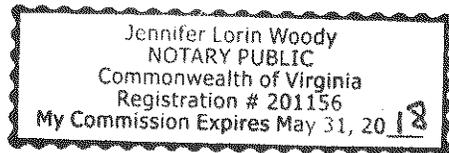
I, the undersigned Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Wayne Testerman, whose name is signed to the foregoing Deed of Dedication of Right-of-Way and Easements bearing the date of the 21 day of November, 2015, has this day personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this 24<sup>th</sup> day of November, 2015.

Jennifer Lorin Woody  
NOTARY PUBLIC

My commission expires 5-31-18

Certificate number 201156



The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town of Front Royal.

WITNESS the following signature:

**TOWN OF FRONT ROYAL, VIRGINIA**

BY: \_\_\_\_\_  
**Timothy W. Darr, Mayor**

**Attest:**

\_\_\_\_\_  
**Steven M. Burke, Town Manager**

**COMMONWEALTH OF VIRGINIA  
COUNTY OF WARREN, TO-WIT:**

I, the undersigned Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Timothy W. Darr, Mayor, and Steven M. Burke, Town Manager, whose names are signed on behalf of the Town of Front Royal, Virginia, to the foregoing Deed of Dedication of Right-of-Way have this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

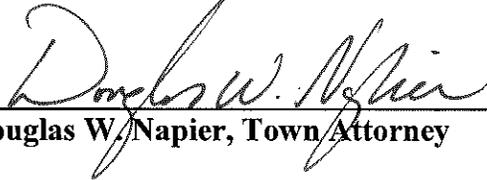
Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Certificate number: \_\_\_\_\_

**APPROVED AS TO FORM:**

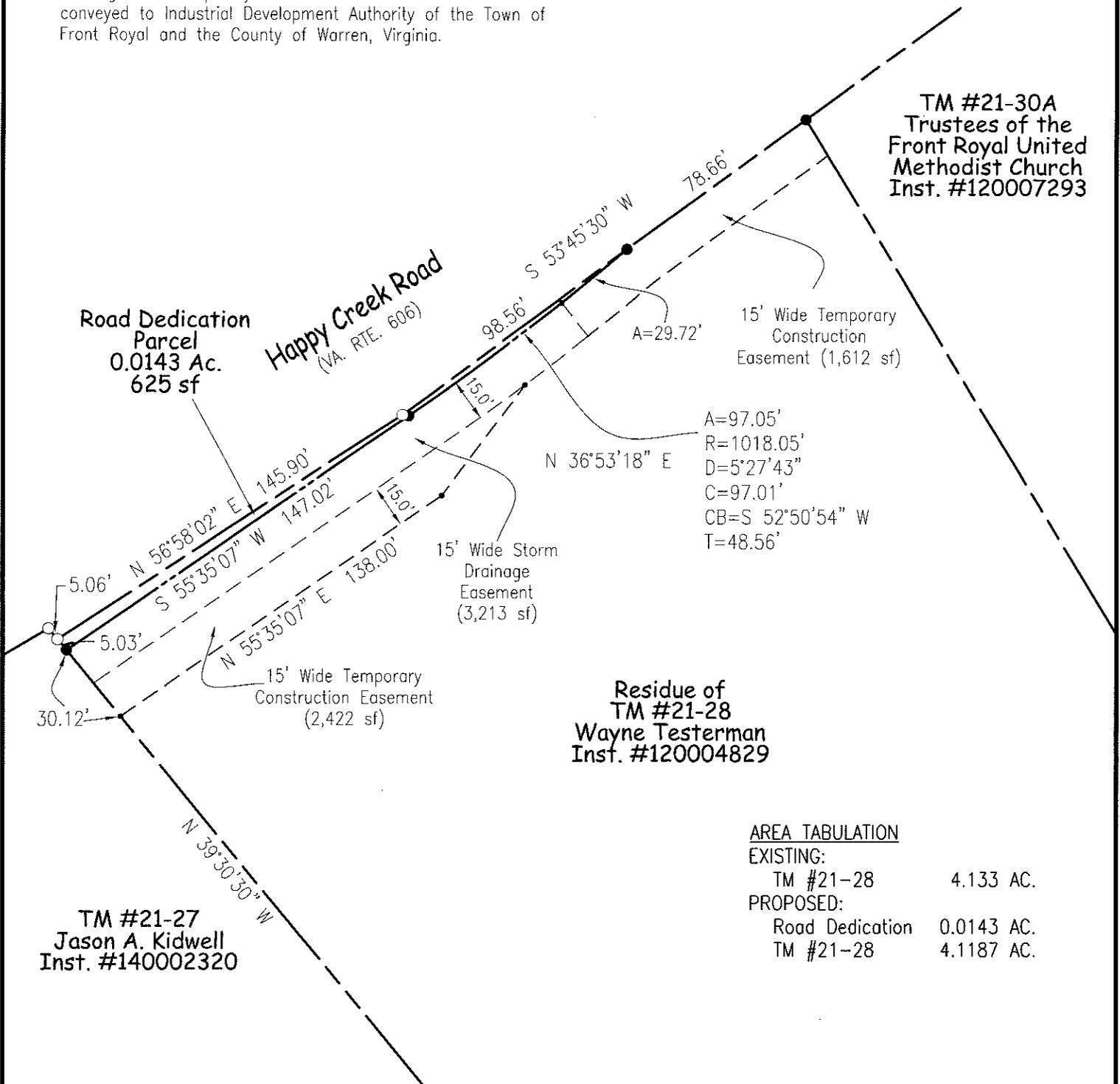
  
\_\_\_\_\_  
**Douglas W. Napier, Town Attorney**

**DATE:** 11-30-2015

Notes:

1. Boundary shown hereon was determined by a field run survey performed by Marsh & Legge Land Surveyors, PLC.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. The 0.0143 Ac. Road Dedication Parcel and the Storm Drainage and Temporary Construction Easements are to be conveyed to Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia.

- Rebar found or to be set
- Point



TM #21-30A  
Trustees of the  
Front Royal United  
Methodist Church  
Inst. #120007293

Road Dedication  
Parcel  
0.0143 Ac.  
625 sf

Happy Creek Road  
(VA. RTE. 606)

15' Wide Temporary  
Construction  
Easement (1,612 sf)

A=97.05'  
R=1018.05'  
D=5°27'43"  
C=97.01'  
CB=S 52°50'54" W  
T=48.56'

15' Wide Storm  
Drainage  
Easement  
(3,213 sf)

15' Wide Temporary  
Construction Easement  
(2,422 sf)

Residue of  
TM #21-28  
Wayne Testerman  
Inst. #120004829

TM #21-27  
Jason A. Kidwell  
Inst. #140002320

AREA TABULATION

EXISTING:	
TM #21-28	4.133 AC.
PROPOSED:	
Road Dedication	0.0143 AC.
TM #21-28	4.1187 AC.

# Plat of Road Dedication & Various Easements Testerman Property

Happy Creek District, Warren County, Virginia  
Scale: 1" = 50' Date: September 29, 2015

Present Owner:

Wayne Testerman  
TM #21-28 Inst. #120004829



PREPARED BY:  
**PENNONI ASSOCIATES INC.**



117 East Piccadilly Street  
Winchester, VA 22601  
T 540.667.2139  
F 540.665.0493

AGREEMENT FOR CONVEYANCE OF RIGHT-OF-WAY

This AGREEMENT FOR CONVEYANCE OF RIGHT-OF-WAY (Agreement) dated this 9 day of November, 2015, by and between the COUNTY OF WARREN, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the County) and Wayne TESTERMAN, (Testerman)

Witnesseth:

WHEREAS, the County is assisting the Warren County School Board and the Town of Front Royal in the improvement of Happy Creek Road and the development of a middle school site on Happy Creek Road; and

WHEREAS Testerman is the owner of Tax Map Parcel 21-28 fronting on Happy Creek Road in Warren County (the Property) by virtue of a deed dated August 17, 2012, from NVA Properties, LLC, a Virginia limited liability company, recorded at Instrument Number 120004829 in the Clerk's Office of the Circuit Court of Warren County, Virginia; and

WHEREAS, in order to complete the road and school projects, engineers for the projects have determined that a small amount of land is needed from Testerman for right-of-way, drainage easement, and temporary construction easement, as shown on a plat entitled "Plat of Road Dedication & Various Easements, Testerman Property, Happy Creek District, Warren County, Virginia, Scale: 1" = 50', Date: September 29, 2015, Present Owner: Wayne Testerman, TM #21-28, Inst. #120004829" dated September 29, 2015, made by Michael M. Artz, Land Surveyor for Pennoni Associates Inc., a copy of which is attached hereto and made a part hereof; and

WHEREAS, Testerman desires to convey the right-of-way and easements for the projects to the Town of Front Royal in return for the payment of the sum of \$15,000 and the completion of certain work and improvements to be completed on the Property by Warren County, and the County desires to complete the work and improvements for Testerman;

NOW THEREFORE, for and in consideration of the payment of \$15,000 to be paid to Testerman by the County at transfer, and the mutual covenants contained herein, and for other

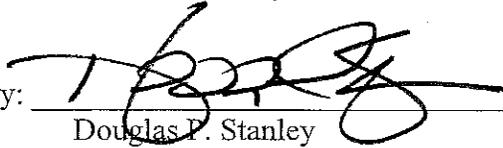
good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

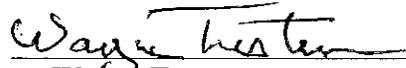
Within 30 days of the date of this Agreement, Testerman will execute and deliver to the County a Deed of Dedication of Right-of-Way and Easements as drafted by the County Attorney, conveying to the Town of Front Royal the right-of-way and easements shown on the aforesaid plat;

During the construction of the road improvements by the Town of Front Royal, the Economic Development Authority, and/or the County, and their contractors, the County will provide for the relocation of a Dogwood tree, a Red Maple tree, a power pole, a water service (as needed), mailboxes, an existing split rail fence, the provision of four (4) Rocky Mountain Maple trees (minimum 3" caliper at breast height), and the removal of existing CMP culverts from the driveway and placement of the same on the property at a location to be designated by Testerman, all as detailed and described on a "Landscape Plan" dated May 22, 2015, revised September 28, 2015, re-revised November 4, 2015, prepared by Pennoni Associates, Inc., a copy of which is attached hereto and made a part hereof.

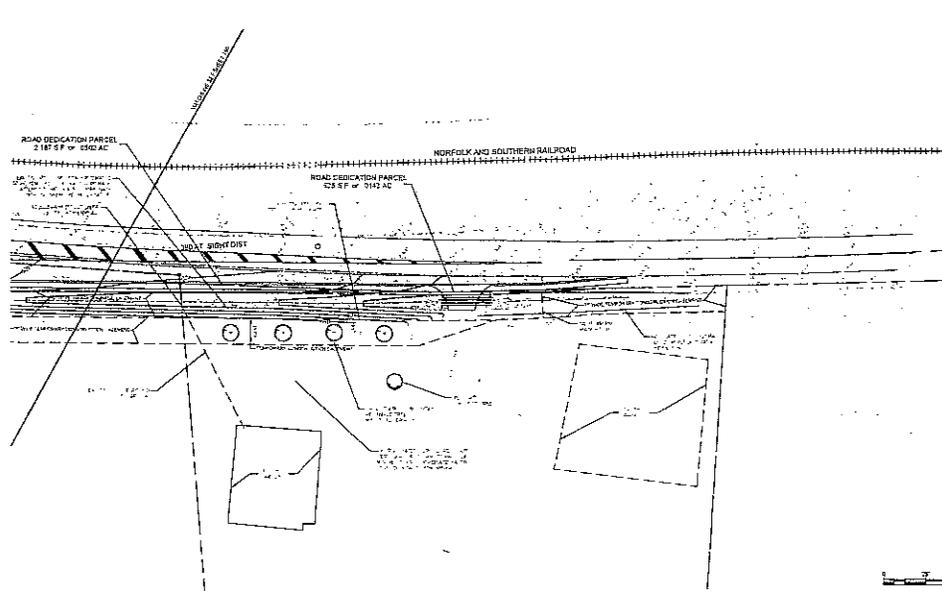
Witness the following signatures:

County of Warren, Virginia

By:   
Douglas P. Stanley  
County Administrator

  
Wayne Testerman

CONTRACTOR TO ADJUST ALL MANHOLE TOPS  
AND VALVES TO FINISH GRADE



**Pennoni**  
PENNSYLVANIA  
111 EAST MONROE, SUITE 200  
PITTSBURGH, PA 15203-4100

REGISTERED PROFESSIONAL ENGINEER  
STATE OF PENNSYLVANIA  
NO. 11488  
EXPIRES 12/31/2018

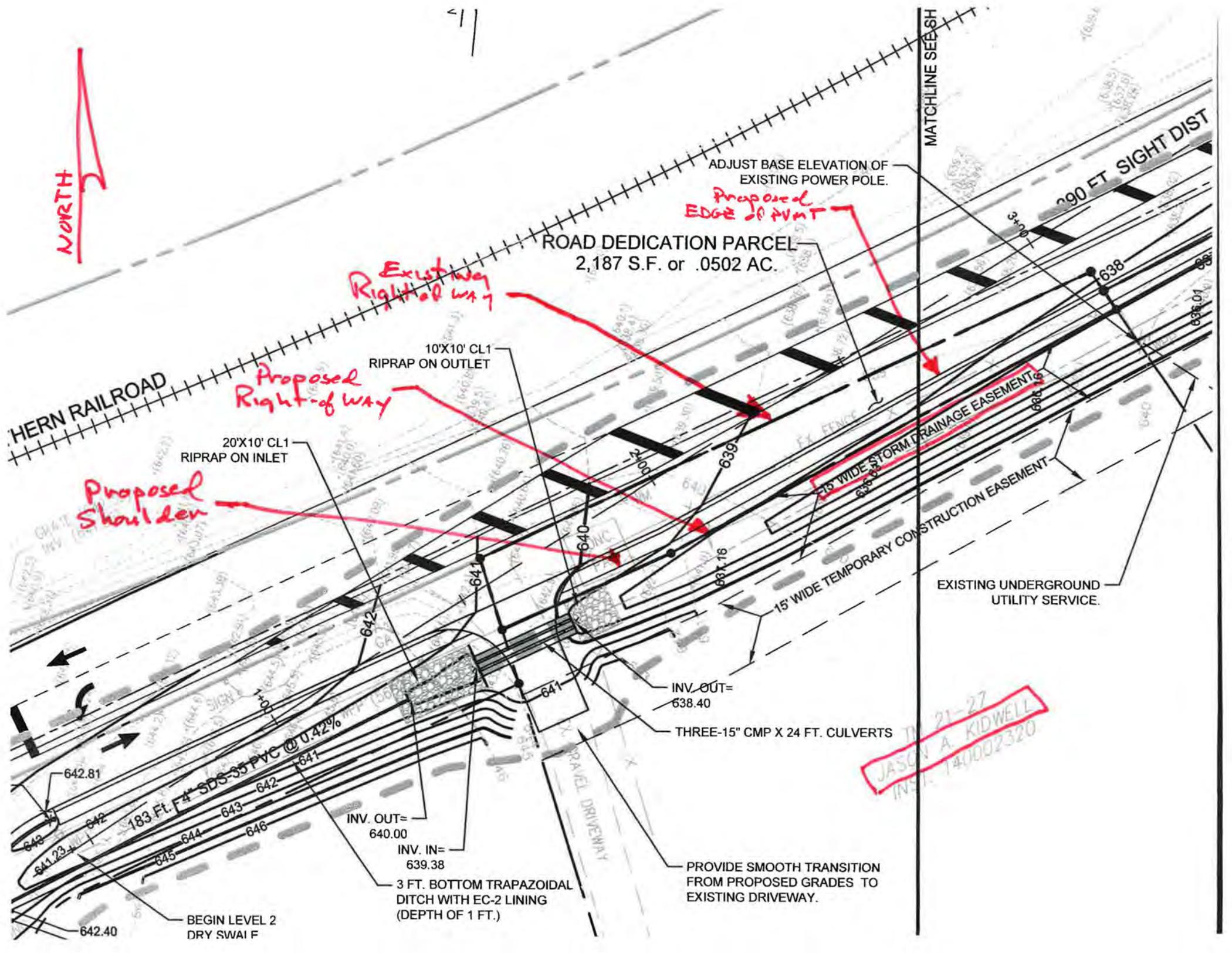
LEACH RUN PARKWAY  
LANDSCAPE PLAN  
FRUIT PROLAWERHNER COUNTY EDA  
PITTSBURGH, PENNSYLVANIA

NO.	DESCRIPTION	DATE	BY
1	PROPOSED LAYOUT		
2	REVISIONS		
3	AS BUILT		

DATE: WRRH1302  
SCALE: 1"=40'  
DRAWN BY: JWC  
CHECKED BY: JWC  
DATE: 1/22/18

**CS2019**  
SHEET 157 OF 161

NORTH



ADJUST BASE ELEVATION OF EXISTING POWER POLE.

Proposed EDGE OF PAVT

ROAD DEDICATION PARCEL  
2,187 S.F. or .0502 AC.

Existing Right of Way

Proposed Right-of-way

Proposed Shoulder

20'X10' CL1  
RIPRAP ON INLET

10'X10' CL1  
RIPRAP ON OUTLET

10' WIDE STORM DRAINAGE EASEMENT

15' WIDE TEMPORARY CONSTRUCTION EASEMENT

EXISTING UNDERGROUND  
UTILITY SERVICE.

INV. OUT=  
638.40

THREE-15" CMP X 24 FT. CULVERTS

INV. OUT=  
640.00

INV. IN=  
639.38

3 FT. BOTTOM TRAPEZOIDAL  
DITCH WITH EC-2 LINING  
(DEPTH OF 1 FT.)

PROVIDE SMOOTH TRANSITION  
FROM PROPOSED GRADES TO  
EXISTING DRIVEWAY.

BEGIN LEVEL 2  
DRY SWAI F

21-27  
JASON A. KIDWELL  
INS. 140002320

4

Town of Front Royal, Virginia  
**Work Session Agenda Form**

Date: January 4, 2016

**Agenda Item:** Board Room Video Equipment Request

**Summary:** The Town has received a request from the County Administrator to consider commitment by the Town to pursue joint funding for improvements to the video recording and production in the Warren County Government Center Boardroom as part of the renewal of the cable franchise agreement with Comcast. The estimated cost from the County is \$50,000.

**Council Discussion:** Council is requested to consider the request from Warren County as the Town will begin negotiations with Comcast this year to renew the franchise agreement.

**Staff Evaluation:** The equipment will require upgrading in the future. Staff recommends that any decision on equipment be agreed upon by both the Town and County and that Town IT staff take the lead on specifying improvements.

**Budget/Funding:** The Director of Finance will be available to address fiscal issues.

**Legal Evaluation:** The Town Attorney will be available to address legal issues.

**Staff Recommendations:** Staff recommends that Council discuss this request.

**Town Manager Recommendation:** The Town Manager recommends that Council discuss the request for commitment provided that the Town take the lead on equipment selection.

**Council Recommendation:**

- Additional Work Session
  - Regular Meeting
  - No Action
- Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)



**From:** Doug Stanley <[Dstanley@warrencountyva.net](mailto:Dstanley@warrencountyva.net)>  
**Date:** December 17, 2015 at 09:09:13 EST  
**To:** Steven Burke <[sburke@frontroyalva.com](mailto:sburke@frontroyalva.com)>  
**Cc:** Blair Mitchell <[Bmitchell@warrencountyva.net](mailto:Bmitchell@warrencountyva.net)>  
**Subject:** Comcast - Franchise Agreement

Steve –

Blair and I have been working with Comcast on the renewal of our cable franchise agreement. Most of our issues are different than your issues because we are negotiating for service extension into underserved areas. We worked with Dewayne to develop a list of equipment to upgrade the Board room to digital service particularly replacing all of the cameras to HD/digital. As you know most of the equipment is 15+ years old and technology probably closer to 17+ based on when it was originally spec'd. This isn't what we would necessarily order as things would continue to change until the point we upgraded. We are working with Comcast to include \$50,000 as a payment to upgrade the equipment. As you can see, it does not take much to eclipse the \$50,000. As the room is jointly used by the Town and County Comcast would want to funding to be split over the customer base of the county both inside and outside the town as that who is watching the Council and Board meetings. Comcast wants some consensus on this matter before moving forward with our franchise agreement. Please let me know your thoughts.

**Douglas P. Stanley, AICP ICMA-CM**  
County Administrator  
County of Warren  
220 North Commerce Avenue  
Suite 100  
Front Royal, VA, 22630  
(540) 636-4600  
(540) 636-6066 Fax  
[dstanley@warrencountyva.net](mailto:dstanley@warrencountyva.net)

## Warren County Government Center Boardroom Upgrade 2017

<b>Equipment</b>	<b>QTY</b>	<b>Price Per</b>	<b>Total</b>
Tricaster 410	1	\$14,995.00	\$14,995.00
Panasonic AW-HE 40HK PTZ camera (SW/SK )	4	\$2,275.00	\$16,600.00
Panasonic AW-RP50 Sub compact Remote Controller	1	\$2,275.00	\$2,275.00
Viaddo thin profile camera wall mount	4	\$180.00	\$720.00
Shure MX393/C microphone	12	\$232.00	\$2,784.00
Shure MX393/0	1	\$219.00	\$219.00
Cat 6 Shielded Twisted Pair Cable	2	\$300.00	\$600.00
60" HDTV	2	\$2,000.00	\$4,000.00
X Large Tilt Mount 55-90"	2	\$100.00	\$200.00
HD Video projector 3k-5k Lumens	1	\$3,500.00	\$3,500.00
Power conditioner 2 outlet	3	\$35.00	\$105.00
Multimedia podium w/cabinet, drawer, wheels	1	\$800.00	\$800.00
4 ZONE LIGHTING CTROL SYSTEM w/dimming	1	\$3,000.00	\$3,000.00
Remote Station Wall Remote (5 button)	1	\$500.00	\$500.00
Multi conductor control cable (500')	1	\$100.00	\$100.00
Total Upgrade Cost			\$50,398.00

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Town of Front Royal, Virginia  
Work Session Agenda Form

Date: January 4, 2016

**Agenda Item:** Drone Policy

**Summary:** At the December 7th Council Work Session, Council requested that staff develop a policy for use of the drone by Town staff prior to considering approval to establish a drone program. A draft has been prepared for consideration. At this time, staff have excluded use of the drone for Tourism marketing purposes to limit issues arising from video/photography of individuals.

**Council Discussion:** Council is requested to consider the draft policy and provide comment and suggestions.

**Staff Evaluation:** The draft policy has been developed by staff utilizing policies established by other communities to regulate the use of drones.

**Budget/Funding:** The Director of Finance will be available to address fiscal issues.

**Legal Evaluation:** The Town Attorney will be available to address legal issues.

**Staff Recommendations:** Staff recommends that Council review the policy and provide comments and suggestions.

**Town Manager Recommendation:** The Town Manager recommends that Council review the policy and provide comments and suggestions.

**Council Recommendation:**

- Additional Work Session     Regular Meeting     No Action  
Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)





Town of Front Royal, Virginia



**RESOLUTION ESTABLISHING  
POLICY FOR DRONE USE  
BY TOWN STAFF**

**WHEREAS**, the Town of Front Royal recognizes the use of unmanned aircraft systems (drones) by various Town Departments can assist in achieving their core missions; and,

**WHEREAS**, the Town also recognizes concerns from citizens from being filmed in public locations; and,

**WHEREAS**, the Town desires to pursue the use of drones by Town staff while preserving the rights and liberties of our citizens;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Front Royal, Virginia hereby establish the following policy be established for the use of drones by Town staff.

**DRONE USE POLICY**

1. Any use of an unmanned aircraft system (drone) or contract for use by the Town staff shall comply with this policy.
2. Any use of a drone shall comply with all regulations established by the Federal Aviation Administration and by the Commonwealth of Virginia.
3. Any use of a drone for routine operations/inspections with the exception of those associated with a warrant issued by a Court or in response to a disaster shall be conducted only after reasonable notice has been provided to the public. Reasonable notice shall, at a minimum, consist of the issuance of a Public Notice regarding the Department’s intent to deploy a drone, a description of the planned activities, and the date, time, and location of use.
4. Use of a drone shall be premised upon the expectation of privacy of individuals and their personal property and shall not be used for general surveillance.
5. Routine use of the drone shall be limited to training and maintenance on the drone, and the inspection of Town infrastructure to include the following:
  - A. Treatment facilities for water and wastewater
  - B. Water tanks
  - C. Pump stations
  - D. Town infrastructure mounted on utility poles
  - E. Electric substations
  - F. Town buildings
  - G. Construction projects
6. Use of a drone is authorized for inspection of infrastructure during and following a natural disaster, oil/chemical spill, or fire to assess damage.
7. Use of a drone by the Police Department for criminal investigation shall only be conducted if a warrant based on probable cause issued by the Court.

8. Use of drone by the Police Department is authorized in the event of an emergency situation where there is imminent threat to life and use of the drone is necessary to prevent harm to law enforcement officer or assist with rescue operations on land or water.
9. All drone use shall be operated so as to minimize the collection of images, footage, or data of persons, places, or things not specifically associated with the Town infrastructure associated with the Department or damage associated with a natural disaster, oil/chemical spill, or fire.
10. Images, footage, or data obtained by a Department's use of a drone shall not be released outside the Department unless one of the following circumstances applies:
  - A. Presentation to Town Council
  - B. Images, footage or data are evidence in any claim filed or any pending litigation
  - C. Release authorized by the Town Attorney following Freedom of Information Act
11. Images, footage, or data associated with an investigation by the Police Department authorized by a warrant issued by the Court shall not be released if the release would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation.
12. Images, footage, or data shall be permanently destroyed within forty-five (45) days except for the following circumstances:
  - A. Required retention for litigation or enforcement proceedings shall comply with the Record Retention requirements for the Commonwealth of Virginia
  - B. Required retention for emergency investigations and claim evaluations
  - C. Training purposes for the education of Department staff related to the Department's mission and for no other purposes
  - D. For purposes to monitor condition of a structure
13. All operators of the drone shall be licensed by the FAA for its operation.
14. The drone shall not be equipped with any weapon or other projectile device that is intended to cause bodily injury or death, or damage to real or personal property.
15. The Town Manager can authorize the use of the drone by Town staff for collection of images, footage, or data for outside agencies so long as the collection of said images, footage, or data complies with these established policies.
16. The regulations established by this Policy are not intended to conflict with or supersede Federal or Commonwealth law, including rules and regulations of the Federal Aviation Administration.

Adopted this xxth day of February, 2016

APPROVED:

---

Timothy W. Darr, Mayor

Attest:

---

Jennifer E. Berry, CMC, Clerk of Council

---

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council on \_\_\_\_\_ 2016, upon the following recorded vote:

Bébhinn C. Egger	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
John P. Connolly	Yes/No		Yes/No

---

Approved as to Form and Legality:

\_\_\_\_\_  
Douglas W. Napier, Esq., Town Attorney

Date: \_\_\_\_\_

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## Town of Front Royal, Virginia Work Session Agenda Form

Date: January 4, 2016

**Agenda Item:** Liaison Committee Items for January 21, 2016 Meeting

**Summary:** Council is requested to add items to the Liaison Committee Meeting Agenda scheduled for January 21, 2016. Items will be voted on at the regularly scheduled meeting on January 11, 2016. The agenda from the November Liaison Committee meeting is attached for your convenience.

**Council Discussion:** Council takes desired action

**Staff Evaluation:** None

**Budget/Funding:** None

**Legal Evaluation:** Town Attorney will be available for questions or concerns

**Staff Recommendations:** None

**Town Manager Recommendation:** Town Manager will be available.

**Council Recommendation:**

Additional Work Session     Regular Meeting     No Action

Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)

Work Session



**AGENDA**  
**TOWN/COUNTY LIAISON**  
**COMMITTEE MEETING**  
Warren County Government Center



**November 19, 2015**  
**6:00 P. M.**

- A. Call to Order – Richard Traczyk, Board of Supervisors Chairman**
  
- B. Approval of Minutes – September 17, 2015**
  
- C. Leach Run Parkway – Doug Stanley**
  
- D. Wastewater Treatment Plant/Septage Receiving Facility – Steve Burke**
  
- E. Building Inspections Software – Doug Stanley**
  
- F. Development Review Committee – Doug Stanley**
  
- G. McKay Property Update – Jennifer McDonald**
  
- H. Warren County's in-Town Projects – Doug Stanley**
  
- I. Avtex Property – Main Street Extension – Steve Burke**
  
- J. Main Street Application - Steve Burke**
  
- K. Adjournment**

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## § 36-105.1:1. Rental inspections; rental inspection districts; exemptions; penalties

A. For purposes of this section:

"Dwelling unit" means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household.

"Owner" means the person shown on the current real estate assessment books or current real estate assessment records.

"Residential rental dwelling unit" means a dwelling unit that is leased or rented to one or more tenants. However, a dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and sleeping areas, and a bathroom, unless otherwise provided in the zoning ordinance by the local governing body.

B. Localities may inspect residential rental dwelling units. The local governing body may adopt an ordinance to inspect residential rental dwelling units for compliance with the Building Code and to promote safe, decent and sanitary housing for its citizens, in accordance with the following:

1. Except as provided in subdivision B 3, the dwelling units shall be located in a rental inspection district established by the local governing body in accordance with this section, and
2. The rental inspection district is based upon a finding by the local governing body that (i) there is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the designated rental inspection district; (ii) the residential rental dwelling units within the designated rental inspection district are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in the need of inspection by the building department to prevent deterioration, taking into account the number, age and condition of residential dwelling rental units inside the proposed rental inspection district; and (iii) the inspection of residential rental dwelling units inside the proposed rental inspection district is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the proposed rental inspection district. Nothing in this section shall be construed to authorize one or more locality-wide rental inspection districts and a local governing body shall limit the boundaries of the proposed rental inspection districts to such areas of the locality that meet the criteria set out in this subsection, or
3. An individual residential rental dwelling unit outside of a designated rental inspection district is made subject to the rental inspection ordinance based upon a separate finding for each individual dwelling unit by the local governing body that (i) there is a need to protect the public health, welfare and safety of the occupants of that individual dwelling unit; (ii) the individual dwelling unit is either (a) blighted or (b) in the process of deteriorating; or (iii) there is evidence of violations of the Building Code that affect the safe, decent and sanitary living conditions for tenants living in such individual dwelling unit.

For purposes of this section, the local governing body may designate a local government agency other than the building department to perform all or part of the duties contained in the enforcement authority granted to the building department by this section.

C. 1. Notification to owners of dwelling units. Before adopting a rental inspection ordinance and establishing a rental inspection district or an amendment to either, the governing body of the locality shall hold a public hearing on the proposed ordinance. Notice of the hearing shall be published once a week for two successive weeks in a newspaper published or having general circulation in the locality.

Upon adoption by the local governing body of a rental inspection ordinance, the building department shall make reasonable efforts to notify owners of residential rental dwelling units in the designated rental inspection district, or their designated managing agents, and to any individual dwelling units subject to the rental inspection ordinance, not located in a rental inspection district, of the adoption of such ordinance, and provide information and an explanation of the rental inspection ordinance and the responsibilities of the owner thereunder.

2. Notification by owners of dwelling units to locality. The rental inspection ordinance may include a provision that requires the owners of dwelling units in a rental inspection district to notify the building department in writing if the dwelling unit of the owner is used for residential rental purposes. The building department may develop a form for such purposes. The rental inspection ordinance shall not include a registration requirement or a fee of any kind associated with the written notification pursuant to this subdivision. A rental inspection ordinance may not require that the written notification from the owner of a dwelling unit subject to a rental inspection ordinance be provided to the building department in less than 60 days after the adoption of a rental inspection ordinance. However, there shall be no penalty for the failure of an owner of a residential rental dwelling unit to comply with the provisions of this subsection, unless and until the building department provides personal or written notice to the property owner, as provided in this section. In any event, the sole penalty for the willful failure of an owner of a dwelling unit who is using the dwelling unit for residential rental purposes to comply with the written notification requirement shall be a civil penalty of up to \$50. For purposes of this subsection, notice sent by regular first class mail to the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed compliance with this requirement.

D. Initial inspection of dwelling units when rental inspection district is established. Upon establishment of a rental inspection district in accordance with this section, the building department may, in conjunction with the written notifications as provided for in subsection C, proceed to inspect dwelling units in the designated rental inspection district to determine if the dwelling units are being used as a residential rental property and for compliance with the provisions of the Building Code that affect the safe, decent and sanitary living conditions for the tenants of such property.

E. Provisions for initial and periodic inspections of multifamily dwelling units. If a multifamily development has more than 10 dwelling units, in the initial and periodic inspections, the building department shall inspect only a sampling of dwelling units, of not less than two and not more than 10 percent of the dwelling units, of a multifamily development, which includes all of the multifamily buildings which are part of that multifamily development. In no event, however, shall the building department charge a fee authorized by this section for inspection of more than 10 dwelling units. If the building department determines upon inspection of the sampling of

dwelling units that there are violations of the Building Code that affect the safe, decent and sanitary living conditions for the tenants of such multifamily development, the building department may inspect as many dwelling units as necessary to enforce the Building Code, in which case, the fee shall be based upon a charge per dwelling unit inspected, as otherwise provided in subsection H.

F. 1. Follow-up inspections. Upon the initial or periodic inspection of a residential rental dwelling unit subject to a rental inspection ordinance, the building department has the authority under the Building Code to require the owner of the dwelling unit to submit to such follow-up inspections of the dwelling unit as the building department deems necessary, until such time as the dwelling unit is brought into compliance with the provisions of the Building Code that affect the safe, decent and sanitary living conditions for the tenants.

2. Periodic inspections. Except as provided in subdivision F 1, following the initial inspection of a residential rental dwelling unit subject to a rental inspection ordinance, the building department may inspect any residential rental dwelling unit in a rental inspection district, that is not otherwise exempted in accordance with this section, no more than once each calendar year.

G. Exemptions from rental inspection ordinance. Upon the initial or periodic inspection of a residential rental dwelling unit subject to a rental inspection ordinance for compliance with the Building Code, provided that there are no violations of the Building Code that affect the safe, decent and sanitary living conditions for the tenants of such residential rental dwelling unit, the building department shall provide, to the owner of such residential rental dwelling unit, an exemption from the rental inspection ordinance for a minimum of four years. Upon the sale of a residential rental dwelling unit, the building department may perform a periodic inspection as provided in subdivision F 2, subsequent to such sale. If a residential rental dwelling unit has been issued a certificate of occupancy within the last four years, an exemption shall be granted for a minimum period of four years from the date of the issuance of the certificate of occupancy by the building department. If the residential rental dwelling unit becomes in violation of the Building Code during the exemption period, the building department may revoke the exemption previously granted under this section.

H. A local governing body may establish a fee schedule for enforcement of the Building Code, which includes a per dwelling unit fee for the initial inspections, follow-up inspections and periodic inspections under this section.

I. The provisions of this section shall not, in any way, alter the rights and obligations of landlords and tenants pursuant to the applicable provisions of Chapter 13 (§ 55-217 et seq.) or Chapter 13.2 (§ 55-248.2 et seq.) of Title 55.

J. The provisions of this section shall not alter the duties or responsibilities of the local building department under § 36-105 to enforce the Building Code.

K. Unless otherwise provided in this section, penalties for violation of this section shall be the same as the penalties provided in the Building Code.

2004, c. 851;2009, c. 663.

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	<u>Avg # of monthly utility bills</u>	<u>Bulk Mail Rate</u>	<u>Per Form</u>	<u>Per Envelope</u>	<u>Total Per Piece</u>	<u>Total Per Month</u>	<u>Total Per Year</u>
<b>Letter Size w/ Envelope</b>	11,000	\$ 0.471	\$ 0.0393	\$ 0.053	\$ 0.563	\$ 6,195.75	\$ 74,349.00
<b>Postcard</b>	11,000	\$ 0.295	\$ 0.0844	N/A	\$ 0.379	\$ 4,172.85	\$ 50,074.20
<b>Difference</b>		<b>\$ 0.176</b>			<b>\$ 0.184</b>	<b>\$ 2,022.90</b>	<b>\$ 24,274.80</b>

Quarterly newsletter is currently mailed with utility bills. If utility bills are sent on post cards we will need to find an alternative way to distribute the newsletter or the newsletter would require a separate mailing & man hours:

Quarterly Newsletter Postage & Envelope	\$ 5,764.00
Yearly Newsletter Postage & Envelope	\$ 23,056.00
Man hours	????

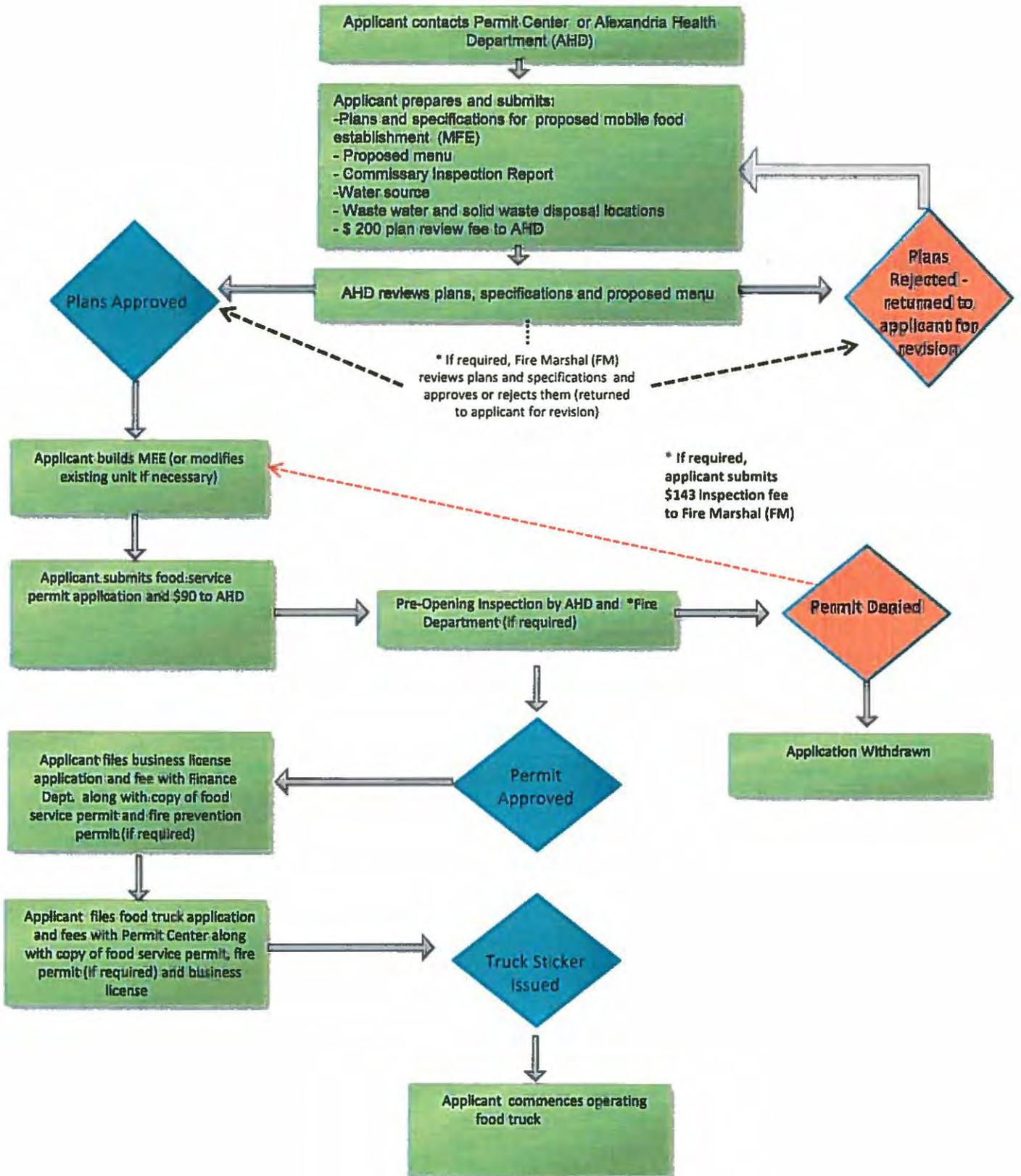
Annual water quality mailings & occassional addendum reports are also inserted with the utility bills which will require separate mailings equal to a newsletter mailing.

Start up costs to transition to post cards

Sungard Custom	Estimate \$5,000-\$10,000
Printer	\$6,000 per year lease

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# Mobile Food Truck Permit Process





**City of Alexandria**

Permit Center  
301 King Street, Suite 4200  
Alexandria, VA 22314  
Phone: 703.746.4200

**SCREENING & SUBMITTAL CHECKLIST**

**Food Trucks**

**Applicant Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Location:** Citywide- Private Property, City Property or Park, Farmers' Market, and School Property

<u>For City Staff Use Only</u>	
<input checked="" type="checkbox"/> For items required and complete	<input type="checkbox"/> For items required, but not complete
<input type="checkbox"/> For items not required	

**General Handouts (as applicable)**

- |                                                                          |                                                                        |
|--------------------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Alexandria Health Department Permit Application | <input type="checkbox"/> Alexandria Certified Food Managers Guidelines |
| <input type="checkbox"/> Mobile Food Establishment Menu Form             | <input type="checkbox"/> Alexandria Food Truck Guide                   |
| <input type="checkbox"/> Fire Prevention Permit (if required)            | <input type="checkbox"/> Alexandria Business License Application       |
| <input type="checkbox"/> Mobile Food Truck Process Chart                 | <input type="checkbox"/> IRS W-9 Form                                  |

**GENERAL REQUIREMENTS**

- Plans and Specifications for proposed mobile food establishment to be submitted at the Alexandria Health Department
- Proposed Mobile Food Establishment Menu Form submitted to the Alexandria Health Department
- Commissary Inspection Report submitted to the Alexandria Health Department
- Identified Water Source Provided to the Alexandria Health Department
- Waste Water and Solid Waste Location Identified and Provided to the Alexandria Health Department
- Submit Fire Prevention Permit Application for LP Gas and pay fee at the Alexandria Permit Center
- Register Corporation with the Virginia State Corporation Commission or Register General Partnership/ Trade Name with the Alexandria Clerk of Circuit Court
- Issued Fire Prevention Permit for LP Gas
- Submit Business License Application and Payment at the Alexandria Permit Center
- Issued an Alexandria Business License
- Issued an Alexandria Food Truck Permit with Food Truck Sticker

*I acknowledge that all items designated herein as missing or incomplete must be provided prior to being accepted for review.*

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



# ALEXANDRIA HEALTH DEPARTMENT

## Environmental Health Division

4480 King Street, Room 360

Alexandria, VA 22302

Phone: 703.746.4910

FAX: 703.746.4919

[www.alexandriava.gov/EnvironmentalHealth](http://www.alexandriava.gov/EnvironmentalHealth)

Stephen A. Haering, MD, MPH, FACPM  
Health Director

## **FOOD TRUCK GUIDE**

To obtain a permit for a Food Truck, there are three main phases:

1. Health Department Plan Review Process
2. Health Department Application Process
3. City of Alexandria Application Process

All of these steps require a non-refundable fee and, depending on the situation, the phases may be completed at the same time. For more information, see the steps below.

### **Codes and Regulations**

The Alexandria Health Department has adopted the FDA Food Code and its annexes. In addition to this, the City has additional specific requirements for food establishments including Food Trucks. Visit [www.alexandriava.gov/11492](http://www.alexandriava.gov/11492) for more information.

Although Food Trucks are regulated by the Health Department, other city agencies also regulate them. Those agencies include, but are not limited to, the Departments of Fire, Planning & Zoning, Code Administration, Finance and Transportation and Environmental Services.

### **Food Trucks Permitted in Other Counties**

Because the City of Alexandria has a local food safety code, the Health Department is not able to grant reciprocity to Food Truck permits issued in other Virginia jurisdictions. All Food Trucks operated in the city must be permitted by the Alexandria Health Department.

## **Phase I : Plan Review Process**

### **Plan Review Steps**

The plan review process is used by the Health Department to examine the facility, equipment, processes, and products associated with a proposed Food Truck. By conducting a plan review, the health department can ensure that the proposed Food Truck will be able to operate safely and in compliance with our codes and regulations after it is permitted. Sometimes this process is required when an existing Food Truck significantly changes its menu or equipment.

1. If the Food Truck currently holds an Alexandria Health Department permit, and the owner is selling the unit to another business, skip ahead to Phase II: Application Process IF there are no proposed changes to the menu or equipment.
2. At a minimum, prospective Food Truck owners shall provide the following to the Health Department:

- a. Two (2) complete sets of [plans](#) for review and approval.
- b. Plan review documents such as [equipment cut sheets](#) or specifications
- c. Detailed information on the capacity of the hot water heater in the unit
- d. The non-refundable \$200 [plan review fee](#)
- e. A completed Food Truck Menu form
- f. Information for the Health Department where the Commissary is located (if the commissary is located outside of Alexandria City)

Plans will not be considered for review unless all the required documents are submitted. For more information about these items, see below, or contact the Health Department.

Although not required at this point, prior to permit, the following additional information will be required and may be submitted early.

- Copy of a [Northern Virginia Certified Food Manager \(CFM\)](#) card
  - Copy of the vehicle registration, if the Food Truck is a vehicle
3. The Health Department Environmental Health Specialist (EHS) will review plans and provide comments within ten (10) business days. Plans will then be either approved or not approved as submitted.
    - a. **Not approved:** If the plan is not approved as submitted, the Health Department will notify the applicant by phone and in writing (i.e., email, fax) why the plans were not approved and what changes and revisions must be submitted in order to gain approval. If the revisions require a new set of plans to be submitted, then the **Food Truck owner must submit two (2) sets of revised plans or applicable sheets to the Health Department.**
    - b. **Approval:** If the plan is approved, the Health Department will notify the applicant via phone or email, and request the Food Truck owner begin the [application process](#). The City's Permit\*Plan database will be updated by the Health Department when plans are approved by the Health Department.

## **Plans**

A plan is a drawing of the Food Truck that details the layout, size and arrangement of the proposed Food Truck and the equipment inside it. Where required, the plan will also show:

- Mechanical, plumbing, electrical and fire protection system plans
- Finish schedule (materials to be used on the walls, floors and ceilings)
- Lighting schedule

When submitting a plan, the drawings must be both neat and legible, and must be drawn to scale. It must be large enough for the EHS to review, but no larger than 24" x 36". The Health Department will not make additional copies or enlarge existing plan sets to meet the specifications needed.

## **Equipment Cut Sheets or Specifications**

Specifications or cut sheets should be provided for every piece of equipment installed or used in an Food Truck. These documents provide a detailed description of the equipment, including available types, models, dimensions, electrical or water requirements, add-ons, certifications, etc. When submitting a plan, these sheets must be included.

## **Plan Review Fees**

The plan review fee is \$200 and is required at the time of plan submission. This fee is non-refundable. Checks or money orders shall be made payable to the "City of Alexandria," and cannot be 'starter' checks. Cash payments must be made in person.

## **Phase II : Application Process**

### **Application Steps**

The application process is a process used by the Health Department to initiate the permitting process, update contact information, and re-affirm the conditions of an existing permit.

1. Confirm completion of the [plan review](#)
2. [Apply for a permit](#)
3. Schedule [pre-opening inspection\(s\)](#)
4. Issuance of Health Department Permit (Must be taken to City Hall for Tuck Sticker to be issued)
5. [Permit inspection process](#)

### **Apply for a Permit**

When applying for an Food Truck permit, the following documents shall be submitted:

- a. A completed [Permit Establishment Application](#) form. If this is a [change of ownership](#):
  - o Check the "Change of Ownership" box at the top of the form
  - o Write the estimated settlement date of closing (REQUIRED)
  - o Write the current name of the business you are buying (even if it is identical to what you will call the business)
- b. A completed [Food Truck Menu](#) form
- c. The non-refundable [application fee](#)
- d. Copy of a [Northern Virginia Certified Food Manager \(CFM\)](#) card
- e. Copy of the vehicle registration, if the Food Truck is a vehicle

Some of these documents may have already been submitted during the plan review process.

### **Change of Ownership**

**Alexandria Health Department permits are not transferable.** *A new owner cannot operate a regulated facility without a new permit issued by the Health Department—the existing permit is only valid for the owner identified on the permit. This requirement also applies to a Food Truck that is undergoing an "administrative" change of ownership (ex: when an individual or sole-proprietor wants to transfer his/her permit to a new corporation or limited liability company).*

The change of ownership process is often confused with a name change or application update process. When a name change or application update occurs, the Food Truck's ownership entity does not change. When the entity changes, there is a change of

ownership. Both the Alexandria Health Department and the Permit Center can walk you through specific examples of these differences.

### **Application Fees**

The application fee is \$90 and is non-refundable. The application fee is required at the time of application submission. Checks or money orders shall be made payable to the "Alexandria Health Department," and cannot be 'starter' checks. Cash or credit payments must be made in person.

When renewing a year-round Food Truck permit, a \$25 late fee will be assessed if payment is received after January 14.

### **Pre-opening Inspection(s)**

The Environmental Health Specialist (EHS) will review your application and accompanying documents. If he or she has additional questions, the EHS may contact you prior to the pre-opening inspection. Once the EHS has thoroughly reviewed your application, he or she will contact you to schedule a pre-opening inspection at a time convenient for both you and the EHS.

### **Health Department Permit Issuance**

If the Food Truck is in compliance with the applicable health codes, the EHS will recommend issuance of a Health Department permit on the pre-opening inspection report. A Health Department permit for an Food Truck will then be issued by the Environmental Health Division's administrative staff. This permit must be taken to Alexandria City Permit Center where, Phase 3 of the permitting process will be completed.

The Permit Center will affix an Food Truck 'sticker' to your unit on successful completion of Phase 3 of the application process. This sticker shall be affixed to the left rear of your Food Truck.

### **Permit Inspection Process**

Routine inspections (approximately every four months) are required to ensure compliance with the applicable food code. If the Health Department is not able to conduct an unannounced inspection of your Food Truck, an EHS will mail your business a request to schedule an inspection.

### **Health Department Permit Renewal**

Each year, the following documents must be submitted to maintain an active Health Department permit. Notification requesting this will be mailed annually in November.

- a. A completed Food Safety [Permit Application](#) form.
- b. A completed [Food Truck Menu](#) form
- c. A completed [Food Truck Commissary](#) form for each commissary utilized
- d. The non-refundable [application fee](#)

If the permitted Food Truck operates seasonally, our office may require a pre-opening inspection before operating after the off-season. This situation is addressed on a case-by-case basis.

### **Phase III: City Application Process**

On completion of the Health Department permit process, all Food Trucks wishing to operate in the City of Alexandria will be required to obtain a City Permit. This is a two step process:

1. Submit a copy of the issued Alexandria Health Department Food Establishment Permit, Fire Prevention Permit (if required), the City Food Truck Application and the City Business License Application to the Permit Center at City Hall (301 King Street, Suite 4200).
2. Pay the fee at the Permit Center.

On successful completion of these steps, a Food Truck Permit sticker will be issued for your vehicle at the Permit Center.

# Alexandria Health Department



## MOBILE FOOD ESTABLISHMENT MENU FORM

**REPLY TO:** Environmental Health Division  
4480 King Street, Rm 360  
Alexandria, VA 22302  
Phone: 703-746-4910, Fax: 703-746-4919  
<http://alexandriava.gov/EnvironmentalHealth>

Name of MFE: \_\_\_\_\_

List all food and beverage items that will be served from the mobile food establishment. Food and beverages shall be prepared and stored in a permitted food establishment. Serving food and beverages prepared and/or stored in a home or non-permitted facility is prohibited.

MENU ITEM	MAIN INGREDIENTS

I certify that I will only serve menu items listed above and/or only those menu items approved by the Health Department as indicated on the permit. I will notify the Environmental Health Division of any changes in my menu by promptly submitting a new Menu form.

\_\_\_\_\_  
Signature of MFE Owner

\_\_\_\_\_  
Date



# Alexandria Health Department



## MOBILE FOOD ESTABLISHMENT ROUTE FORM

**REPLY TO:** Environmental Health Division  
4480 King Street, Rm 360  
Alexandria, VA 22302  
Phone: 703-746-4910, Fax: 703-746-4919  
<http://alexandriava.gov/EnvironmentalHealth>

Name of MFE: \_\_\_\_\_

### ZONING ORDINANCE

The City of Alexandria Zoning Ordinance prohibits Mobile Food Establishments from operating in the City, with five exceptions listed below. Mark the applicable exceptions.

Mobile Food Establishments may be permitted:

- To sell lunch to construction workers at an active redevelopment/construction site.
- In front of the Torpedo Factory with approval through an SUP.
- As part of the Market Square Vendor Cart Pilot Program.
- In a fixed location outside of an existing restaurant or as part of a Farmer's Market with approval through an SUP.
- As part of a City-sponsored special event.

Complete this table **listing ALL operating locations** in the City of Alexandria, times and days of the week. Any changes must be communicated to the Environmental Health Division by submitting a new Route Form. **List each location on a separate line.**

Address of Operating Location	Hours of Operation	Days of Operation

I certify that I will only operate at the locations listed above. I will notify the Environmental Health Division of any changes in my route by promptly submitting a new Route Form.

\_\_\_\_\_  
Signature of MFE Owner

\_\_\_\_\_  
Date





# City of Alexandria 2014 Business License Application

## Business Tax

City Hall – Room 1700  
P.O. Box 178, Alexandria, VA 22313  
703.746.3903  
alexandriava.gov/BusinessTax

Owner's Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_  
(Street) (Suite or Apt #)

(City) (State) (Zip Code)

Individual  Corporation  LLC  S Corp  Partnership

If **Partnership**, provide on a separate sheet of paper the names and addresses of the all partners.

If **Corporation**, provide name and address of Registered Agent.

If **LLC**, provide member's name and social security number.

New Business  or Transfer of Ownership

Business Trade Name: \_\_\_\_\_

Taxpayer Identification Number: \_\_\_\_\_  
(Federal Identification Number or Social Security Number)

Sales Tax Identification Number: \_\_\_\_\_

Business Location: \_\_\_\_\_  
(Street) (Suite or Apt#)  
(City) (State) (Zip Code)

Business Telephone # ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax # ( ) \_\_\_\_\_ - \_\_\_\_\_

Date Business Began in Alexandria: \_\_\_\_/\_\_\_\_/\_\_\_\_ Number of Employees in Alexandria: \_\_\_\_\_

Description of Business: \_\_\_\_\_ License Type: \_\_\_\_\_

NAICS Code Number: \_\_\_\_\_  
(Enter 6 digit North American Industry Classification System (NAICS) Code(s) used for tax filings. NAICS Codes are available at <http://www.census.gov/eos/www/naics/index.html>)

Business Mailing Address: \_\_\_\_\_  
(Street) (Suite or Apt#)  
(City) (State) (Zip Code)

Bank Name: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Do you own a vehicle(s) that is used for business purposes? (Check appropriate box)

If "Yes", provide VIN and percentage of vehicle's use for business.

Yes No

Vehicle Identification Number: \_\_\_\_\_ Percentage of Business Use: \_\_\_\_\_  
(Attached an additional page, if you have more than one vehicle.)

2014 Estimated Gross Receipts: \_\_\_\_\_

2013 Actual Gross Receipts: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(An original signature of owner or authorized corporate representative is required.)

- For instructions on obtaining a license and filing for business personal property taxes, refer to the instructions on page 2 of this form.
- Please note that a business may require more than one business license if it engages in more than one business activity. (e.g. A retail store that also provide a professional consulting service or a restaurant that also retails packaged food or T-shirts.
- To avoid a statutorily assessed business personal property tax bill, you must file a business personal property tax return on or before May 1.

## PROCEDURES FOR OBTAINING A BUSINESS LICENSE IN THE CITY OF ALEXANDRIA

Obtaining a business license in Alexandria is generally a three-step process:

### Step 1: Register the Business Entity

*a. Registration of a Corporation or a Limited Partnership:* All corporations (foreign and domestic) and limited partnerships conducting business in Virginia must register with the Virginia State Corporation Commission. To become incorporated in Virginia, an organization must file articles of incorporation and amendments with the State Corporation Commission. Procedures for filing can be found in the Code of Virginia Stock Corporation Act, Title 13.1-601 through 13.1-800. For information on registration or incorporation, please contact the Virginia State Corporation Commission, P.O. Box 1197, Richmond, VA 23218, 866.722.2551 or 804.371.9733. An online "Business Registration Guide" is available on the Virginia State Corporation Commission web site at [www.scc.virginia.gov/clk/begin.aspx](http://www.scc.virginia.gov/clk/begin.aspx).

*b. Registration of a General Partnership or Trade Name:* General partnerships and trade names must be registered with the Clerk of the Circuit Court. A small fee is imposed by the Circuit Court. For registration information, contact the Clerk of the Circuit Court, 520 King Street, Suite 307, Alexandria, Virginia 22314, 703.746.4044.

### Step 2: Visit the Permit Center (One Stop Shop)

In an effort to improve the business license application process, the City has created a Permit Center or "One Stop Shop" where applicants can obtain the approvals and registration needed by most businesses. For more information, contact the Permit Center (One Stop Shop), Office of Building and Fire code Administration, 301 King Street, Room 4200, 703.746.4200.

### Step 3: Submit the Completed Application With Your Tax Payment and All Necessary Approvals and Documentation

The City business license application may be submitted at the Permit Center (One Stop Shop) at the address listed above or mailed with your tax payment to the address on the application. Some businesses may be required to submit additional documentation and/or permits. For more information on additional documentation required, please visit the Business Tax web page at [alexandriava.gov/business-tax](http://alexandriava.gov/business-tax).

### NOTES:

\*If you have purchased the business and as a condition of the sale you acquired the liability and assets, you are entitled to transfer the business license from the old to the new business by completing a Request for Transfer of City Business License form. The form must be notarized and submitted along with the business license application. You must provide a copy of the signed and dated purchase agreement detailing the terms and conditions of the sale. This agreement should specifically relate to the sale of assets and liabilities.

\*When submitting your application in person, you must go to the Treasury Division, Room 1510, to pay your taxes and have your application validated before you can receive your business license.

## BUSINESS PERSONAL PROPERTY

Any individual, partnership or corporation engaged in any business or profession in the City of Alexandria as of January 1 of a given year must complete and file a Business Personal Property return no later than May 1. All tangible business personal property, including furniture, fixtures, machinery, tools, computers and peripherals used in any business or profession must be reported. Completed returns can be delivered to Business Tax, 301 King Street, Room 1700 or mailed to Business Tax, Department of Finance, City of Alexandria, P.O. Box 178, Alexandria, VA 22313.

The law requires full and complete returns; therefore, a taxpayer must enter the purchase cost of all property owned or in his or her possession. It is imperative that all tangible business personal property be reported and its purchase cost entered in the proper column.

Property being paid for by installments as a condition of sale is assessable in the name of the person possessing the property. The law allows no deduction for indebtedness against tangible business personal property. Leased or rented tangible personal property must also be reported in addition to the name and address of the lessor (owner) responsible for payment of the local personal property tax.

If a business begins operations in the city after January 1 of a given year, there is no business personal property tax liability for that year. If a business moves or ceases business after January 1, the business is liable for the full tax year.

**THERE IS NO PRORATION OF A BUSINESS PERSONAL PROPERTY TAX BILL.**

## DIVISION 2. - VENDING IN CENTRAL BUSINESS DISTRICT

## Sec. 6-481. - Prohibited without permit.

It shall be unlawful to sell or offer for sale any food, beverage or merchandise on any sidewalk within the Central Business District without obtaining a permit pursuant to Section 6-482.

(Code 1993, § 6-192; Code 2004, § 18-546)

## Sec. 6-482. - Application for vendor's permit.

A person holding a valid license to do business as a peddler or itinerant merchant in the City may apply to the City for a vendor's permit to be authorized to vend at a specific location on a sidewalk in the Central Business District. A vendor's permit shall be valid for up to one year from the date of issuance and shall expire on December 31 of the year of issuance. Upon application for a vendor's permit, the Department of Finance shall investigate to determine whether the requested location meets the criteria of this section. No person shall be issued a permit for more than one vending location per block face. In addition, no location shall be:

- (1) Within 100 feet of the grounds of any elementary or secondary school.
- (2) On a sidewalk that is less than ten feet in width.
- (3) More than five feet or less than one foot from the curbline of any street.
- (4) Within 15 feet of any entranceway to or exitway from any building or within 50 feet of any entranceway, exitway or driveway to the emergency room of any hospital.
- (5) Within five feet of any driveway or intersection of any alley with a street.
- (6) Within five feet of the crosswalk at any intersection.
- (7) Within any bus, taxicab or other passenger or commercial loading zone.
- (8) Within ten feet of any fire hydrant.
- (9) Within five feet of any fire escape.
- (10) Within 25 feet of any other location for which a permit has been issued.
- (11) On a block face that already contains three locations designated for vending; provided, however, a larger number of vending locations may be designated for the sidewalks surrounding and adjacent to the Richmond Coliseum and Festival Park.
- (12) Situated so that the vending operation will deny reasonable access to or use of any trash receptacle, mailbox, parking meter or other public facility on the sidewalk.
- (13) On the sidewalks within public parks.
- (14) Operated between 11:31 p.m. and 6:59 a.m.
- (15) Used to sell food or beverages for immediate consumption unless there is available for public use the vendor's own litter receptacle which must be approved by the Urban Design Committee pursuant to Section 30-940.3(d).

(Code 1993, § 6-193; Code 2004, § 18-547)

## Sec. 6-483. - Issuance of vendor's permit.

- (a) Not later than 30 days after the filing of an application for a vendor's permit pursuant to this division, the applicant shall be notified as to the decision on the issuance of the permit. All vendor's permits shall be issued according to the time and date of receipt of the application for any available location. A location shall be considered available only if it has been designated by the Department of Finance as a vending location and there is no permit issued for the location, if the holder of a permit for a location in writing releases the location, or if a permit for a location is not renewed in the 30-day period after the permit expires. For those block faces requiring a reduction in vending locations as a result of the adoption of Ordinance No. 93-309-306, the Department of Finance shall make assignments to the remaining vending locations based upon the seniority of each permit holder on the block face. Each available location shall be assigned to the first vendor who applies for that location; provided, however, that any vendor who is displaced from a vending location held as of November 22, 1993, shall be assigned to an available vending location nearest the displaced location. If more than one displaced vendor qualifies for the same available vending location, the permit shall be awarded to the vendor who was first licensed to vend in the City. If the permit is denied, the applicant shall be provided with a written statement as to the reasons for denial.
- (b) Should a tin issued to a vendor be lost or stolen during the license year for which it is valid, the vendor must obtain a replacement tin. The replacement tin will be issued at a cost, each, as set forth in Appendix A to this Code.

(Code 1993, § 6-194; Code 2004, § 18-548)

Sec. 6-484. - Design of vending stands.

- (a) Any person vending from a table in the Central Business District shall use a table which measures 2½ feet by six feet and shall use a table drape approved by the Urban Design Committee pursuant to Section 30-940.3(d).
- (b) Any person desiring to use an umbrella or canopy on a merchandise vending stand shall use one of the specified umbrellas or canopies from suppliers approved by the Urban Design Committee.

(Code 1993, § 6-194.1; Code 2004, § 18-549)

Sec. 6-485. - General regulations.

In the Central Business District, no vendor shall:

- (1) Leave any stand or cart unattended for longer than 15 minutes.
- (2) Store, park or leave unattended any stand or cart between 12:00 midnight and 6:00 a.m. on any sidewalk.
- (3) Sell food or beverages for immediate consumption unless there is available for public use the vendor's own or a public litter receptacle.
- (4) Leave any location without first picking up, removing and disposing of all trash or refuse attributable to the vendor's activities.
- (5) Allow any items relating to the operation of the vending business to be placed anywhere outside the permissible vending area.
- (6) Solicit or conduct business with persons in a motor vehicle while the vehicle is in a lane of traffic on a public street.
- (7) Use any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public.
- (8)

Vend from a stand, cart or area which exceeds four feet in width perpendicular to the street, nine feet in length parallel to the street or eight feet in height.

- (9) Vend without first obtaining any required vendor's permit, tin, and business license from the Department of Finance and permit from the District Health Department.
- (10) Vend without conspicuously displaying any vendor's permit, tin business license and health permit required by the City and the District Health Department.
- (11) Vend without possessing on such vendor's person a valid photographic identification issued by the Commonwealth of Virginia or another state.
- (12) Vend without having in force an insurance policy, issued by an insurance company licensed to do business in the State, protecting the vendor and the City from all claims for damages to property and bodily injury, including death, which may arise from operation of the vending business in the City. Such insurance shall name the City as an additional insured and shall provide that the policy shall not terminate or be canceled without 30 days' advance written notice to the City. Limits of liability shall be a minimum of \$300,000.00.

(Code 1993, § 6-195; Code 2004, § 18-550; Ord. No. 2008-90-70, § 1, 4-14-2008)

Secs. 6-486—6-508. - Reserved.

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## Community Development Position Scope

### Brainstorming Ideas

- Work within Definitive Vision of Economic Development & Mission /
- 1 Vision Statement for Economic Development (Capitalize on History)
  - 2 Building Deficiencies (Appearance) & Incentives
  - 3 Plan for Ideal Business Locations/Zones in Community
  - 4 Building Relationships with Landlords (Issues for vacant storefronts)  
Recommendations for Council/EDA Consideration of Property
  - 5 Opportunities
  - 6 Recruiting & Marketing Business, Cultural, & Attraction Opportunities
  - 7 Partnership w/ Existing Business for Promotion
  - 8 Opportunities for Improving Existing Lodging & Hotels
  - 9 Attracting New Businesses (Hotels, Restaurants, Shops, etc.)
  - 10 Review Ordinances to be more business friendly
  - 11 Work with & within existing local agencies
  - 12 Liaison w/ EDA, Chamber, Local Merchant Associations
  - 13 Participate in Visioning Efforts
  - 14 Participation in Development of Community Business Plan
  - 15 Parking (Not Convenient in Downtown)
  - 16 Property Maintenance Code
  - 17 Lead by Example - Disposition of Empty Town Facilities
  - 18 Building Inspections Department
  - 19 Focal Attractions / Cultural Opportunities
  - 20 Tourism (Treat as Industry)
  - 21 Off Season Tourism Opportunities
  - 22 Outreach to Bicycle Races, Marathons, etc as Tourism Effort
  - 23 Embrace History & Natural Attractions
  - 24 Advertise & Receive Proposals

## Economic Opportunities & Filling Vacant Stores

### Brainstorming Ideas

- 1 Parking (Not Convenient in Downtown)  
Definitive Vision of Economic Development & Mission / Vision Statement
- 2 for Economic Development (Capitalize on History)
- 3 Building Deficiencies (Appearance) & Incentives
- 4 Plan for Ideal Business Locations/Zones in Community
- 5 Property Maintenance Code
- 6 Building Relationships with Landlords (Issues for vacant storefronts)
- 7 Purchase of Buildings - Town Facilitate Planned Development
- 8 Lead by Example - Disposition of Empty Town Facilities
- 9 Building Inspections Department
- 10 Focal Attractions / Cultural Opportunities
- 11 Marketing Business Opportunities
- 12 Tourism (Treat as Industry)
- 13 Off Season Tourism Opportunities
- 14 Partnership w/ Existing Business for Promotion
- 15 Lodging & Hotel Opportunities - Become Destination for Overnight Stays
- 16 Outreach to Bicycle Races, Marathons, etc as Tourism Effort                      Tourism
- 17 Attracting New Businesses
- 18 Review Ordinances to be more business friendly
- 19 Embrace History & Natural Attractions
- 20 Work with & within existing local agencies

## Entrance Corridors

### Brain Storming

- 1 Consistent Brand - Same Treatments
- 2 Consistent Lighting Fixtures
- Identify / Define Entrance Corridors - Planning vs Real -
- 3 Boundaries
- Address Aesthetic/Appearance of Buildings in Corridor -
- 4 Incentives/Planning Enforcement/Culture
- 5 Educate Building Owners (Absentee Landlords)
- 6 Pride in Areas
- 7 Visioning - What do we want them to look like
- 8 Funding & Grant Options
- Relationships w/ VDOT for N Shenandoah Ave (De-
- 9 Annexed) - Mowing
- 10 Communication w/ Property Owners - Block Programs
- Comm Dev Position - Contact Property Owners to
- 11 encourage improvements
- 12 Screening of certain properties - Transfer ownership
- 13 Zoning in Entrance Corridors
- 14 Enforcement of Codes in Corridors
- 15 Updates to Council on Regular Basis

# Police Department Facility

## Brainstorming

- 1 Time Frame for new Facility -Project Schedule
- 8 Budget Options
- 2 Disposition of empty buildings
- 3 Need List; Want List; Wish List for Building
- 4 Dispatch Opportunities
- 5 Cost Effective Approach - New vs Existing  
Focus on Long Term Planning - Life expectancy of Building &
- 6 Effective Usable Life
- 7 Maximum Future Use of Building Design

	Vision Priorities
	Primary Goals
1	Economic Opportunities & Filling Vacant Stores
2	Happy Creek Trail / Future Trails
3	Police Department Facility
4	Entrance Corridors
	Secondary Goals
1	New Road Construction
2	Tourism
3	Town Owned Facilities
4	Building Inspection by Town of Front Royal
5	Town Boundary Expansion (Guidelines/Procedures)
6	Comprehensive Plan Update - Zoning District Evaluation
7	Electric Portfolio Development
8	Blighted Buildings
9	Town Services - Customer Service
10	Road Maintenance - Existing Roads
11	Charter
12	Technology Development
13	Virginia Main Street Program
14	Water System Business Model Evaluation (New Technologies)

## Happy Creek Trail / Future Trails

### Brainstorming

- 1 Donations
- 2 Funding Opportunities (Budget)
- 3 Criser Road
- 4 Railroad
  - Shenandoah Greenway - Brochures to see Plan & Seek Donations -
  - Add to existing paths - Add mileage posts - Where the Mountains
- 5 meet the River
- 6 Designate Trails as Priority & Promote
- 7 Grant Opportunities
- 8 Work w/ Tree Stewards (Jim Huttar)
- 9 Alternative Funding Sources (Biking & Hiking Groups)
- 10 Staff Updates to Council