

ORDINANCE
AUTHORIZING ENCROACHMENT OF A CANOPY FOOTER
CONSTRUCTED PARTIALLY ON PROPERTY IDENTIFIED ON CITY TAX MAP 57 AS
PARCEL 22 AND HAVING THE ADDRESS OF 904-906 MONTICELLO RD

WHEREAS Trimont, LLC, the owner of certain property with an address of 904-906 Monticello Rd., identified on City Tax Map 57 as Parcel 22 (City Real Estate Parcel Identification No. 570022000) (the “Property”), has requested City Council to authorize the encroachment of the footers of a canopy support to be constructed on and adjacent to the Property into the public right-of-way of Monticello Rd. (the “Footers”); and

WHEREAS City Staff have reviewed an annotated physical survey plat prepared by Roudabush, Gale, and Associates, Inc and annotated by Kevin O’Brien entitled “Physical Survey Tax Map 57, Parcels 22 & 23, Charlottesville, Virginia” prepared by Roudabush, Gale, & Associates, Inc., dated November 11, 2003, a copy of which is attached hereto and incorporated herein as Exhibit A (the “Plat”) to show the extent of the encroachment of the Footers.

WHEREAS Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950), in effect as of the date this Ordinance is approved, permit the City Council to authorize encroachments upon public rights-of-way, subject to the requirement that the Property owner shall not be relieved of negligence on account of the Encroachment, and further subject to other terms and conditions as City Council may prescribe.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute a deed or other instrument, in a form approved by the City Attorney and suitable for recording among the land records of the City of Charlottesville, to authorize and license the Encroachment within the Monticello Rd. right-of-way as shown on the Plat, subject to the provisions of Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950) in effect as of the date this Ordinance is approved.