

RESOLUTION



DESIGNATING THE CITY OF WAYNESBORO PROPERTIES AT THE ARCH AVENUE SOUTH RIVER GREENWAY ACCESS AS A PUBLIC RECREATIONAL FACILITY

WHEREAS, the City of Waynesboro (the “City”) is the owner of certain lots (the “Critzler Property”) formerly known as the Critzer Trailer Court, located on Race Avenue, and identified on the City tax maps as tax parcels 55-1-16-30, 55-1-16-37, 55-1-15-21, and 55-1-15-29, being the same real estate conveyed from Alan Painter to the City by deed dated June 29, 2005, which deed is recorded in the land records of the Clerk’s Office of the Circuit Court of Waynesboro, Virginia (the “Clerk’s Office”) as Instrument Number 050002153; and

WHEREAS, the City is also the owner of a parcel of land (the “Loth Springs Parcel”) containing 4.413 acres, more or less, and identified on the City tax map as tax parcel 55-2-F, being the same real estate conveyed from E.I. Du Pont De Nemours and Company to the City by quitclaim deed recorded February 8, 2019 in the Clerk’s Office as Instrument Number 190000247. The Loth Springs Parcel provides access from Arch Avenue to the South River Greenway; and

WHEREAS, the City is also the owner of a parcel of land (the “SRP Parcel”) containing 5.0 acres, more or less, fronting on the North side of the South River, acquired from South River Partners, LLC, by deed dated January 6, 2021. The SRP Property is adjacent to the Loth Springs Parcel and the contains a portion of the South River Greenway. The conveyance of the SRP Property to the City was approved and funded by the Trustees of the DuPont Waynesboro - South River/South Fork Shenandoah River/Shenandoah River Natural Resource Damage Assessment and Restoration (“NRDAR”) Restoration Plan/Environmental Assessment (the "Restoration Plan"), subject to certain restrictions contained in the aforesaid deed; and

WHEREAS, the Critzer Property, Loth Springs Parcel, and SRP Parcel are referred to herein as the “Property”; and

WHEREAS, the City has also entered into a Cooperative Agreement to accept additional funds from the Restoration Plan to improve habitat and water quality within the South River by treating runoff from urban sources, reducing phosphorous and nitrogen loads and lessening the volume of runoff reaching the river from the Property; and

WHEREAS, Virginia Code § 15.2-1806 authorizes the City to establish recreation facilities; and

WHEREAS, the Property acquisition and improvements have been approved by the Trustees with the understanding the Property would be designated by the City as a public recreational area; and

WHEREAS, the City Council desires to designate the Property as a public recreational area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA AS FOLLOWS:

1. The Property is hereby designated as a public recreational facility; and
2. The City Manager is hereby authorized to take any actions or execute any documents that are reasonable and necessary to designate and use the Property as a public recreational area in compliance with restrictions established by the NRDAR Trustees.

Resolved this 8th day of March, 2021.

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of a resolution entitled Resolution Designating the City Of Waynesboro Properties at the Arch Avenue South River Greenway Access as a Public Recreational Area, adopted by the City Council at a meeting held on March 8, 2021.

[SEAL]

ATTEST: _____

Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia