

HOUSE BILL NO. 1139

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws)

on _____)

(Patron Prior to Substitute--Delegate Cordoza)

A BILL to amend and reenact § 2.2-2348.1 of the Code of Virginia, relating to Fort Monroe Authority; land and utility ownership.

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2348.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2348.1. Ratification of the ownership of certain lands in the City of Hampton known as Fort Monroe; ownership and operation of utilities.

A. Notwithstanding any other provision of law, the ownership of certain property located in the City of Hampton, Virginia, ~~consisting of 312.75 acres, more or less, generally known as "Fort Monroe," shall be deemed and shown in the land records of the City of Hampton as being owned by the Commonwealth, whether in the name of the Commonwealth or the Fort Monroe Authority, is~~ validly vested in the Commonwealth, with all rights, title, and interest therein, ~~being more particularly described as follows: All that certain lot, piece, or parcel of land situate, lying, and being in the City of Hampton, in the Commonwealth of Virginia, containing 312.75 acres, more or less, described in Exhibit A and illustrated in Exhibit B of that certain Quitclaim Deed recorded in the Clerk's Office of the Circuit Court of the City of Hampton on June 14, 2013, as Instrument No. 130009559.~~

B. Notwithstanding any other provision of law, the ownership of the roads, water, sewer, and other utility services on that certain property located in the City of Hampton, Virginia, consisting of 561.345 acres, more or less, generally known as "Fort Monroe," shall be deemed validly vested in the Commonwealth, being more particularly described as follows: All those certain lots, pieces, or parcels of land situate, lying, and being in the City of Hampton, in the Commonwealth of Virginia, containing 561.345 acres, more or less, described as Parcels A, B, C, D, E, F, G, and H on that certain survey by the

27 Norfolk District Corps of Engineers dated July 20, 2009, last revised November 15, 2012, entitled "Plat
28 Showing 8 Parcels of Land Totaling +/-561.345 Acres Situated on Fort Monroe, Virginia," and recorded
29 in the Clerk's Office of the Circuit Court of the City of Hampton in Instrument No. 130009559 at Pages
30 286 and 287.

31 1. The Authority shall maintain such roads as public rights-of-way to ensure lawful access to the
32 properties within said acreage; however, the Commonwealth may convey its right, title, and interests in
33 such roads to the City of Hampton or the Virginia Department of Transportation, and thereby transfer the
34 obligation to maintain such roads.

35 2. The Authority shall maintain and operate such water, sewer, and other utility services to ensure
36 that the properties within said acreage have access to such utility services; however, the Commonwealth
37 may convey its right, title, and interest in any such utility owned by the Commonwealth to a public or
38 private entity and thereafter transfer the obligation to maintain and operate such utilities.

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