C: Dir., Development

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

February 10, 2015

From: Jared M. Chalk, Senior Business Development Manager

Subject: Norfolk Hotel/Conference MDA Amendment

Reviewed: Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: Marcus D. Jones, City Manager

Item Number: PH-3

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** City of Norfolk

III. **Description**

An ordinance approving an amendment to Exhibit A of the Master Development Agreement entered into with Professional Hospitality Resources, Inc. and the Norfolk Redevelopment and Housing Authority, so as to correct the legal description of the project site, and authorizing the conveyance of a parcel of real property to NRHA, as required by the amended Exhibit A.

IV. **Analysis**

- This ordinance corrects an error in the legal description of the Master Development Agreement that did not include a small strip of land (0.016 acres) that is on the project site.
- This parcel has always been a part of the hotel project and included in the hotel site, however it was unintentionally omitted from the legal description in the MDA.

V. **Financial Impact**

N/A

810 Union Street #1101 ▪ Norfolk, Virginia 23510
Phone: 757-664-4242 ▪ Fax: 757-664-4239

VI. Environmental

N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter has been coordinated with the Department of Development, City Attorney's Office and the City Manager's office.

11/3/14 tsv

Form and Correctness Approved: RAP

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE APPROVING AN AMENDMENT TO EXHIBIT A OF THE MASTER DEVELOPMENT AGREEMENT ("MDA") ENTERED INTO WITH PROFESSIONAL HOSPITALITY RESOURCES, INC ("PHR") AND THE NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY ("NRHA"), SO AS TO CORRECT THE LEGAL DESCRIPTION OF THE PROJECT SITE, AND AUTHORIZING THE CONVEYANCE OF A PARCEL OF REAL PROPERTY TO NRHA, AS REQUIRED BY THE AMENDED EXHIBIT A.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the City Manager is hereby authorized to execute an amendment to the MDA, so as to correct the description of the Project Site in Exhibit A of the Master Development Agreement with PHR and NRHA, substantially in the same form and terms as in the agreement attached as Exhibit 1.

Section 2:- That the conveyance of a parcel of real property to NRHA, as contemplated by the amendment, is hereby approved.

Section 3:- That this ordinance shall be in effect from and after thirty days of its adoption.

Exhibit 1

THIS AMENDMENT to the Master Development Agreement, dated April 5, 2013 ("MDA"), made this day of , 201 , by and **NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY** ("NRHA"), the **CITY OF NORFOLK** ("City"), a municipal corporation of the Commonwealth of Virginia, and **PROFESSIONAL HOSPITALITY RESOURCES, INC** ("Developer"), collectively "the parties".

WITNESSETH:

WHEREAS, the parties have entered into a Master Development Agreement, dated April 5, 2013 whereby Developer is to develop certain property ("Project Site") currently owned by NRHA, as a hotel, conference center and parking facility (the "Project").

WHEREAS, the Project Site Description, which is attached to the MDA as Exhibit A, has failed to include a strip of land that is part and parcel of the Project Site.

NOW, THEREFORE, Exhibit A of the MDA is hereby amended to add the following:

Parcel Six:

Beginning at the southeast corner of parcel SA-2 as shown in map book 59 at pages 117A and 118A recorded in the Clerk's Office of the City of Norfolk, said point being along the northerly line of Main Street; thence departing the aforementioned northerly line of Main Street bearing N 19°36'05" E, a distance of 58.52' to a point; thence n 22°03'51" E, a distance of 5.80' to a point; thence N 20°02'25" E, a distance of 26.62' to a point; thence along a non-tangent curve to the right having a radius of 28.85', an arc length of 14.37' and a chord bearing of S 03°38'57" E to a point; thence N 19°37'35" E, a distance of 14.26' to a point; thence N 18°55'28" E, a distance of 86.00' to a point, thence S 70°26'06" E, a distance of 3.95' to a point, thence S 19°07'00" W, a distance of 99.36' to a point; thence along a tangent curve to the left having a radius of 20.00', an arc length of 13.52' and a chord bearing of S 00°15'02" E to a point; thence S 19°34'15" W, a distance of 92.55' to a point; thence N 67°51'49" W, a distance of 3.18' to the point of beginning,

Said described land containing 704sf or 0.016 acres, more or less.

WITNESS the following signatures and seals:

NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY

_____
Chief Executive Officer

CITY OF NORFOLK

By:_____[SEAL]
City Manager

ATTEST:

_____
City Clerk

PROFESSIONAL HOSPITALITY RESOURCES, INC

By: _____[SEAL]
Chief Investment Officer

APPROVED AS TO CONTENTS:

_____
Deputy City Manager

APPROVED AS TO FORM AND CORRECTNESS:

_____
Deputy City Attorney