

AN ORDINANCE No 85-314-284

ADOPTED DEC 16 1985

To close to public use and travel a portion of Bannister Lane (unimproved) extending westerly from the west right of way line of Wighton Drive and containing 6,125 square feet, more or less, the portion of Bannister Lane to be closed shown shaded on Department of Public Works Drawing No. N-21449, entitled: "Proposed Closing of Bannister Lane, West of Wighton Drive, and the Dedication of a Triangular Parcel of Land on the West Line of Wighton Drive, North of Maplested Lane", upon certain terms and conditions, including dedication of a parcel of land lying on the west right of way line of Wighton Drive shown hatched on the above-identified plan.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That the portion of Bannister Lane (unimproved)
3. extending westerly from the west right of way line of
4. Wighton Drive, containing 6,125 square feet, more or less,
5. shown shaded on Department of Public Works Drawing No.
6. N-21449, entitled: "Proposed Closing of Bannister Lane, West
7. of Wighton Drive, and the Dedication of a Triangular Parcel
8. of Land on the West Line of Wighton Drive, North of
9. Maplested Lane", dated October 31, 1985, which plan is on
10. file in the office of the Department of Public Works and a
11. copy of which is attached to the draft of this ordinance, be
12. and is hereby closed to public use and travel and abandoned
13. as a public street of the City of Richmond, it being no
14. longer needed for public convenience.

1. § 2. This ordinance shall be in force as provided
2. in Section 4.09 of the Charter of the City of Richmond and
3. shall become effective when, within six months from the day
4. this ordinance is in force, (a) the owner or owners of all
5. the property abutting the portion of the aforesaid street
6. (to be closed) consent thereto in writing which consent
7. shall be filed in the office of the City Clerk; (b) Perry E.
8. Jones and Beverly S. Jones make arrangements satisfactory to
9. public utility or public service corporations, including the
10. Department of Public Utilities of the City of Richmond, if
11. requisite, whose properties or facilities are in said
12. portion of the street to be closed for either the removal,
13. relocation or abandonment thereof or for the construction,
14. reconstruction, maintenance and repair thereof, evidence of
15. which shall be in writing and filed in the office of the
16. City Clerk; and (c) Perry E. Jones and Beverly S. Jones bear
17. all cost involved and agree in writing with the City that
18. for themselves, their successors and assigns, they will
19. indemnify, reimburse, keep and hold the City of Richmond
20. free and harmless from liability on account of injury or
21. damage to persons, firms or corporations or property which
22. may result directly or indirectly from the closing of the
23. portion of the street to public use and travel by this
24. ordinance and the obstruction or interference with the flow

1. or overflow of surface or subsurface water resulting
2. directly or indirectly therefrom; and in the event that any
3. suit or proceeding is brought against the City at law or in
4. equity, either independently or jointly with the owners of
5. all the property abutting the portion of said street, or any
6. of them, on account thereof, they will defend the City in
7. any such suit or proceeding at their costs and in the event
8. of a final judgment or decree being obtained against the
9. City, either independently or jointly with the owners of all
10. of the property abutting the aforesaid portion of street to
11. be closed to public use and travel, or any of themf they
12. will pay such judgment or comply with such decree including
13. payment of all costs and expenses of whatsoever nature and
14. hold the City and said owners harmless therefrom.

15. The consents herein required to be executed on behalf
16. of the owners of the real estate abutting the street to be
17. closed to public use and travel shall be in form satis-
18. factory to the City Attorney and filed in the office of the
19. City Clerk. The applicants for the closing of the portion
20. of Bannister Lane shall have the sole responsibility for
21. complying with the terms and conditions herein set out
22. requisite for such ordinance becoming effective.

23. § 3. At such time as the several conditions set out
24. in § 2 of this ordinance, supra, for the closing of said

1. portion of Bannister Lane have been met and satisfied, that
2. portion of Bannister Lane shall cease to be a public street
3. of the City of Richmond and the City of Richmond shall have
4. no further right, title and interest in said portion of
5. Bannister Lane except as set out in this ordinance.

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

December 11, 1985

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of December 9, 1985, the City Planning Commission voted
(8-0) to recommend APPROVAL of:

Ordinance No. 85-314

To close to public use and travel a portion of Bannister Lane
(unimproved) extending westerly from the west right of way
line of Wighton Drive and containing 6,125 square feet, more
or less, the portion of Bannister Lane to be closed shown
shaded on Department of Public Works Drawing No.
N-21449,***upon certain terms and conditions, including
dedication of a parcel of land lying on the west right of way
line of Wighton Drive shown hatched on the above-identified
plan.

The purpose of this paper is to close a short stub portion of Bannister
Lane which extends approximately 120 feet west of Wighton Drive in the
Staffordshire subdivision north of Huguenot Road. The street is 50 feet in
width, is unimproved, and contains no utilities. The right-of-way was
dedicated in conjunction with the original subdivision to enable future
access to an undeveloped three-acre parcel lying in the middle of the
block. The parcel has been split between abutting property owners and no
longer has potential to be subdivided and developed. The petitioner owns
the property at the terminus of the street, as well as the properties on
both sides of the street, and has requested the closing in order to
consolidate his parcels. There are no other abutting property owners. The
street is not needed for circulation or access to adjacent properties.

This paper also provides for dedication by the petitioner of a small (32
square feet) piece of the adjacent property to enable a uniform
right-of-way line along the west side of Wighton Drive.

Very truly yours,

Jon P. Weersing
Secretary

JPW:lk

cc: Perry E. Jones, DDS
Director - Department of Public Works