

AN ORDINANCE No 86-217-202
ADOPTED SEP 8 1986

To close to public use and travel a portion of Westview Avenue lying 259.10 feet, more or less, northerly of the north right of way line of Grove Avenue and extending in a northerly direction 722.56 feet, more or less, varying in width from 15.4 feet to 20 feet, more or less, to the south right of way line of Guthrie Avenue (proposed to be closed), shown "shaded" on plan prepared by the Department of Public Works, Drawing No. O-21515-A, entitled: "Proposed Closing of Guthrie Ave. & a Portion of Westview Ave. in Block Bounded by Grove, Granite, Patterson and Seneca Avenues", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That a portion of Westview Avenue lying 259.10
3. feet, more or less, northerly of the north right of way line
4. of Grove Avenue and extending in a northerly direction
5. 722.56 feet, more or less, varying in width from 15.4 feet
6. to 20 feet, more or less, to the south right of way line of
7. Guthrie Avenue (proposed to be closed), shown "shaded" on
8. plan prepared by the Department of Public Works, Drawing No.
9. O-21515-A, entitled: "Proposed Closing of Guthrie Ave. & a
10. Portion of Westview Ave. in Block Bounded by Grove, Granite,
11. Patterson and Seneca Avenues", dated April 2, 1986, which
12. plan is on file in the office of the Department of Public

1. Works and a copy of which is attached to the draft of this
2. ordinance, be and is hereby closed to public use and travel
3. and abandoned as a portion of a public street of the City of
4. Richmond, said portion of Westview Avenue proposed to be
5. closed being no longer needed for the public convenience.

6. § 2. This ordinance shall be in force as provided
7. in Section 4.09 of the Charter of the City of Richmond and
8. shall become effective when, within twelve months from the
9. day this ordinance is in force, (a) the owner or owners of
10. all the property abutting the aforesaid portion of Westview
11. Avenue (proposed to be closed) consent thereto in writing
12. which consents shall be filed in the office of the City
13. Clerk; (b) Westview Associates, makes arrangements satis-
14. factory to public utility or public service corporations
15. whose properties or facilities are in said portion of the
16. street to be closed for either the removal, relocation or
17. abandonment thereof or for the construction, reconstruction,
18. maintenance and repair thereof, evidence of which shall be
19. in writing and filed in the office of the City Clerk; (c)
20. Westview Associates bears all cost involved and agrees in
21. writing with the City that for itself, its successors and
22. assigns, it will indemnify, reimburse, keep and hold the
23. City of Richmond free and harmless from liability on account
24. of injury or damage to persons, firms or corporations or

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

18. The consent herein required to be executed on behalf of
19. the owners of the real estate abutting the portion of the
20. street to be closed to public use and travel shall be in
21. form satisfactory to the City Attorney and filed in the
22. office of the City Clerk. Westview Associates shall have
23. the sole responsibility for complying with the terms and
24. conditions herein set out requisite for such ordinance
25. becoming effective.

1. If all of the terms and conditions as above set out
2. for this ordinance becoming effective are met and satisfied,
3. should the City of Richmond as the owner of the easterly
4. one-half (6,587 square feet, more or less) of the portion of
5. Westview Avenue so closed adopt an ordinance declaring such
6. easterly one-half of the portion of Westview Avenue so
7. closed surplus and authorize its sale, the City may in said
8. ordinance impose such terms and conditions for the sale
9. thereof as the Council shall deem requisite.

10. § 3. At such time as the several conditions set
11. out in § 2 of this ordinance for the closing of the said
12. portion of the street have been met and satisfied, the
13. portion of Westview Avenue remaining open shall cease to be
14. a street and from such time shall be designated as an alley.

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 86-217	Subject
Requested by City Manager (By Request)	To close a portion of Westview Avenue -- Companion Paper #8 86-218
Received City Manager's Office	
Summarized	

SUMMARY

This Ordinance would close to public use and travel a portion of Westview Avenue between Grove and Guthrie Avenues.

This closing would narrow the present 31-foot wide right-of-way to a standard 16-foot alley width. The closing is intended to preclude access, from a planned 25 unit condominium development, to the streets and to enhance buffers adjacent to the project.

The portion of Westview Avenue to be closed abuts the development site. One-half of the closed portion will be sold to the developer, which will require future City Council action, and the other half will be deeded to the developers at no cost.

No opposition to the closing has been expressed.

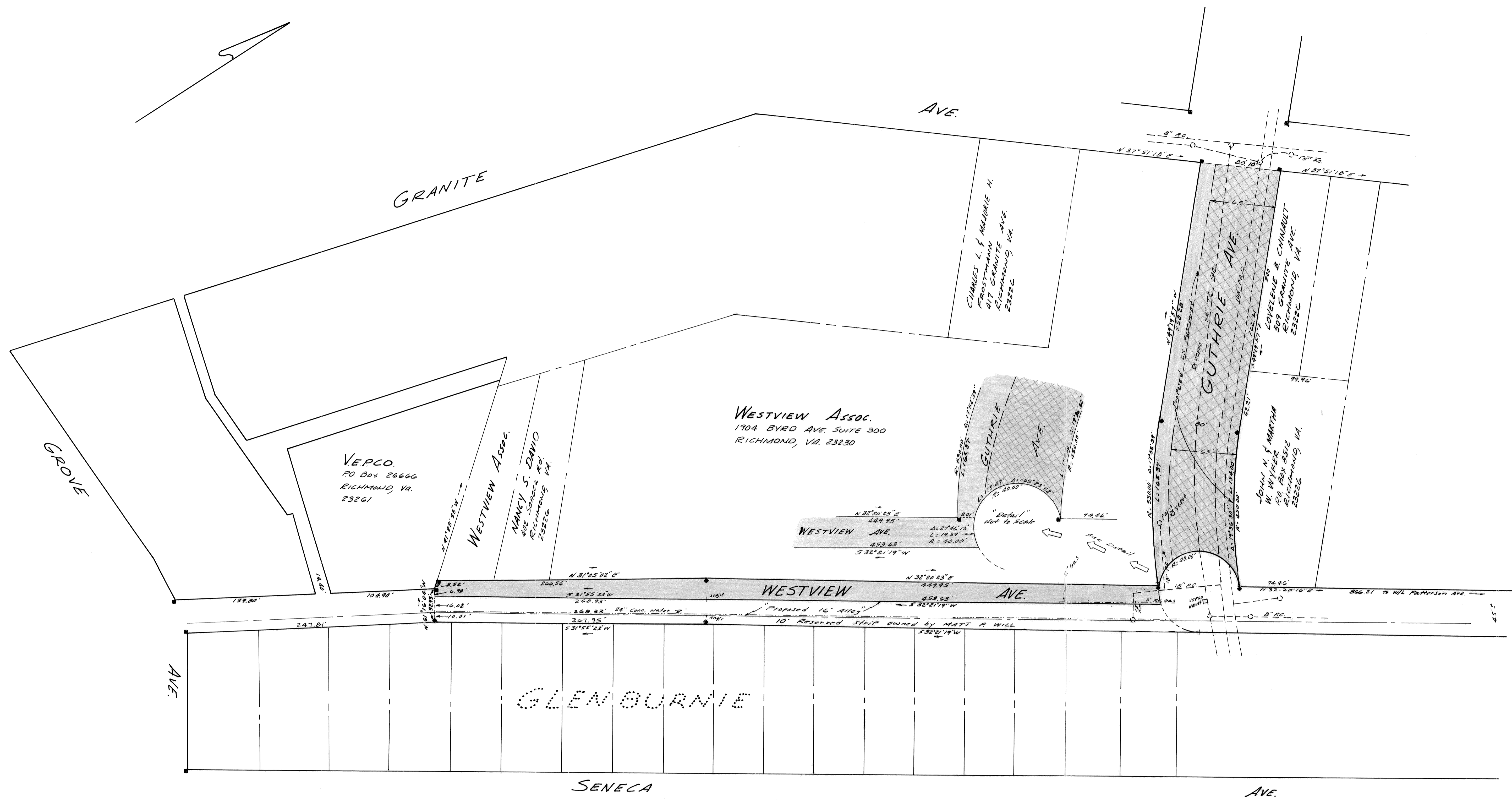
Terms and conditions to include:

1. All related cost to the closing to be borne by applicant;
2. All abutting owners must consent, in writing, to the closing;
3. Public/private utility rights to be protected;
4. Easement for drainage and utilities in Guthrie Avenue to be retained by City; and,
5. Applicants to make necessary improvements of permanent turn-around at their expense -- subject approval by Director of Public Works.

PLANNING COMMISSION APPROVED (6-0) SEPTEMBER 2, 1986

COUNCIL ACTION

On Docket 9/8/86
Amended
Adopted
Rejected



NOTES:

1. Bearings refer to the City of Richmond Plane Coordinate System.
2. Part of Westview Ave. to remain as a Alley shown as "Proposed 16' Alley" = 13,174 ± Sq. Ft.
3. Portions to be Closed Shown Shaded as Thus [Hatched] = 44,679 ± Sq. Ft.
4. Area of Guthrie Ave. to be Closed was acquired by condemnation as per O.B. 484-B-474-400 R.O.C. Area = 31,585 ± Sq. Ft.
5. Proposed Easement to be Retained Shown Cross Hatched as Thus [Cross-hatched] = 29,596 ± Sq. Ft.
6. Portion of Westview Ave. to be Closed that reverts to the City of Richmond as Adjoining owner = 6,587 ± Sq. Ft.

NOTES

1. Cuts and fills shown represent the difference in elevation of ground at property line and the sidewalk grade.
2. Fences, walks, steps, or coping walls adjacent to the street line, affected by the grading of streets, will not be replaced or repaired at the City's expense unless otherwise shown on plan.
3. Lot dimensions in parentheses are from deeds.
4. Property owners correct as of 7-29-86, 1986.

REFERENCES Plans in Proj. Folder

REVISIONS *Dissemination in Westview Ave. changed from a 50' Radius to a 20' Radius. 7-16-86.*

- LEGEND -

Existing Curb	Existing Door or Window (on plan)	Proposed Alley Crossing/Driveway	Existing Alley Crossing/Driveway
" Curb & Gutter	" Entrance Walk (on profile)	Existing Alley Crossing/Driveway	Existing Wheelchair Ramps
" Sidewalk	Grades Furnished by D. P. W.	Proposed Wheelchair Ramps	Existing Wheelchair Ramps
" Catch Basin	Proposed Sewer	Proposed Fire Hydrant	Existing Fire Hydrant
" Sewer	" Sewer Manhole	Castings: Water Valve	Water Meter
" Sewer Manhole	" Catch Basin	Water Meter	Gas Drip
" Gas	" Curb & Gutter	Gas Valve	Gas Valve
" Water	" Sidewalk	Telephone Manhole	Electric Manhole
" Conduit	" Roadway Paving		
" Tree	" Alley Paving		
" Shrubs	Future Curb		
" Entrance Walk	" Curb & Gutter		
" Coping			

Surveys Administrator *[Signature]*
 Streets & Sewers Administrator *[Signature]*
 Permits & Engr. Services Administrator *[Signature]*
 Chief, Bureau of Engineering *[Signature]*
 Director of Public Works

DEPARTMENT OF PUBLIC WORKS
 RICHMOND, VIRGINIA

PROPOSED CLOSING OF GUTHRIE AVE. & A PORTION OF WESTVIEW AVE. IN BLOCK BOUNDED BY GROVE, GRANITE, PATTERSON AND SENECA AVENUES.

AUTHORITY: Director's letter of request from Herbert E. Fitzgerald III dated 1-8-86.

DESIGNED BY <i>[Signature]</i>	REVIEWED BY	FIELD NOTES	SCALE	DATE	PROJECT	DRAWING NO.
DRAWN BY <i>[Signature]</i>	CHECKED BY <i>[Signature]</i>	Blk Book # 332	1" = 50'	4-2-86	1-1-GU-1A	0-21515-A
					SHEET OF	