

AN ORDINANCE No. 87-36-40
ADOPTED MAR 9 1987

To close to public use and travel Uppingham Road extending southerly from the south right of way line of Cherokee Road a distance of 237 feet, more or less, as shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21597-A, dated December 19, 1986, entitled: "Proposed Closing of Uppingham Road, South of Cherokee Road", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Uppingham Road extending southerly from the south right of way line of Cherokee Road a distance of 237 feet, more or less, as shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21597-A, dated December 19, 1986, entitled: "Proposed Closing of Uppingham Road, South of Cherokee Road", which plan is on file in the Department of Public Works and a copy of which is attached to the draft of this ordinance, be and is hereby closed to public use and travel and abandoned as a public street of the City of Richmond, said street being no longer needed for the public convenience.

§ 2. This ordinance shall be in force as provided in Section 4.09 of the Charter of the City of Richmond and shall become effective when, within twelve months from the

day this ordinance is in force, (a) the owners of all the property abutting the street (to be closed) consent thereto in writing which shall be filed in the office of the City Clerk; (b) should the street proposed to be closed by adoption of this ordinance be closed by the satisfaction of all the terms and conditions set out in this ordinance, and the City then declare the closed street surplus, the City of Richmond shall retain easements for drainage, alley and utilities in those portions of the street shown "shaded" and "hatched" on said drawing, and the City of Richmond may impose such additional terms and conditions as Council may deem requisite in an ordinance declaring said property surplus and authorizing its sale.

The consents herein required to be executed on behalf of the owners of the real estate abutting the street to be closed to public use and travel shall be in form satisfactory to the City Attorney. Robert L. Harris and Audrey M. Harris and Harold L. Cole, Jr., and Katherine W. Cole shall be responsible for satisfying all terms and conditions imposed and requisite for this ordinance becoming effective, and shall bear all costs involved therewith.

§ 3. At such time as this ordinance becomes effective, the temporary turnaround easement at the terminus of Uppingham Road shall be abandoned, and the City shall have no further right, title and interest in said easement.



10401 Cherokee Road
Richmond, VA 23235
September 29, 1986

Mr. Robert E. Sarver
Director of Public Works
7th Floor, City Hall
Richmond, VA 23219

Dear Mr. Sarver:

We, the undersigned landowners who own and occupy Lots 1 and 4 abutting Section A in Huguenot Farms, more specifically shown in red on a certain drawing dated July 25, 1956, attached hereto, hereby request that the aforesaid Uppingham Road and undeveloped paper street to be closed to public use and travel or vacated, since such street has never been constructed.

Uppingham Road has been a paper street since its inception and does not serve as a connector between any existing street.

We ask that an ordinance be prepared to carry out this request and that such request be placed on the docket of City Council for October 27, 1986. Enclosed is the required check payable to the City of Richmond in the required amount of \$100.00.

Should you have questions, please contact Robert L. Harris, 10401 Cherokee Road, My telephone number at work is 780-8317, and at home is 272-2761.

Very truly yours,

Robert L. Harris

Robert L. Harris
10401 Cherokee Road

Audrey M. Harris

Audrey M. Harris
10401 Cherokee Road

Harold L. Cole, Jr.

Harold L. Cole, Jr.
10339 Cherokee Road

Katherine W. Cole

Katherine W. Cole
10339 Cherokee Road

APPROVED AS TO FORM:
Audrey M. Harris
Assistant City Attorney

*Consent to closing
ok 5 March 1988*

City of Richmond
City Planning Commission



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

March 3, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of March 2, 1987, the City Planning Commission voted (9-0)
to recommend APPROVAL of:

Ordinance No. 87-36

To close to public use and travel Uppingham Road extending southerly from the south right of way line of Cherokee Road a distance of 237 feet, more or less, as shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21597-A, dated December 19, 1986, entitled: "Proposed Closing of Uppingham Road, South of Cherokee Road", upon certain terms and conditions.

This paper would close to public use and travel an unimproved street known as Uppingham Road, located in the Huguenot Farms area of the City. The right-of-way in question is 50 feet in width and extends 237 feet southwardly from Cherokee Road to a dead-end. It is one of several "stub" streets dedicated in the 1950's for future access to an adjacent 45-acre tract of vacant land. Last September, the Commission approved a tentative subdivision plat for the tract. The subdivision reflects an agreement reached between area homeowners and the developer whereby Uppingham Road would be vacated and a new street further to the east would be dedicated to provide a means of access to the new subdivision. In accordance with that agreement and pursuant to the conditions of the approved subdivision, the two abutting homeowners have petitioned for the vacation of Uppingham Road. The City will retain necessary easements for drainage and utilities. A related paper will be introduced in the near future to convey the vacated right-of-way to the petitioners.

Very truly yours,

Jon P. Weersing
Secretary

JFW:lk

cc: Mr. & Mrs. Robert L. Harris - Petitioners
Mr. & Mrs. Harold L. Cole, Jr. - Petitioners
Director - Department of Public Works

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No.87-36.....	Subject To Close Uppingham Road.
Requested by ...City Manager...By Request....	
Received City Manager's Office	
Summarized3/2/87.....	

SUMMARY

This Ordinance would close to public use and travel an unimproved street known as Uppingham Road, located in the Huguenot Farms area of the City. It does not serve as a connector between any existing street.

Department of Public Works offers no objections; terms and conditions to include:

1. All cost to be borne by the applicant;
2. Public/Private utilities rights to be protected;
3. Drainage, alley, and utility easement to be retained.

Planning Commission granted approval (9 - 0) March 2, 1987.

COUNCIL ACTION

On Docket3/9/87.....
Amended
Adopted
Rejected