

Ord. No. 90-97-142

ADOPTED MAY 29 1991

Ayes: 7 Noes: 0

AN ORDINANCE No. 90-97-142

(As Amended)' **ADOPTED MAY 29 1990**

To close to public use and travel the portion of street right of way that extends west from the west right of way line of Long View Drive near its intersection with Rockfalls Drive, and being more particularly described as follows: beginning at a point in the west right of way line of Long View Drive; thence along a curve to the left having a radius of 25.00, delta of 125° 30' 00" and a length of 54.76 feet to a point; thence S 66° 01' 10" W 32.26 feet to a point in a property line; thence N 29° 14' 25" W 10.04 feet to the south right of way line of a 20-foot private road; thence in an easterly direction along the right of way line of said 20-foot private Road N 66° 01' 10" E 80.95 feet to a point in the westerly right of way line of Long View Drive where it intersects said 20-foot private road; thence in a southerly direction along a slight curve having a radius of 784.25, a delta of 3° 16' 46", and length of 44.89 feet to the point of beginning, as shown shaded on Department of Public Works Drawing No. N-22060, entitled: "Proposed Closing at southwest corner of intersection of Longview and Rockfalls Drives", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by the City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the portion of street right of way that extends west from the west right of way line of Long View Drive near its intersection with Rockfalls Drive, and being more particularly described as follows: beginning at a point in the west right of way line of Long View Drive; thence along a curve to the left having a radius of 25.00, delta of 125° 30' 00" and a length of 54.76 feet to a point; thence

S 66° 01' 10" W 32.26 feet to a point in a property line; thence N 29° 14' 25" W 10.04 feet to the south right of way line of a 20-foot private road; thence in an easterly direction along the right of way line of said 20-foot private Road N 66° 01' 10" E 80.95 feet to a point in the westerly right of way line of Long View Drive where it intersects said 20-foot private road; thence in a southerly direction along a slight curve having a radius of 784.25, a delta of 3° 16' 46", and length of 44.89 feet to the point of beginning, as shown shaded on Department of Public Works Drawing No. N-22060, dated January 24, 1990, and revised March 14, 1990, entitled: "Proposed Closing at southwest corner of intersection of Longview and Rockfalls Drives", a copy of which plat is attached to the draft of this ordinance, be and is hereby closed to public use and travel and abandoned as a portion of a public street of the City of Richmond, it 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 owner or owners of all of the property abutting the aforesaid street, a portion of which street is proposed to be closed, consent thereto in writing, which consent shall be filed in the office of the

City Clerk; (b) Haigh Jamgochian and Elizabeth W. C. Jamgochian make arrangements satisfactory to public utility or public service corporations whose properties or facilities are in said portion of said street for either the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance and repair thereof; (c) Haigh Jamgochian and Elizabeth W. C. Jamgochian bear all cost involved and agree in writing with the City that for themselves, their successors and assigns, they will indemnify, reimburse, keep and hold the City of Richmond free and harmless from liability on account of injury or damage to persons, firms or corporations or property which may result directly or indirectly from the closing of the aforesaid portion of said street to public use and travel by this ordinance and the obstruction or interference with the flow or overflow of surface or subsurface water resulting directly or indirectly therefrom; and in the event that any suit or proceeding is brought against the City at law or in equity, either independently or jointly with the owner or owners of all the property abutting the aforesaid portion of said street, or any of them, on account thereof, to defend the City in any such suit or proceeding at their costs; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the owner or owners of all of the property abutting the

aforesaid portion of the street to be closed to public use and travel, or any of them, to pay such judgment or comply with such decree including payment of all costs and expenses of whatsoever nature and hold the City harmless therefrom;

(d) the City shall retain a 16-foot sewer easement and utilities easements (surface and underground drainage and underground and overhead utilities, subject to the right of the City to establish an alley on said easements at any future time without cost to the City) in the portion of the street to be closed; and a continued access easement shall remain in effect throughout the said proposed closed area to provide ingress and egress for those persons having a vested interest over the right of way of the 20-foot private road shown on DPW Drawing No. N-22060; (e) Haigh Jamgochian and Elizabeth W. C. Jamgochian shall be responsible for constructing, reconstructing, extending curbing, placing gutters and sidewalks across the termini of the portion of the street to be closed so as to give the appearance that the closed portions are not owned or maintained by the City, as approved by the Director of Public Works, unless waived by the Director of Public Works, and (f) Haigh Jamgochian and Elizabeth W. C. Jamgochian shall be solely responsible for satisfying all terms and conditions requisite for the closing of said portion of said street and shall provide the Survey Division of the Department of Public Works and the

City Clerk's office with written evidence that all conditions of this ordinance have been satisfied.

§ 3. This ordinance shall be in force upon satisfaction of the terms and conditions set out above and shall become effective simultaneously with an ordinance accepting the dedication of land in the area from Haigh Jamgochian for street purposes.

ORDINANCE OR RESOLUTION SUMMARY

CITY OF RICHMOND, VIRGINIA

Resolution		* Subject
Ordinance No. <u>90-97</u>		* CLOSE PORTION OF AN UNIMPROVED
Patron(s) <u>City Manager (By Request)</u>		* RIGHT-OF-WAY AT ROCKFALLS AND
		* LONGVIEW DRIVES
		* *

SUMMARY

This Ordinance would close to public use and travel and unimproved right-of-way that extends from the intersection of Rockfalls and Longview Drives 84 sq. ft. west and parallel to Branch Road (a private road).

The Department of Public Works has recommended the closing. The unimproved right-of-way is not necessary for public purposes. The closing would enable more efficient use of the abutting property, eliminate a City maintenance responsibility and place the right-of-way on the tax rolls.

Planning Commission voted approved (8-0) May 21, 1990.

Campanion paper item #1 Ordinance No. 90-96.

COUNCIL ACTION

- * _____
- * On Docket 4/23/90, 5/29/90
- * _____
- * Amended _____
- * _____
- * Adopted _____
- * _____
- * Rejected _____
- * _____
- * Stricken _____

ORDINANCE OR RESOLUTION SUMMARY

CITY OF RICHMOND, VIRGINIA

<u>Resolution</u>	* Subject
<u>Ordinance No. 90-97</u>	*
<u>Patron(s) City Manager (by request)</u>	*CLOSE PORTION OF UNIM- *PROVED RIGHT-OF-WAY AT *ROCKFALLS & LONGVIEW DR. *

SUMMARY

CONTINUE THIS PAPER UNTIL MAY 14, 1990.

REASON: Opposition to the closing has been expressed by an adjoining property owner. The petitioner has requested the continuance to allow time to work out an amendment which is to be presented at the May 14, 1990 meeting.

Companion Paper Item No. 14 Ord. No. 90-96.

COUNCIL ACTION

- * On Docket 4/23/90
- * Amended _____
- * Adopted _____
- * Rejected _____
- * Stricken _____

MISCELLANEOUS
RECEIPTS



No 000754

City of Richmond, Virginia.

DEPARTMENT OF Finance
BUREAU OF Security & Control

DATE: October 18, 1984

RECEIVED FROM: Naresh Gangopachian

AMOUNT RECEIVED: \$ 100.00 M.O.

FOR: fee for council paper

IN CASH
BY CHECK NO 739 dated 10/18/84

"DEPOSIT MADE AS
REQUIRED BY LAW"

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YELLOW-REMAIN ATTACHED IN BOOK

RECEIVED BY: [Signature]