

INTRODUCED: October 27, 2014

AN ORDINANCE No. 2014-236-217

To close, to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street, consisting of 3,842± square feet, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 8 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street and consisting of approximately 3,842 square feet, are hereby closed to public travel as alleys of the City of Richmond, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28512, dated September 10, 2014, and entitled “Proposed Closing to Public Use and Travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter ST., W. 12th St., Bainbridge St., and W. 13th St.,” a copy of which drawing is attached to this ordinance.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 8 2014 REJECTED: _____ STRICKEN: _____

§ 2. That section 1 of this ordinance shall become effective only when, within 36 months from the day this ordinance is adopted, the following conditions set forth in this section have been satisfied:

(a) The applicant bears all costs associated with the closing, including, but not limited to, realignment, relocation or removal of utilities or infrastructure, installation of new utilities or infrastructure, new or revised street name or directional signs, streetlights, and similar infrastructure, as required by City agencies, and agree in writing with the City that, for themselves, their successors and their assigns, they shall indemnify, reimburse, and keep and hold the City free and harmless from liability on account of injury or damage to persons, firms, corporations or property, which may result directly or indirectly from the closing of the right-of-way to public use and travel by this ordinance and from the interference with the drainage, 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 alleys, or any of them, on account thereof, they shall defend the City in any such suit or proceeding at its cost; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the property owner or owners granting consent for the aforesaid right-of-way to be closed to public use and travel, they shall pay such judgment or comply with such decree including payment of all costs and expenses or whatsoever nature and hold the City harmless therefrom.

(b) The applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the alley area to be closed either for the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance

and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) The applicant obtains consent to the closing from each of the owners of land, buildings or structures from whom consent is required under section 90-327 of the Code of the City of Richmond (2004), as amended, which consents shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(d) The applicant removes all cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials from the right-of-way area to be closed and delivers all such cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials in an undamaged and cleaned condition to a location determined by the Director of Public Works.

(e) The applicant has (i) constructed two paved roadways, each at least 20 feet wide, connecting 12th Street and 13th Street in the locations depicted on DPW Drawing No. N-28512, prepared by the Department of Public Works, dated September 10, 2014, and entitled “Proposed Closing to Public Use and travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter St., W. 12th St., Bainbridge St., and W. 13th St.” and (ii) granted the City easements in a form approved by the City Attorney over, under, and across each of these two roadways for access, utilities, refuse collection, emergency services, and any other City functions or services.

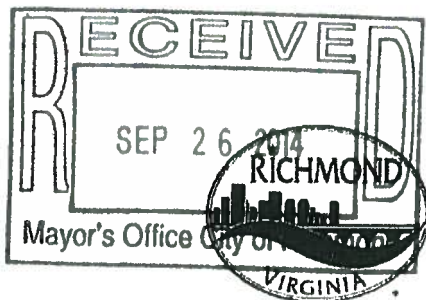
(f) The applicant satisfies all terms and conditions requisite for the closing of the alley area to be closed by this ordinance and provides the Office of the City Attorney and the Office of the City Clerk with written evidence that all terms and conditions of this ordinance have been satisfied.

§ 3. That because the alleys identified in section 1 of this ordinance are being closed to allow for the construction of a development, the construction of the development shall be substantially in accordance with an untitled and undated drawing depicting the planned configuration of the development prepared by APEX Design Group, PLLC, a copy of which is attached to and incorporated into this ordinance. Both the Director of Planning and Development Review and the Director of Public Works must approve in writing any deviation of the configuration of the development as constructed from the configuration depicted on the drawing. If the configuration of the development as constructed deviates from the configuration depicted on the drawing and either the Director of Planning and Development Review or the Director of Public Works, or both, have not approved such deviation in writing, this ordinance shall be null and void.

§ 4. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to accept from the applicant the dedication of the respective interests in the portions of property described in subsection (e) of section 2 of this ordinance, provided the City Attorney or the designee thereof has first approved as to form the deeds and other documents necessary to consummate such dedications.

§ 5. That, at such time as section 1 of this ordinance becomes effective, the City shall have no further right, title or interest in the closed rights-of-way other than that expressly retained under the provisions of this ordinance or granted to satisfy the terms and conditions set out in this ordinance.

§ 6. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O & R REQUEST

SEP 18 2014

Chief Administration Office
City of Richmond

O&R REQUEST

DATE: September 16, 2014 **EDITION:** 1

TO: The Honorable Members of City Council

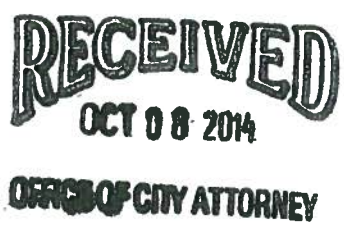
THROUGH: Dwight C. Jones, Mayor (By Request) *D Jones*

THROUGH: Christopher L. Beschler, Interim Chief Administrative Officer *CB*

THROUGH: James A. Jackson, Director
Department of Public Works *J Jackson*

THROUGH: M.S. Khara, P.E., City Engineer
Department of Public Works *M Khara*

FROM: Doug Mawby
Department of Public Works *D Mawby*



RE: **PROPOSED CLOSING OF TWO PUBLIC ALLEYS IN THE BLOCK BOUNDED BY BAINBRIDGE, PORTER, 12TH AND 13TH STREETS, AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ACCEPT THE DEDICATION OF EASEMENTS FOR THE CITY TO USE FOR ACCESS, UTILITIES, AND OTHER CITY PURPOSES.**

ORD. OR RES No. _____

PURPOSE: To close to public use and travel two public alleys in the block bounded by Bainbridge, Porter, 12th and 13th Streets containing approximately 3,842 square feet and to accept the dedication of two easements for the City to use for access, utilities, and other city uses as shown enclosed with bold lines and illustrated on a plan prepared by the Department of Public Works, designated as DPW Dwg. No. N-28512 dated 09-10-2014 (Project No. S-86-AC), entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF TWO ALLEYS AND THE DEDICATION OF TWO EASEMENTS IN THE BLOCK BOUNDED BY PORTER ST., W 12TH ST., BAINBRIDGE ST., AND W 13TH ST." at the request of the Adjacent land owner, Urban Development Associates, LLC.

REASON: Letter of request dated December 13, 2012 from Urban Development Associates, LLC, where the applicant states their desire to consolidate the entire block for a residential redevelopment project.

RECOMMENDATIONS: The Department of Public Works offers no objections to the proposed right-of-way closing and dedication, and requests that any approvals be subject to, and including without limitation, the following terms and conditions:

1. The applicant(s)/owner(s)/successor(s) shall be responsible for any and all costs associated with the proposed closing, including without limitation, realignment, relocation, or removal of utilities or

- infrastructures, installment of new utilities or infrastructures, new or revised street name or directional signs, streetlights, etc., as required or directed by City Agencies.
2. The applicant(s)/owner(s)/successor(s) shall identify and protect the rights of any public and/or private owners or utilities who may have a vested interest or facilities in subject right-of-way.
 3. A twelve-month expiration clause shall be included whereby all conditions must be satisfied by the applicant(s)/owner(s)/successor(s) within twelve (12) months of the ordinance adoption date, unless a different timeframe is explicitly noted for a particular condition, and approved by the City before the ordinance can go into effect.
 4. The applicant(s)/owner(s)/successor(s) shall be responsible for storm water runoff in the area to be closed.
 5. The applicant(s)/owner(s)/successor(s) shall be responsible for obtaining the written consent of all abutting landowners to the closing.
 6. Any City infrastructure components that may be located within the right-of-way to be closed shall be carefully collected, securely stored and transported to a City facility (specific location to be determined when the move it to occur). This includes, but is not limited to, cobblestones, bricks and granite curb.
 7. Any public utilities located within the alleys to be vacated shall be abandoned in accordance with DPU Standards/Policies as part of the site redevelopment at the applicant's expense.
 8. The alleys are to be closed to allow for new construction. This construction must adhere to the general configuration illustrated in a drawing provided to the departments of Public Works and Planning and Development Review and attached as Exhibit A. Significant deviation from this schematic plan, as determined by Planning and Development Review and Public Works will render the closing null and void.
 9. The applicant(s)/owner(s)/successor(s) shall construct two paved roadways connecting 12th and 13th street at least 20 feet in width and in the locations shown on DPW Dwg. No. N-28512; and shall grant easements to the City over, under, and across such roadways for City uses including, but not limited to, access, utilities, trash collection, emergency and any other City services.
 10. The value of the closed rights of way has been determined to be \$31,350.72 based on the assessed value of the adjacent land. This land value will not be assessed to the applicant based on the dedication of new easements across the property
 11. The applicant(s)/owner(s)/successor(s) is responsible for providing the City Attorney's Office with written evidence that all conditions of the ordinance have been satisfied. Should this written evidence not be submitted to the said offices prior to the expiration date, twelve months after final approval of the ordinance, the ordinance will become null and void automatically.

BACKGROUND: The applicant requests the closure of these alleys to consolidate the property within the noted City block in order to develop new residential buildings. At the time of the original request the applicant's proposed plan did not conform to the long term goals of the City regarding density and neighborhood design. After receiving input from the Department of Planning and Development Review, the applicant reworked their plan to a form that is acceptable to PDR (Exhibit A).

In order to meet the needs of all City agencies and gain approval for the alley closure, the applicant has agreed to build the plan substantially as shown on Exhibit A and to dedicate easements to the City for City use. These easements will allow access for fire apparatus and refuse collection as well as the potential for the installation of public utilities that benefit the new construction.

Other reviewing administrative agencies offered no objections to the closing request.

The value of the right-of-way to be vacated, approximately 3,842 sf, has been set at \$31,350.72. This is based on the assessed value of the surrounding properties: \$8.16 per square foot. This amount is customarily paid to the City by the applicant. In this case the fee is to be waived as the value to the City of the newly dedicated easements (total area of 10,288sf) exceeds that of the alleys to be closed. The alleys proposed to be vacated are of inconsistent size and do not go all the way through the block. The easements to be dedicated will provide the City with two ample width passageways from one side of the block to the other.

FISCAL IMPACT/COST: None anticipated.

FISCAL IMPLICATIONS: None anticipated.

BUDGET AMENDMENT NECESSARY: No amendment necessary at this time.

REVENUE TO CITY: \$300.00 application fee

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: October 13, 2014

CITY COUNCIL PUBLIC HEARING DATE: October 27, 2014

REQUESTED AGENDA: Consent Agenda.

RECOMMENDED COUNCIL COMMITTEE: Land Use Housing and Transportation Standing Committee

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission

AFFECTED AGENCIES: Public Works; Law Department; Planning and Development Review; Public Utilities; Economic and Community Development; Assessor; Budget and Strategic Planning; Fire Department; Police Department, Mayor's Office, CAO's Office, Finance, Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Applicant's request letter, DPW Dwg. No. N-28512, Exhibit A

STAFF:

Prepared for James Jackson

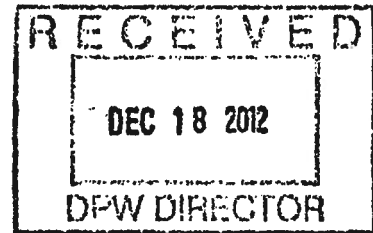
Prepared by Doug Mawby

Research and Drawing Coordinated By: Marvin Anderson and James Flannery

Department of Public Works

646-0435

*The Rawn Group
1816 Park Avenue
Richmond, Virginia 23220
804.397.0257
jjrawn@gmail.com*



December 13, 2012

Mr. James Jackson
Director of Public Works
City of Richmond
Suite 701
900 E. Broad Street
Richmond, VA 23219

Re: Request to Vacate Two Alleys within Tax Parcel , Block S-86
City of Richmond, Virginia

Dear Mr. Jackson:

At the request of Msrs. Robin Miller & Daniel Gecker, Principals of Urban Development Associates, LLC, please accept this letter and enclosed Survey Plat as formal application for the City of Richmond to Vacate, Abandon and Deed ownership of the property contained in the two alleys shown "cross-hatched" on said Plat, to the adjoining property owners, Urban Development Associates, LLC.

Urban Development Associates, LLC, (hence "Urban") owns in excess of 100 parcels in the Old Manchester neighborhood. Over the last 10+ years, Urban and its principals have developed well in excess of 150 residential units (apartments, condominiums and single family homes). Much of this work has occurred during the past several years in which the economy has been less than stellar.

Urban's architects have been diligently working on plans to develop one of the larger parcels it owns in Old Manchester, known as Block S-86 on the City's Tax Maps. This property will become known as Manchester Green. While current zoning will permit Urban to build approximately 90 dwelling units on this beautiful

full city block, located between Bainbridge and Porter Streets (East & West) and 12th and 13th Streets (North & South). Urban is giving strong consideration to building somewhat fewer homes in order to maximize available green space within and around the final product. It is Urban's desire to create a mixed use, mixed income, mixed size and mixed ownership/rental property that will be quite unlike most projects that have been created in the City in recent years. Rather, this new property will be much more like many whole blocks in the Fan District in which such variety of uses, sizes, incomes and ownership are abundant.

Currently, there are two public alleys located within this block. The block is totally vacant, with several large trees and covered by grass. There are no power lines, telephone or cable. It is unlikely that Urban will need to access underground utilities that may exist and if they do, necessary easements can be negotiated and granted at that time. Urban desires this alley closing prior to completion of its designs for this property because it desires the necessary freedom from constraints required by these challenging economic times.

We appreciate your assistance with handling this matter in your usual expeditious manner. Please feel free to call or write to me if you have any questions or items that you wish to discuss.

Very truly yours,



Jeffrey J. Rawn
The Rawn Group

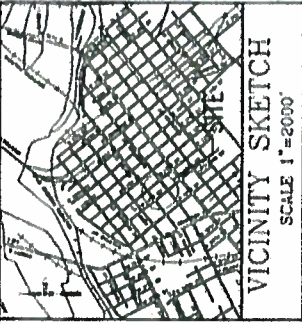
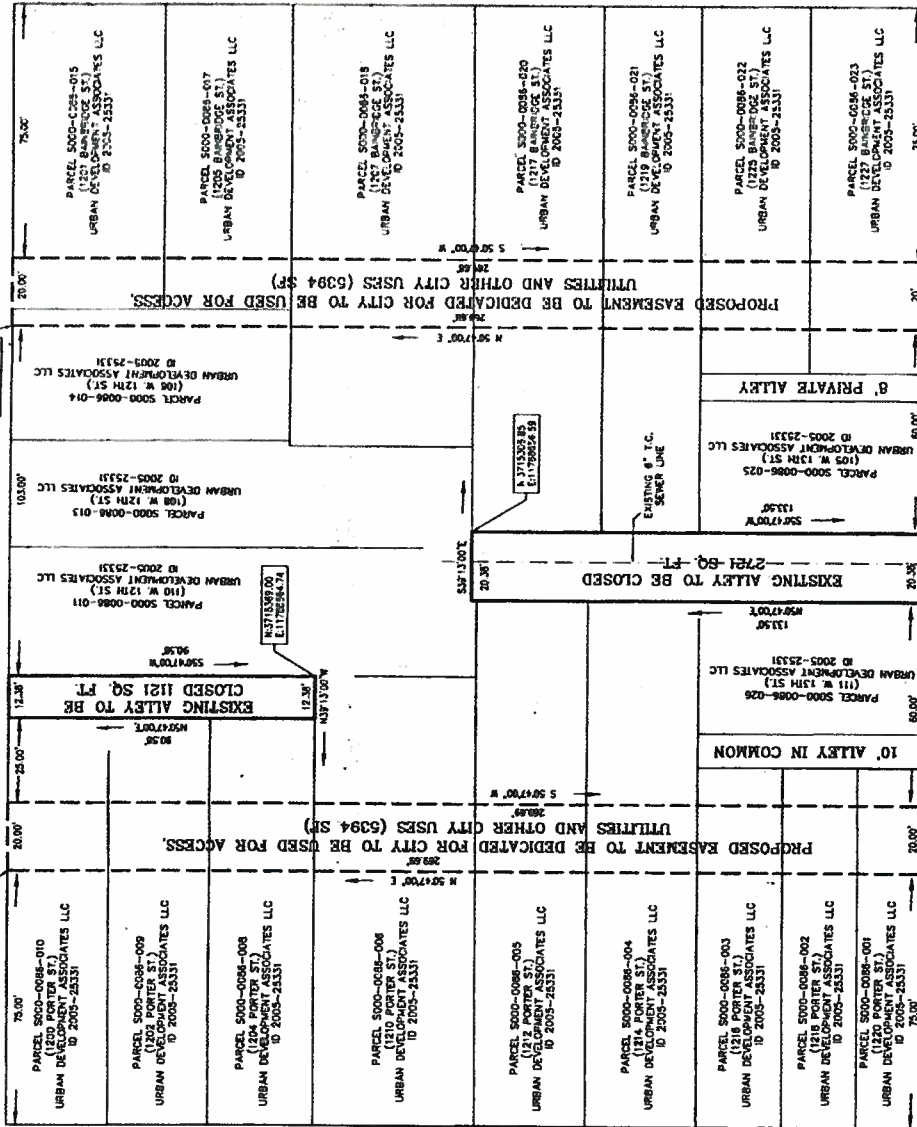
jjrawn@gmail.com
804.397.0257

W 12TH STREET
(PUBLIC 33' R/W)

PORTER STREET
(PUBLIC 66' R/W)

BAINBRIDGE STREET
(PUBLIC 66' R/W)

W 13TH STREET
(PUBLIC 33' R/W)



NOTE:
1. AREA OF ALLEYS PROPOSED TO BE CLOSED SHOWN IN BOLD 3842 SQ. FT. ±
2. AREAS PROPOSED TO BE DEDICATED AS EASEMENTS FOR THE CITY TO USE FOR ACCESS, UTILITIES AND OTHER CITY USES ARE SHOWN IN DASHED BOLD LINES 10788 SQ. FT. ±
3. THE DRAWING IS BASED ON A COMPILED OF DATA FROM RECORD SOURCES AND A L&L SURVEY PLAT SHOWING THE DEDICATION OF TWO ALLEYS IN THE VACATION OF TWO ALLEYS WITHIN TAX PARCEL BLOCK S-56 CITY OF RICHMOND, VIRGINIA DATED AUGUST 27, 2014



Council District 6 Block No. S-56

<p>NOTES</p> <ol style="list-style-type: none"> 1. Lot dimensions in parentheses are from deeds. 2. Property owners correct as of September 10, 2014 3. Ordinance No. 4. Adopted. 5. Accepted. 	<p>Richmond Virginia</p> <p>Surveys Division Room 600 City Hall 900 E. Broad Street, Richmond, Va. 23219</p>	<p>DEPARTMENT OF PUBLIC WORKS RICHMOND, VIRGINIA</p>	<p>DRAWN BY: JIF CHECKED BY: MFA</p>	<p>FIELD NOTE</p>	<p>SCALE 1"=25'</p>	<p>DATE 9-10-2014</p>	<p>PROJECT S-66-AC</p>	<p>DEARING NO. N-28512</p>
<p>PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF TWO ALLEYS AND THE DEDICATION OF TWO EASEMENTS IN THE BLOCK BOUNDED BY PORTER ST., W. 12TH ST., BAINBRIDGE ST., AND W 13TH ST. REQUESTED BY: JEFFERY J. BARK, THE RAVY GROUP</p>								

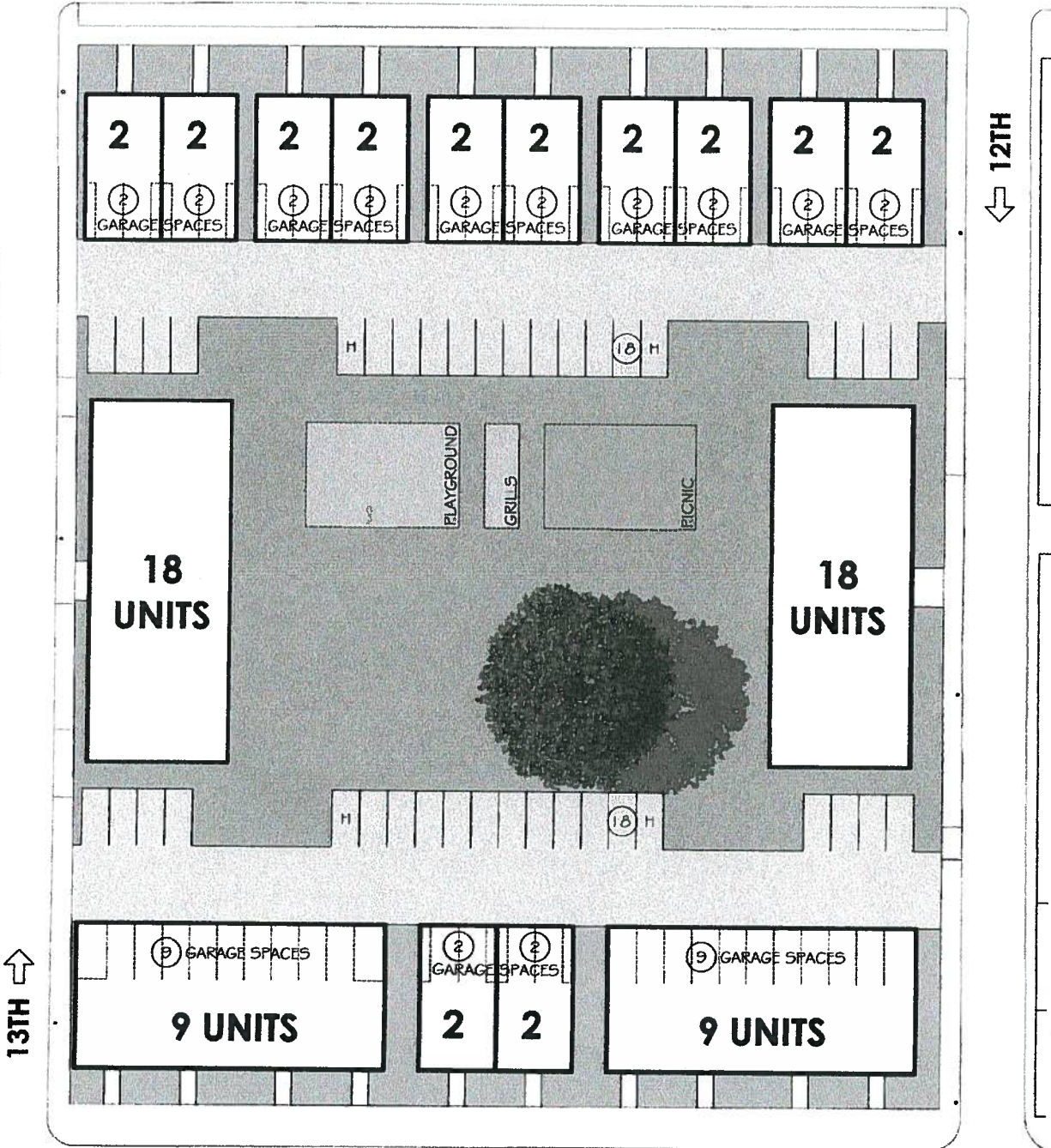
REFERENCES: BL 115W, M-21294-A

REVISIONS

Drafting Technician
Surveys Superintendent

[Signature]
[Signature]

PORTER



MANCHESTER: S-86
04-18-2014
1/32" = 1'

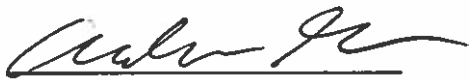
BAINBRIDGE

78 UNITS
82 SPACES

ALLEY CLOSURE

Following is a copy of Ordinance No. 2014-236-217, adopted December 8, 2014, and all of the required written evidence of satisfaction by the applicant (the "documents").

All of the documents have been approved by the City Attorney's Office.



Andrew A. Gore
Assistant City Attorney

INDEMNITY AGREEMENT

THIS INDEMNITY AGREEMENT (this "Agreement") dated as of this 30th day of November, 2017, is made by and between MANCHESTER GREEN, LLC, a Virginia limited liability company, (the "Indemnitor") and the CITY OF RICHMOND, a municipal corporation of the Commonwealth of Virginia, (the Indemnitee").

RECITALS:

1. Pursuant to that certain Ordinance No. 2014-236-217, adopted December 8, 2014, Indemnitee closed to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street, consisting of 3,842 square feet, upon certain terms and conditions (the "Ordinance"); and
2. Indemnitee required, as a condition of the Ordinance, that Indemnitor indemnify and hold Indemnitee harmless against and from any obligations for which Indemnitee may incur liability by reason of the closure of the right-of-way to public use and travel by Ordinance from interference with the drainage, flow or overflow of surface or subsurface water (collectively, the "Closure Activities").

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:


1. **Recitals**. The foregoing recitals are incorporated into this Agreement by reference.
2. **Indemnity**. Indemnitor shall indemnify, reimburse, and keep and hold the Indemnitee free and harmless from liability on account of injury or damage to persons, firms, corporations or property, which may result directly or indirectly from the Closure Activities; and in the event that any suit or proceeding is brought against the Indemnitee at law or in equity, either independently or jointly with the owner or owners of all property abutting aforesaid alleys, or any of them, on account thereof, they shall defend the Indemnitee in such suit or proceeding as its cost; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the property owner or owners granting consent for the aforesaid right-of-way to be closed to public use and travel, they shall pay such judgment or comply with such decree including payment of all costs and expenses or whatsoever nature and hold the Indemnitee harmless therefrom.
3. **Severability**. If any clause or provision herein contained operates or would prospectively operate to invalidate this Agreement in whole or in part, then such clause or provision shall be deemed as though not contained herein and the remainder of the Agreement shall remain operative and in full force.

4. Successors and Assigns. This Agreement shall be binding upon Indemnitor's successors and assigns.
5. Controlling Law. This Agreement shall be governed by, and construed in accordance with, the laws of the Commonwealth of Virginia.
6. Counterparts. This Agreement may be executed simultaneously in counterparts, each of which shall be deemed an original, but all of which shall together constitute one and the same instrument.

Witness the following signatures:

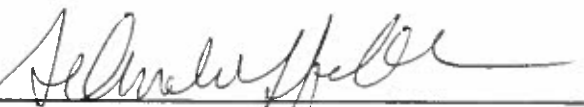
INDEMNITOR

Manchester Green, LLC, a Virginia limited liability company

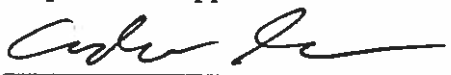
By: 
Name: ROBERT W. MILLER JR
Title: MANAGER

INDEMNITEE

CITY OF RICHMOND, VIRGINIA, a municipal corporation of the Commonwealth of Virginia

By: 
Name: Selena Cuffee-Glenn
Title: Chief Administration Officer
Pursuant to Ordinance No. 2014-236-217, adopted December 8, 2014

Prepared and approved as to form:


Andrew Gore
Assistant City Attorney



Chris Blake

From: Chris Blake
Sent: Monday, November 13, 2017 11:04 AM
To: 'Diebel, Rena L. - City Attorney'
Cc: Hayward Taylor; Real Estate; Gore, Andrew A. - City Attorney; 'Copples, Brian - DPW'
Subject: RE: Ordinance #2014-236-217
Attachments: Miss Utility Tickets Thursday, November 9, 2017 (1).pdf; MG Consent to close alleys .pdf; Manch Green LLC Operating Agreement.pdf; Manchester Green Certificate of Fact Monday, November 13, 2017 (1).pdf

Good morning, Rena. Please find the attached Miss Utility tickets that provide confirmation that there are no utilities in the two alleyways that will be closed as part of the Manchester Green project. I've also attached a letter of consent from the adjacent landowner, SCC certificate, and the operating agreement for Manchester Green that will provide proof of authority for the parties signing on behalf of the entity. This should take care of items b and c on your list below.

I've emailed Brian Copples at DPW to enlist his help with item d, but there weren't any cobblestones located in the two alleys, so there was nothing that needed to be removed and relocated. I've also instructed our surveyor to provide us with an as-built survey for the privately owned, newly constructed alleys that we intend to give the city the right to use and wanted to confirm that this will sufficiently address item e. Please let me know.

Once we receive the indemnification and the language for the access agreements, I will send over the final letter confirming that that all of the requirements have been met. If I need to get our attorney working on anything please let me know. Thanks for your help.

Chris Blake
Miller & Associates
116 E. Franklin Street
Richmond, VA 23219
(mobile) 804.363.9177
(fax) 804.344.5404

From: Diebel, Rena L. - City Attorney [mailto:Rena.Diebel@richmondgov.com]
Sent: Friday, November 3, 2017 2:11 PM
To: Chris Blake <chris.blake@robinmillerassociates.com>
Cc: Hayward Taylor <hayward@ttlaw.com>; Real Estate <realestate@ttlaw.com>; Gore, Andrew A. - City Attorney <Andrew.Gore@richmondgov.com>
Subject: RE: Ordinance #2014-236-217

Good afternoon Chris.

The below is a list of the items that the City will require in order to complete this process.

- a. Indemnification (we are drafting this now)
- b. Proof from public utility companies that there are no facilities in the area OR that you have made satisfactory arrangements to move them. This can be as simple as an email from Miss Utility, Verizon, etc.
- c. Consent of closing from each owner of land. It appears that Urban Development Associates LLC is the only land owner in and around these areas. If that is the case, we will need a letter of consent. I realize it may be your entity but the letter is a requirement. We will also need SCC paperwork showing that the entity is in good standing and proof of authority for the party signing on behalf for the entity.

Chris Blake

From: tickets@missutilityofvirginia.com
Sent: Tuesday, November 7, 2017 8:47 AM
To: Chris Blake
Subject: VUPS EMLCFM 2017/11/07 #01001 A731100443-00A NORM NEW LREQ

EMLCFM 01001 VUPSa 11/07/17 08:47:12 A731100443-00A NORMAL

Ticket No: A731100443-00A NEW GRID NORM LREQ
Transmit Date: 11/07/17 Time: 08:47 AM Op: 1MRA
Call Date: 11/07/17 Time: 08:34 AM
Due By Date: 11/13/17 Time: 07:00 AM
Update By Date: 11/29/17 Time: 11:59 PM
Expires Date: 12/04/17 Time: 07:00 AM
Old Tkt No: A731100443
Original Call Date: 11/07/17 Time: 08:34 AM Op: 1MRA

City/Co: RICHMOND CITY **Place:** **State:** VA
Address: Street: W 13TH ST
Cross 1: PORTER ST

Type of Work: HOME CONSTRUCTION
Work Done For: URBAN DEVELOPMENT ASSOCIATES
Excavation area: FROM THE INTERSECTION OF W 13TH ST AND PORTER ST TRAVEL APPROX 150 FT SOUTH TOWARD BAINBRIDGE ST TO THE ALLEYWAY ON YOUR LEFT, WORK STARTS HERE:
STARTING AT THE ROADWAY, NEED THIS ENTIRE ALLEYWAY CONTINUING TO ITS END, GOING TOWARD W 12TH ST.

THIS ALLEY IS 20.38 FT WIDE AND 133.5 FT LONG.

CALLER PLANS TO PRE MARK

Excavation Map Link: [Click This Link To View Your Ticket Map Area](#)

Instructions:

Whitelined: N **Blasting:** N **Boring:** N

Company: MILLER AND ASSOCIATES **Type:** CONT
Co. Address: 116 E FRANKLIN ST **First Time:** Y
City: RICHMOND **State:** VA **Zip:** 23219
Company Phone: 804-363-9177
Contact Name: CHRIS BLAKE **Contact Phone:**
Email: chris.blake@robinmillerassociates.com

Mapbook: 315G7
Grids: 3731C7726A-24 3731C7726A-33 3731C7726A-34 3731C7726A-43
Grids: 3731C7726A-44 3731C7726B-20 3731C7726B-21 3731C7726B-30
Grids: 3731C7726B-31 3731C7726B-40

Members:

CMC502 = COMCAST (CMC) COR103 = CITY OF RICHMOND (COR)
COR200 = CITY OF RICHMOND (COR) COR300 = CITY OF RICHMOND (COR)
DOM410 = DOMINION ENERGY INC (DOM) V2N804 = VERIZON (V2N)

Seq No: 1007 A

Chris Blake

From: tickets@missutilityofvirginia.com
Sent: Thursday, November 9, 2017 9:41 AM
To: Chris Blake
Subject: VUPS EMLCFM 2017/11/09 #01510 A731100443-00A NORM RESP LREQ

EMLCFM 01510 VUPSa 11/09/17 09:40:31 A731100443-00A RESPONSE

Thank you for contacting VA811! This is an automatically generated response from the utilities who received your notice of excavation. If you have questions about the response, call the "field contact" for that utility. For your safety, please respect and protect the marks, excavate carefully around the marked utility lines and contact VA811 if you see clear evidence of unmarked utilities.

Remember, you can now reach VA811 by dialing 811.

Ticket : A731100443 Rev: 00A Taken: 11/07/17 08:34 AM

State: VA Cnty: RICHMOND CITY Place:
Address : W 13TH ST
Responses due by: 11/13/17 07:00 AM Expires: 12/04/17 07:00 AM

When the member Marking Code is blue, click for additional information that may be provided by the Operator/Locator.

Marking Code	Description	Response
CMC	COMCAST (CMC502) No Conflict; utility is outside of stated work area. Field Contact: CABLE PROTECTION SERVICES (804)562-3861 In the event of damage to a facility call: (800)441-6917 ext opt 1	11/07/17 08:57 AM 30
COR	RICHMOND CITY - GAS (COR103) No Conflict; utility is outside of stated work area. Abandoned utility lines may be in area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000	11/09/17 09:40 AM 31
COR	RICHMOND CITY - WATER (COR200) No Conflict; utility is outside of stated work area. Abandoned utility lines may be in area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000	11/09/17 09:40 AM 31
COR	RICHMOND CITY - SEWER (COR300) No Conflict; utility is outside of stated work area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000	11/09/17 09:40 AM 30
DOM	DOM CENTRAL DISTRIBUTION (DOM410) No Conflict; utility is outside of stated work area. Field Contact: DAWN GREENE (757)315-8766 In the event of damage to a facility call: (888)667-3000	11/08/17 11:00 AM 30
VZN	VERIZON (VZN804) No Conflict; utility is outside of stated work area. Field Contact: UTILIQUEST (703)754-2116 In the event of damage to a facility call: (888)483-1233	11/07/17 10:58 AM 30

Chris Blake

From: tickets@missutilityofvirginia.com
Sent: Tuesday, November 7, 2017 8:53 AM
To: Chris Blake
Subject: VUPS EMLCFM 2017/11/07 #01049 A731100468-00A NORM NEW LREQ

EMLCFM 01049 VUPSa 11/07/17 08:53:02 A731100468-00A NORMAL

Ticket No: A731100468-00A NEW GRID NORM LREQ
Transmit Date: 11/07/17 Time: 08:53 AM Op: 1MRA
Call Date: 11/07/17 Time: 08:46 AM
Due By Date: 11/13/17 Time: 07:00 AM
Update By Date: 11/29/17 Time: 11:59 PM
Expires Date: 12/04/17 Time: 07:00 AM
Old Tkt No: A731100468
Original Call Date: 11/07/17 Time: 08:46 AM Op: 1MRA

City/Co: RICHMOND CITY **Place:** **State:** VA
Address: Street: W 12TH ST
Cross 1: PORTER ST

Type of Work: HOME CONSTRUCTION
Work Done For: URBAN DEVELOPMENT ASSOCIATES
Excavation area: FROM THE INTERSECTION OF W 12TH ST AND PORTER ST TRAVEL APPROX
120 FT SOUTH TOWARD BAINBRIDGE ST TO THE ALLEYWAY ON YOUR RIGHT,
WORK STARTS HERE:
STARTING AT THE ROADWAY, NEED THIS ENTIRE ALLEYWAY CONTINUING TO
ITS END, GOING TOWARD W 13TH ST.

THIS ALLEY IS 12.38 FT WIDE AND 90.58 FT LONG.

CALLER PLANS TO PRE MARK

Excavation Map Link: [Click This Link To View Your Ticket Map Area](#)

Instructions:

Whitelined: N **Blasting:** N **Boring:** N

Company: MILLER AND ASSOCIATES **Type:** CONT
Co. Address: 116 E FRANKLIN ST **First Time:** N
City: RICHMOND **State:** VA **Zip:** 23219
Company Phone: 804-363-9177
Contact Name: CHRIS BLAKE **Contact Phone:**
Email: chris.blake@robinmillerassociates.com

Mapbook: 315G7
Grids: 3731C7726A-24 3731C7726A-33 3731C7726A-34 3731C7726A-43
Grids: 3731C7726A-44 3731C7726B-20 3731C7726B-21 3731C7726B-30
Grids: 3731C7726B-31 3731C7726B-40

Members:

CMC502 = COMCAST (CMC) COR103 = CITY OF RICHMOND (COR)
COR200 = CITY OF RICHMOND (COR) COR300 = CITY OF RICHMOND (COR)
DOM410 = DOMINION ENERGY INC (DOM) VZN804 = VERIZON (VZN)

Seq No: 1052 A

Chris Blake

From: tickets@missutilityofvirginia.com
Sent: Thursday, November 9, 2017 9:41 AM
To: Chris Blake
Subject: VUPS EMLCFM 2017/11/09 #01510 A731100443-00A NORM RESP LREQ

EMLCFM 01510 VUPSa 11/09/17 09:40:31 A731100443-00A RESPONSE

Thank you for contacting VA811! This is an automatically generated response from the utilities who received your notice of excavation. If you have questions about the response, call the "field contact" for that utility. For your safety, please respect and protect the marks, excavate carefully around the marked utility lines and contact VA811 if you see clear evidence of unmarked utilities.

Remember, you can now reach VA811 by dialing 811.

Ticket : A731100443 Rev: 00A Taken: 11/07/17 08:34 AM

State: VA Cnty: RICHMOND CITY Place:
Address : W 13TH ST
Responses due by: 11/13/17 07:00 AM Expires: 12/04/17 07:00 AM

When the member Marking Code is blue, click for additional information that may be provided by the Operator/Locator.

Marking Code	Description	Response
CMC	COMCAST (CMC502)	11/07/17 08:57 AM 30 No Conflict; utility is outside of stated work area. Field Contact: CABLE PROTECTION SERVICES (804)562-3861 In the event of damage to a facility call: (800)441-6917 ext opt 1
COR	RICHMOND CITY - GAS (COR103)	11/09/17 09:40 AM 31 No Conflict; utility is outside of stated work area. Abandoned utility lines may be in area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000
COR	RICHMOND CITY - WATER (COR200)	11/09/17 09:40 AM 31 No Conflict; utility is outside of stated work area. Abandoned utility lines may be in area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000
COR	RICHMOND CITY - SEWER (COR300)	11/09/17 09:40 AM 30 No Conflict; utility is outside of stated work area. Field Contact: RALPH WORLEY (804)921-9126 In the event of damage to a facility call: (804)644-3000
DOM	DOM CENTRAL DISTRIBUTION (DOM410)	11/08/17 11:00 AM 30 No Conflict; utility is outside of stated work area. Field Contact: DAWN GREENE (757)315-8766 In the event of damage to a facility call: (888)667-3000
VZN	VERIZON (VZN804)	11/07/17 10:58 AM 30 No Conflict; utility is outside of stated work area. Field Contact: UTILIQUEST (703)754-2116 In the event of damage to a facility call: (888)483-1233

2(c)

MANCHESTER GREEN LLC
116 E. FRANKLIN STREET
RICHMOND, VA 23219
(804) 363-9177

November 9, 2017

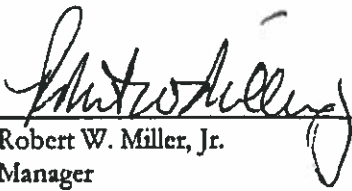
Rena Diebel
Office of the City Attorney
900 East Broad Street, Suite 400
Richmond, VA 23219

Re: Ord #2014-236-217 - alley closures

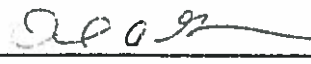
Dear Ms. Diebel:

Manchester Green LLC is the owner of record of all of the tax parcels adjacent to the city owned alleys within tax parcel block S-86 in the City of Richmond. As such, Manchester Green LCC hereby gives its consent to and supports the closing of these two alleyways referred to in Ordinance #2014-236-217.

Regards,



Robert W. Miller, Jr.
Manager
Manchester Green LLC



Daniel A. Gecker
Manager
Manchester Green LLC

2/d)

December 5, 2017

Andrew Gore
Office of the City Attorney
City of Richmond
900 East Broad Street – Suite 400
Richmond, Virginia 23219

Re: Manchester Green Alley Closure – Ordinance No. 2014-236-217

Dear Mr. Gore:

On behalf of Manchester Green, LLC, I am writing to confirm that each of the terms and conditions of City's Council approval of Urban Development Associates request to close, to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street on December 8, 2014, have been satisfied. On December 8, 2014, by Ordinance No. 2014-236-217 (the "Ordinance"), Council vacated the alley which was unimproved and no longer needed by the City, upon certain terms and conditions. See Ordinance attached hereto for reference as **Exhibit A**. In satisfaction of such conditions, Manchester Green, LLC, provides the following evidence of compliance:

1. A consent letter from Manchester Green, LLC was provided on November 9, 2017, whose consent is required under section 24-314 of the Code of the City of Richmond 2015, as amended. A copy of which is attached hereto as **Exhibit A**.
2. A copy of an email, from the public utility company advising that there are no facilities impacted in the area of the alley, was provided to the City on November 13, 2017. A copy of which is attached hereto as **Exhibit B**.
3. On November 30, 2017, Manchester Green, LLC provided the City an executed Indemnity Agreement. A copy of said agreement is attached as **Exhibit C**.
4. Copies of Manchester Green, LLC Articles of Incorporation and Certificate of Incorporation are attached hereto as **Exhibit D**.
5. The "as built survey" showing the completed construction of two paved roads in which the City is granted easements. A copy of said survey and Deed are attached as **Exhibit E**.
6. There were no cobblestones, bricks, granite curbs, granite stones, or granite blocks present in the right-of-way areas to be closed and therefore nothing to be delivered to a location determined by the Director of Public Works per item 2d in the ordinance.

I hope the above information and documentation provides sufficient confirmation that all terms and conditions associated with the Ordinance have been or will be satisfied. Should you have any questions related to the foregoing, or need any additional information, please do not hesitate to contact me.

Sincerely,



Robert W. Miller, Jr
Manager

Manchester Green, LLC

LEGAL REFERENCES:

- 1 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/001 #108 W. 12th Street
- 2 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/002 #118 Porter Street
- 3 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/003 #118 Porter Street
- 4 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/004 #116 Porter Street
- 5 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/005 #112 Porter Street
- 6 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/006 #110 Porter Street
- 7 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/007 #108 Porter Street
- 8 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/008 #104 Porter Street
- 9 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/009 #102 Porter Street
- 10 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/010 #100 Porter Street
- 11 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/011 #108 W. 12th Street
- 12 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/012 #108 W. 12th Street
- 13 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/013 #108 W. 12th Street
- 14 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/014 #108 W. 12th Street
- 15 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/015 #108 W. 12th Street
- 16 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/016 #107 Bainbridge Street
- 17 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/017 #105 Bainbridge Street
- 18 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/018 #107 Bainbridge Street
- 19 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/019 #117 Bainbridge Street
- 20 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/020 #119 Bainbridge Street
- 21 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/021 #121 Bainbridge Street
- 22 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/022 #123 Bainbridge Street
- 23 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/023 #127 Bainbridge Street
- 24 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/024 #105 W. 13th Street
- 25 Manchester Green, LLC Instrument No. 2017-16623 For Parcel No. S000-0006/025 #109 W. 13th Street

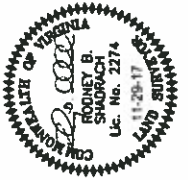
**SURVEY PLAT SHOWING
THE DEDICATION OF TWO ALLEYS
& THE VACATION OF TWO ALLEYS
WITHIN TAX PARCEL BLOCK S-86
CITY OF RICHMOND, VIRGINIA
DATE: NOVEMBER 30, 2017**



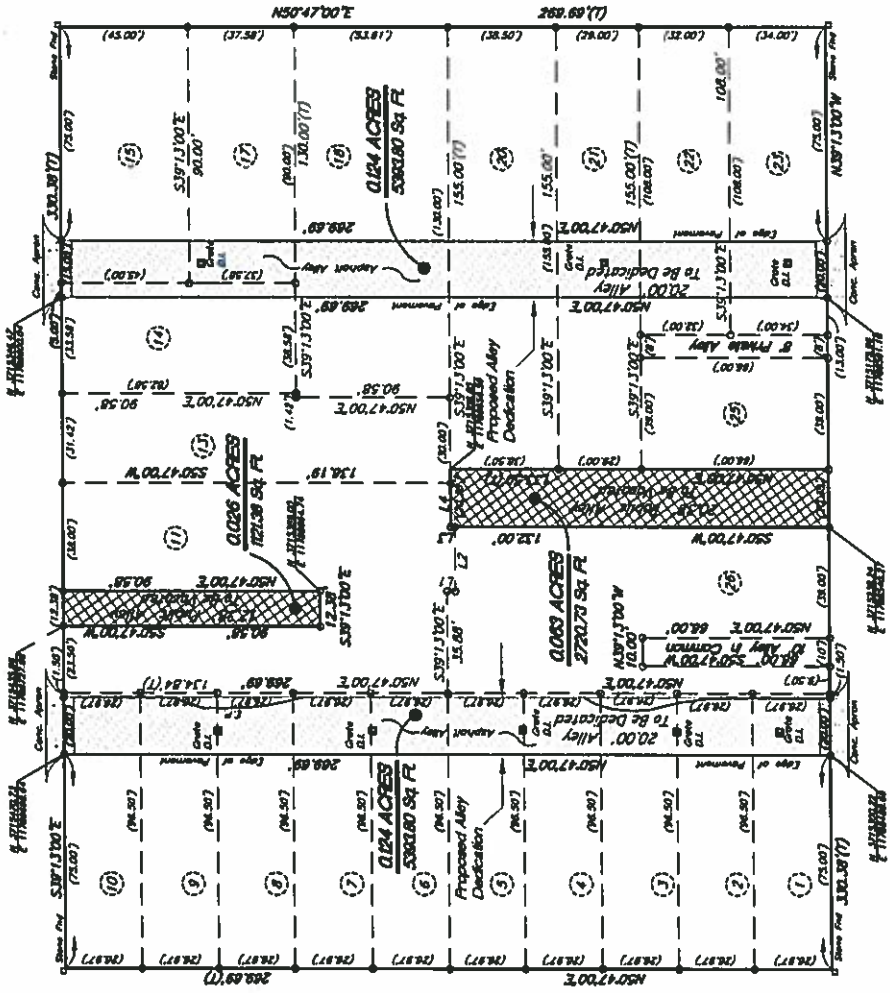
Shadrach & Associates, LLC
LAND SURVEYING
120 South Main Street, Suite 1000 • Richmond, Virginia
Phone: (804)791-8888 • Fax: (804)791-8889



I hereby certify that this boundary survey, to the best of my knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.



Bainbridge Street
(66' Public R/W)



LINE TABLE

LINE	BEARING	DISTANCE
L1	S39°17'00" W	2.63'
L2	S39°17'00" E	22.67'
L3	S59°47'00" W	7.58'
L4	S39°17'00" E	74.58'

- Notes**
- 1. This survey plat represents a current and accurate field survey of the property shown herein. Date of last physical survey: November 20, 2017.
 - 2. This survey was made without the benefit of a title report and therefore there may be encumbrances which are not shown herein.

W. 12th Street
(33' Public R/W)

W. 13th Street
(33' Public R/W)

Porter Street
(66' Public R/W)



F-

This Document Prepared By:
Richmond City Attorney's Office
900 East Broad Street, Room 400
Richmond, Virginia 23219

18 - 345

A Portion of Tax Parcel Numbers: S0000086010; S0000086009; S0000086008; S0000086006;
S0000086005; S0000086004; S0000086003; S0000086002; S0000086001; S0000086015;
S0000086017; S0000086018; S0000086020; S0000086021; S0000086022; S0000086023; S0000086014

DEED OF EASEMENT

THIS DEED is dated the 15th day of December, 2017, by and between **MANCHESTER GREEN, LLC**, a Virginia limited liability company, hereinafter collectively referred to as "GRANTOR", and the **CITY OF RICHMOND**, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "GRANTEE."

EXEMPTION FROM TAXES

This conveyance is exempt from recordation taxes pursuant to Sections 58.1-811(A)(3) and 58.1-811(C)(5) of the Code of Virginia (1950) as amended.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of **ONE (\$1.00) DOLLAR** and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR does hereby give, grant, dedicate, and convey to GRANTEE, with **GENERAL WARRANTY** of title, two 5,394 square feet permanent easements, for a total of 10,788 square feet, over, under, and across certain land owned by GRANTOR in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street, as shown on Drawing No. N-28512 prepared by the Department of Public Works, dated September 9, 2014, and attached hereto as Exhibit A and made a part hereof, for purposes of access, utilities, refuse collection, emergency services, and any other of GRANTEE'S functions or services, said permanent easements being over, under, across a portion of the same real estate conveyed to GRANTOR by deed recorded August 11,

2017, in the Clerk's Office of the Circuit Court of Richmond, Virginia, as Instrument No. 170016823.

GRANTOR and GRANTEE agree that execution of this Deed will satisfy GRANTOR's obligation set forth in Section 2(e)(ii) of Ordinance No. 2014-236-217, adopted December 8, 2014, by the Richmond City Council and attached hereto as Exhibit B and made a part hereof.

GRANTEE and its agents shall have full and free use of said permanent easements for the purposes named, and shall have all rights and privileges reasonably necessary to the utilization of the permanent easements.

GRANTOR covenants that it has the right to convey the Property to GRANTEE; that other than entering into the Deed of Trust recorded August 16, 2017, in the Clerk's Office, in the Circuit Court City of the Richmond, Instrument # 170017223, GRANTOR has done no act to encumber the said land; that the GRANTEE shall have quiet possession of the land, free from all encumbrances, and that GRANTOR will execute such further assurances of the land as may be requisite.

GRANTOR hereby discharges and releases GRANTEE from any damage GRANTOR may sustain as a result of any change in grade of the Property and by reason of the location, construction and maintenance of the right-of-way within the Property.

The permanent easements shall run with the land and be binding upon GRANTOR'S heirs, successors, and assigns in title.

SIGNATURES ON FOLLOWING PAGES

WITNESS the following signatures and seals.

MANCHESTER GREEN, LLC, a
Virginia limited liability company

Robert W. Miller Jr
Name: ROBERT W. MILLER JR
Title: MANAGER

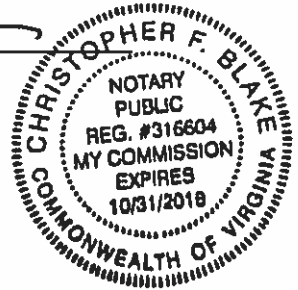
COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to wit

The foregoing instrument was acknowledged before me, the undersigned notary
public by ROBERT W. MILLER, JR. on this 6th day of
DECEMBER, 2017.

Christopher F. Blake
Notary Public

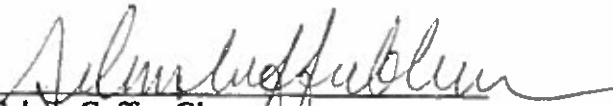
Notary Registration Number: 316604

My commission expires: 10/31/2018




The foregoing Deed from **MANCHESTER GREEN, LLC**, a Virginia limited liability company, is hereby accepted this 15th day of December, 2017, pursuant to the authority granted by Ordinance No. 2014-236-217, adopted December 8, 2014.

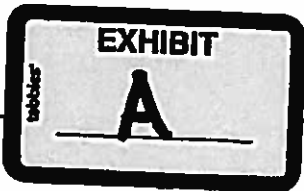
CITY OF RICHMOND
A municipal corporation

By: 
Selena Cuffee-Glenn,
Chief Administrative Officer

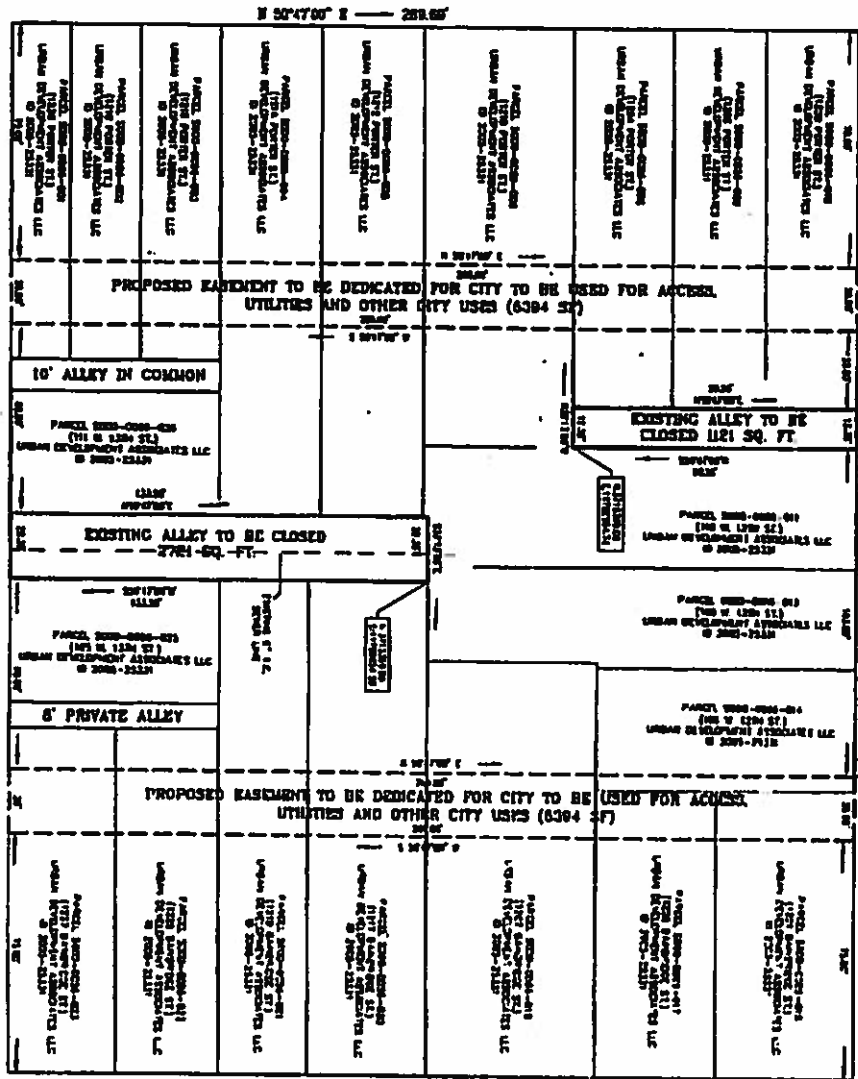
Approved as to form:


Andrew Gore
Assistant City Attorney

GRANTEE ADDRESS:
City of Richmond
900 East Broad Street, Suite 400
Richmond, Virginia 23219



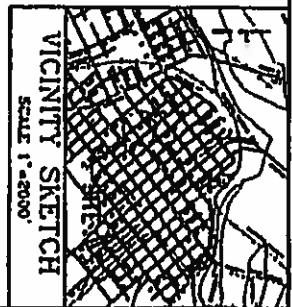
PORTER STREET
(PUBLIC 66' R/W)



W 127TH STREET
(PUBLIC 33' R/W)

W 137TH STREET
(PUBLIC 33' R/W)

BAINBRIDGE STREET
(PUBLIC 66' R/W)



NOTE:
1. AREA OF ALLEYS PROPOSED TO BE CLOSED SHOWN IN BOLD TYPE.
2. AREAS PROPOSED TO BE DEDICATED AS EASEMENTS FOR THE CITY ARE SHOWN IN ALIGNED BOLD LINES.
3. THE EXAMINEE IS LIABLE FOR A CORRECTION OF DATA FROM RECORDS AND FOR A PLAN BY SURVEY PLAT SHOWING THE DEDICATION OF TWO ALLEYS & THE VALIDATION OF TWO ALLEYS WITHIN THE PLATTED BLOCK 3-88 CITY OF RICHMOND, VIRGINIA. DATE: AUGUST 27, 2014

NOTES

1. Lot dimensions in parentheses are from deeds.
2. Property owners listed as of September 16, 2014.
3. Ordinance No. _____
4. Assessed _____
5. Accepted _____

REFERENCES: BL 1157, W-21201-1

Survey conducted by *P. W. King*
P. W. King
 Survey Registered
 No. W. 11. 020

DEPARTMENT OF PUBLIC WORKS
 RICHMOND, VIRGINIA
 Survey Station
 Sheet 000 City 1144
 800 E. Broad Street, Richmond, VA, 23209

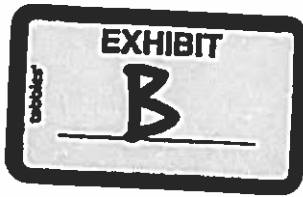


DRAWN BY: BT
 CHECKED BY: WJL

PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF TWO ALLEYS AND THE DEDICATION OF TWO EASEMENTS IN THE BLOCK BOUNDED BY PORTER ST., W. 127TH ST., BAINBRIDGE ST., AND W. 137TH ST.
 RECORDED IN: REFER TO SURV. OR SURV. 6257

FIELD NOTE
 SCALE
 1"=25'
 DATE
 6-10-2014
 PROJECT
 5-65-4C
 DRAWING NO.
 N-28512

Block No. 5-66
 Council District 6



INTRODUCED: October 27, 2014

AN ORDINANCE No. 2014-236-217

To close, to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street, consisting of 3,842± square feet, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 8 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street and consisting of approximately 3,842 square feet, are hereby closed to public travel as alleys of the City of Richmond, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28512, dated September 10, 2014, and entitled "Proposed Closing to Public Use and Travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter ST., W. 12th St., Bainbridge St., and W. 13th St.," a copy of which drawing is attached to this ordinance.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 8 2014 REJECTED: _____ STRICKEN: _____

§ 2. That section 1 of this ordinance shall become effective only when, within 36 months from the day this ordinance is adopted, the following conditions set forth in this section have been satisfied:

(a) The applicant bears all costs associated with the closing, including, but not limited to, realignment, relocation or removal of utilities or infrastructure, installation of new utilities or infrastructure, new or revised street name or directional signs, streetlights, and similar infrastructure, as required by City agencies, and agree in writing with the City that, for themselves, their successors and their assigns, they shall indemnify, reimburse, and keep and hold the City free and harmless from liability on account of injury or damage to persons, firms, corporations or property, which may result directly or indirectly from the closing of the right-of-way to public use and travel by this ordinance and from the interference with the drainage, 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 alleys, or any of them, on account thereof, they shall defend the City in any such suit or proceeding at its cost; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the property owner or owners granting consent for the aforesaid right-of-way to be closed to public use and travel, they shall pay such judgment or comply with such decree including payment of all costs and expenses or whatsoever nature and hold the City harmless therefrom.

(b) The applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the alley area to be closed either for the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance

and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) The applicant obtains consent to the closing from each of the owners of land, buildings or structures from whom consent is required under section 90-327 of the Code of the City of Richmond (2004), as amended, which consents shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(d) The applicant removes all cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials from the right-of-way area to be closed and delivers all such cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials in an undamaged and cleaned condition to a location determined by the Director of Public Works.

(e) The applicant has (i) constructed two paved roadways, each at least 20 feet wide, connecting 12th Street and 13th Street in the locations depicted on DPW Drawing No. N-28512, prepared by the Department of Public Works, dated September 10, 2014, and entitled "Proposed Closing to Public Use and travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter St., W. 12th St., Bainbridge St., and W. 13th St." and (ii) granted the City easements in a form approved by the City Attorney over, under, and across each of these two roadways for access, utilities, refuse collection, emergency services, and any other City functions or services.

(f) The applicant satisfies all terms and conditions requisite for the closing of the alley area to be closed by this ordinance and provides the Office of the City Attorney and the Office of the City Clerk with written evidence that all terms and conditions of this ordinance have been satisfied.

§ 3. That because the alleys identified in section 1 of this ordinance are being closed to allow for the construction of a development, the construction of the development shall be substantially in accordance with an untitled and undated drawing depicting the planned configuration of the development prepared by APEX Design Group, PLLC, a copy of which is attached to and incorporated into this ordinance. Both the Director of Planning and Development Review and the Director of Public Works must approve in writing any deviation of the configuration of the development as constructed from the configuration depicted on the drawing. If the configuration of the development as constructed deviates from the configuration depicted on the drawing and either the Director of Planning and Development Review or the Director of Public Works, or both, have not approved such deviation in writing, this ordinance shall be null and void.

§ 4. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to accept from the applicant the dedication of the respective interests in the portions of property described in subsection (e) of section 2 of this ordinance, provided the City Attorney or the designee thereof has first approved as to form the deeds and other documents necessary to consummate such dedications.

§ 5. That, at such time as section 1 of this ordinance becomes effective, the City shall have no further right, title or interest in the closed rights-of-way other than that expressly retained under the provisions of this ordinance or granted to satisfy the terms and conditions set out in this ordinance.

§ 6. This ordinance shall be in force and effect upon adoption.

INSTRUMENT # 18-345
RECORDED IN THE CLERK'S OFFICE OF
CITY OF RICHMOND ON
JAN 08 2018 AT 8:40 AM
EDWARD F. JEWETT, CLERK
BY: D. Shilton DEPUTY CLERK

December 5, 2017

Andrew Gore
Office of the City Attorney
City of Richmond
900 East Broad Street – Suite 400
Richmond, Virginia 23219

Re: Manchester Green Alley Closure – Ordinance No. 2014-236-217

Dear Mr. Gore:

On behalf of Manchester Green, LLC, I am writing to confirm that each of the terms and conditions of City's Council approval of Urban Development Associates request to close, to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street on December 8, 2014, have been satisfied. On December 8, 2014, by Ordinance No. 2014-236-217 (the "Ordinance"), Council vacated the alley which was unimproved and no longer needed by the City, upon certain terms and conditions. See Ordinance attached hereto for reference as **Exhibit A**. In satisfaction of such conditions, Manchester Green, LLC, provides the following evidence of compliance:

1. A consent letter from Manchester Green, LLC was provided on November 9, 2017, whose consent is required under section 24-314 of the Code of the City of Richmond 2015, as amended. A copy of which is attached hereto as **Exhibit A**.
2. A copy of an email, from the public utility company advising that there are no facilities impacted in the area of the alley, was provided to the City on November 13, 2017. A copy of which is attached hereto as **Exhibit B**.
3. On November 30, 2017, Manchester Green, LLC provided the City an executed Indemnity Agreement. A copy of said agreement is attached as **Exhibit C**.
4. Copies of Manchester Green, LLC Articles of Incorporation and Certificate of Incorporation are attached hereto as **Exhibit D**.
5. The "as built survey" showing the completed construction of two paved roads in which the City is granted easements. A copy of said survey and Deed are attached as **Exhibit E**.
6. There were no cobblestones, bricks, granite curbs, granite stones, or granite blocks present in the right-of-way areas to be closed and therefore nothing to be delivered to a location determined by the Director of Public Works per item 2d in the ordinance.

I hope the above information and documentation provides sufficient confirmation that all terms and conditions associated with the Ordinance have been or will be satisfied. Should you have any questions related to the foregoing, or need any additional information, please do not hesitate to contact me.

Sincerely,



Robert W. Miller, Jr
Manager
Manchester Green, LLC



F - This Document Prepared By:
 Richmond City Attorney's Office
 900 East Broad Street, Room 400
 Richmond, Virginia 23219

18 - 346

QUITCLAIM DEED

THIS DEED (the "Deed") is made this 15th day of December, 2017, by and between **CITY OF RICHMOND**, a municipal corporation of the Commonwealth of Virginia, herein referred to as "Grantor", and **MANCHESTER GREEN, LLC**, a Virginia limited liability company, herein referred to as "Grantee";

EXEMPTION FROM TAXES

This conveyance is exempt from Virginia Grantor's Tax pursuant to Section 58.1-811(C)(4) of the Code of Virginia (1950) as amended.

WITNESSETH:

WHEREAS, on December 8, 2014, the City Council of the City of Richmond ("City Council") adopted Ordinance No. 2014-236-217, adopted December 8, 2014 (the "Ordinance") authorizing the closing of a portion of two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street, and West 13th Street, consisting of approximately 3,842 square feet total (the "Property"), as shown on Drawing No. N-28512 prepared by the Department of Public Works, dated September 9, 2014, and attached hereto as **Exhibit A**, upon satisfaction of all terms and conditions of such Ordinance; and

WHEREAS, the terms of the Ordinance, attached hereto as **Exhibit B**, having been fully satisfied, the Grantor desires and intends to quitclaim its rights in the Property to Grantee;

NOW, THEREFORE, in consideration of the sum of **TEN DOLLARS (\$10.00)** DOLLARS and other good and valuable consideration, the receipt of which is hereby

acknowledged, Grantor does hereby remise, releases and forever quitclaims to Grantee all right, title and interest in the Property, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

This conveyance is made subject to easements, conditions and restrictions of record, as the same may lawfully apply to the Property.

WITNESS the following signatures and seal.

CITY OF RICHMOND
a municipal corporation

By: *Selena Cuffee-Glenn*
Selena Cuffee-Glenn
Chief Administrative Officer
Pursuant to Ordinance No. 2016-186

Prepared and approved as to form:

Andrew Gore
Andrew Gore
Assistant City Attorney

STATE OF VIRGINIA
CITY OF RICHMOND, to-wit:

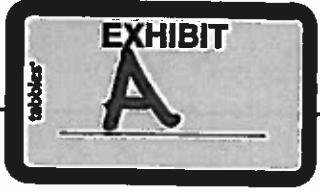
The foregoing instrument was acknowledged before me this 15th day of December, 2017, by Selena Cuffee-Glenn, in her capacity as Chief Administrative Officer of the City of Richmond, Virginia, on behalf of the City of Richmond, Virginia.

My commission expires 7/31/2019

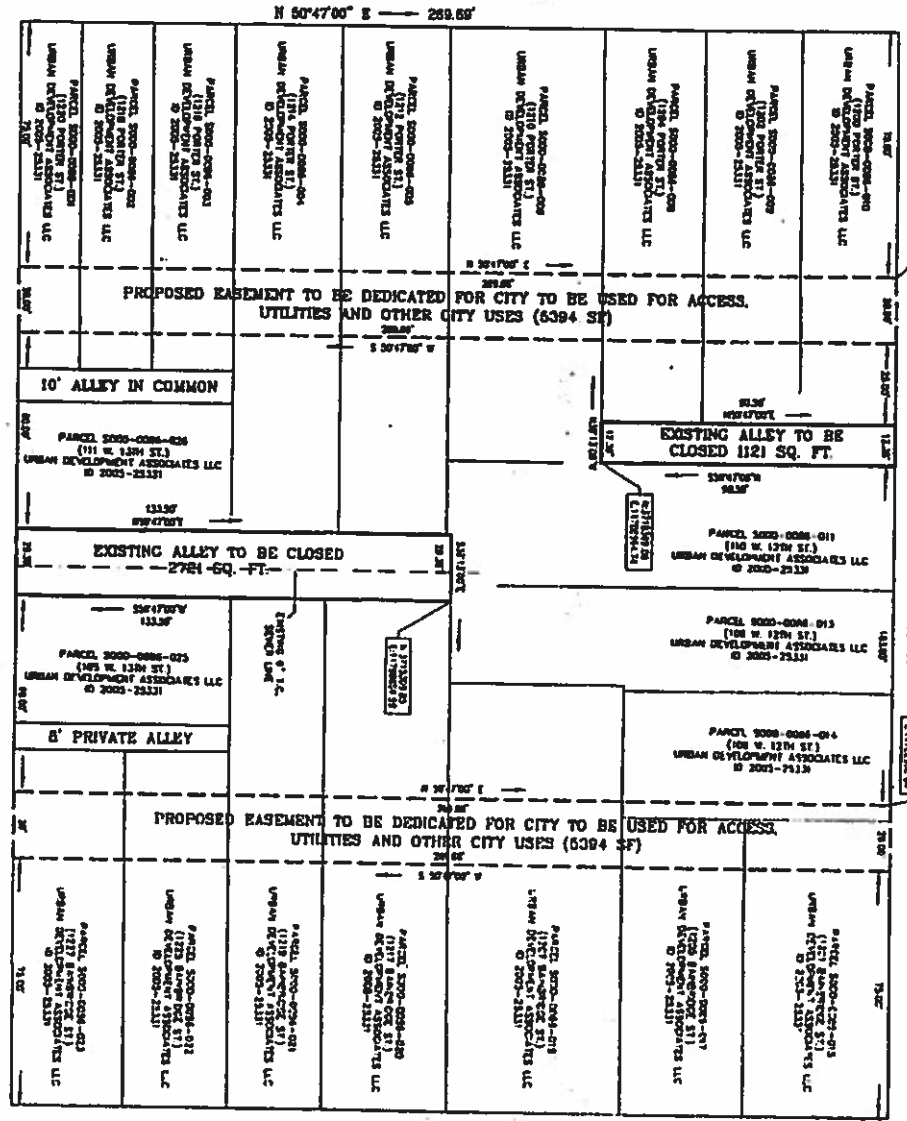
Rena Diebel
Notary Public
Notary Registration No.: 7512785

GRANTEE ADDRESS:





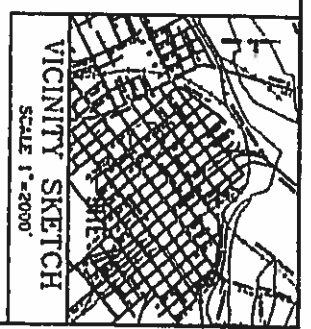
PORTER STREET
(PUBLIC 66' R/W)



W 127TH STREET
(PUBLIC 33' R/W)

W 137TH STREET
(PUBLIC 33' R/W)

BAINBRIDGE STREET
(PUBLIC 66' R/W)



NOTE:
1. AREA OF ALLEYS PROPOSED TO BE CLOSED SHOWN IN BOLD 3642 SQ. FT. &
2. AREAS PROPOSED TO BE DEDICATED AS EASEMENTS FOR THE CITY TO USE FOR ACCESS, UTILITIES AND OTHER CITY USES ARE SHOWN IN DASHED BOLD LINES 10788 SQ. FT. &
3. THE DRAWING IS BASED ON A COMPARISON OF DATA FROM RECORD SURVEYS AND "PLAT" BY SHADDOCK & ASSOCIATES, LLC FILED SHOWING THE DEDICATION OF TWO ALLEYS & THE VACATION OF TWO ALLEYS WITHIN THE PARCEL BLOCK S-56 CITY OF RICHMOND, VIRGINIA, DATED AUGUST 27, 2014

NOTES

1. Lot dimensions in parentheses are from deeds.
2. Property owners carried as of September 10, 2014.
3. Ordinance No. _____
4. Adopted: _____
5. Accepted: _____

REFERENCES: BE 1157, M-21294-A

Drawing Includes:
Survey by *R. W. Allen*
Survey by *M. W. Allen*

DEVISIONS

DEPARTMENT OF PUBLIC WORKS
Richmond, Virginia
Survey Division
Room 800 City Hall
800 E. Broad Street, Richmond, Va. 23218



DESIGN BY: JF
CHECKED BY: WVA

PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF TWO ALLEYS AND THE DEDICATION OF TWO EASEMENTS IN THE BLOCK BOUNDED BY PORTER ST., W. 127TH ST., BAINBRIDGE ST., AND W 137TH ST.
REQUESTED BY: PERMIT 1 SURV. THE SURV. 2007?



Council District 6

Block No. S-65

FIELD NOTE	SCALE	DATE	PROJECT	DRAWING NO.
	1"=25'	9-10-2014	S-66-AC	N-28512



PG0029 JAN -8 02

INTRODUCED: October 27, 2014

AN ORDINANCE No. 2014-236-217

To close, to public use and travel, two alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street, consisting of 3,842± square feet, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 8 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the alleys in the block bounded by Porter Street, West 12th Street, Bainbridge Street and West 13th Street and consisting of approximately 3,842 square feet, are hereby closed to public travel as alleys of the City of Richmond, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28512, dated September 10, 2014, and entitled "Proposed Closing to Public Use and Travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter ST., W. 12th St., Bainbridge St., and W. 13th St.," a copy of which drawing is attached to this ordinance.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 8 2014 REJECTED: _____ STRICKEN: _____

§ 2. That section 1 of this ordinance shall become effective only when, within 36 months from the day this ordinance is adopted, the following conditions set forth in this section have been satisfied:

(a) The applicant bears all costs associated with the closing, including, but not limited to, realignment, relocation or removal of utilities or infrastructure, installation of new utilities or infrastructure, new or revised street name or directional signs, streetlights, and similar infrastructure, as required by City agencies, and agree in writing with the City that, for themselves, their successors and their assigns, they shall indemnify, reimburse, and keep and hold the City free and harmless from liability on account of injury or damage to persons, firms, corporations or property, which may result directly or indirectly from the closing of the right-of-way to public use and travel by this ordinance and from the interference with the drainage, 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 alleys, or any of them, on account thereof, they shall defend the City in any such suit or proceeding at its cost; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the property owner or owners granting consent for the aforesaid right-of-way to be closed to public use and travel, they shall pay such judgment or comply with such decree including payment of all costs and expenses of whatsoever nature and hold the City harmless therefrom.

(b) The applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the alley area to be closed either for the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance

and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) The applicant obtains consent to the closing from each of the owners of land, buildings or structures from whom consent is required under section 90-327 of the Code of the City of Richmond (2004), as amended, which consents shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(d) The applicant removes all cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials from the right-of-way area to be closed and delivers all such cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials in an undamaged and cleaned condition to a location determined by the Director of Public Works.

(e) The applicant has (i) constructed two paved roadways, each at least 20 feet wide, connecting 12th Street and 13th Street in the locations depicted on DPW Drawing No. N-28512, prepared by the Department of Public Works, dated September 10, 2014, and entitled "Proposed Closing to Public Use and travel of Two Alleys and the Dedication of Two Easements in the Block Bounded by Porter St., W. 12th St., Bainbridge St., and W. 13th St." and (ii) granted the City easements in a form approved by the City Attorney over, under, and across each of these two roadways for access, utilities, refuse collection, emergency services, and any other City functions or services.

(f) The applicant satisfies all terms and conditions requisite for the closing of the alley area to be closed by this ordinance and provides the Office of the City Attorney and the Office of the City Clerk with written evidence that all terms and conditions of this ordinance have been satisfied.

§ 3. That because the alleys identified in section 1 of this ordinance are being closed to allow for the construction of a development, the construction of the development shall be substantially in accordance with an untitled and undated drawing depicting the planned configuration of the development prepared by APEX Design Group, PLLC, a copy of which is attached to and incorporated into this ordinance. Both the Director of Planning and Development Review and the Director of Public Works must approve in writing any deviation of the configuration of the development as constructed from the configuration depicted on the drawing. If the configuration of the development as constructed deviates from the configuration depicted on the drawing and either the Director of Planning and Development Review or the Director of Public Works, or both, have not approved such deviation in writing, this ordinance shall be null and void.

§ 4. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to accept from the applicant the dedication of the respective interests in the portions of property described in subsection (e) of section 2 of this ordinance, provided the City Attorney or the designee thereof has first approved as to form the deeds and other documents necessary to consummate such dedications.

§ 5. That, at such time as section 1 of this ordinance becomes effective, the City shall have no further right, title or interest in the closed rights-of-way other than that expressly retained under the provisions of this ordinance or granted to satisfy the terms and conditions set out in this ordinance.

§ 6. This ordinance shall be in force and effect upon adoption.

INSTRUMENT # 18-346
 RECORDED IN THE CLERK'S OFFICE OF
 CITY OF RICHMOND ON
 JAN 08 2018 AT 8:41 AM
 EDWARD F. JEWETT, CLERK
 BY: A. SULLIVAN DEPUTY CLERK



**ARTICLES OF ORGANIZATION
OF
MANCHESTER GREEN, LLC**

The undersigned, pursuant to Chapter 12 of Title 13.1 of the Code of Virginia, states as follows:

1. The name of the limited liability company is Manchester Green, LLC.
2. The purpose for which the limited liability company is formed is to engage in any lawful business, purpose or activity for which a limited liability company may be formed under the Virginia Limited Liability Company Act.
3. The name of the limited liability company's initial registered agent is Daniel Allen Gecker. The initial registered agent is an individual who is a resident of Virginia and a member of the Virginia State Bar.
4. The address of the limited liability company's initial registered office, which is identical to the business office of the initial registered agent, is Urban Development Assoc, 205 N 19th Street 1st Floor, Richmond, VA 23223. The initial registered office is located in Richmond City, Virginia.
5. The address of the limited liability company's principal office where the records of the limited liability company are to be kept is Mill and Associates, 116 East Franklin Street, Richmond, VA 23219.

PREVIEW

ORGANIZER:

/s/ Daniel A Gecker Date: May 22, 2014
Daniel A Gecker

Commonwealth of Virginia



STATE CORPORATION COMMISSION

Richmond, May 22, 2014

This is to certify that the certificate of organization of

Manchester Green, LLC

was this day issued and admitted to record in this office and that the said limited liability company is authorized to transact its business subject to all Virginia laws applicable to the company and its business. Effective date: May 22, 2014



State Corporation Commission

Attest:

Joel H. Beck
Clerk of the Commission