

INTRODUCED: March 10, 2025

AN ORDINANCE No. 2025-045

To vacate, pursuant to Va. Code § 15.2-2272(2), those parts of the Oxford Addition, Terrace P subdivision plat that reserved 3601 Sherbrook Road and a portion of 3717 Sherbrook Road, upon certain terms and conditions. (4th District)

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 14 2025 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the parts of the subdivision plat entitled “Rearrangement of Lots, Oxford Addition, Terrace ‘P,’ Midlothian Dist., Chesterfield Co., VA.,” prepared by J.K. Timmons, and dated October 11, 1962, hereinafter referred to as the “Subdivision Plat,” which reserved the following properties, are hereby vacated pursuant to section 15.2-2272(2) of the Code of Virginia (1950), as amended, effective only at such time as the owner of such properties, on behalf of such owner and such owner’s successors in interest, has granted to the City, by deed or deeds approved as to form by the City Attorney and recorded in the land records of the Circuit Court of the City

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

of Richmond prior to or contemporaneously with the instrument evidencing the vacation of such parts of such plat, perpetual easements across all portions of such property labeled as easements on the Subdivision Plat:

(a) The property known as 3601 Sherbrook Road, identified as Tax Parcel No. C002-0126/010 in the 2025 records of the City Assessor, and depicted on the Subdivision Plat as the area outlined in green and labeled as “Reserved,” which property is more particularly shown on the plat entitled “Map Showing the Improvements on No. 3601 Sherbrook Road, Being [a] Portion of a Reserve Area, Terrace ‘P,’ Oxford Addition, in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated August 10, 2023; and

(b) A portion of the property known as 3717 Sherbrook Road, identified as Tax Parcel No. C002-0126/016 in the 2025 records of the City Assessor, and depicted on the Subdivision Plat as the area outlined in orange and labeled as “Reserved,” which property is more particularly shown on the plat entitled “Oxford Addition, Terrace ‘P,’ Subdivision of a Portion of a Reserved Parcel of Land In the City of Richmond, Virginia,” prepared by Bodie, Taylor & Puryear, Inc., and dated March 15, 1985.

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

APPROVED AS TO FORM:

CITY ATTORNEY’S OFFICE



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2024-1502

File ID: Admin-2024-1502 Type: Request for Ordinance or Resolution Status: Regular Agenda

Version: 2 Reference: In Control: City Attorney

Department: File Created: 12/05/2024

Subject: Final Action:

| |
|--------|
| Title: |
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Internal Notes:

Agenda Date: 03/10/2025

Patron(s): Enactment Date:

Attachments: Admin-2024-1502 - Sherbrook Subdivision Certificate (1963), Admin-2024-1502 - AATF Enactment Number:

Contact: Introduction Date:

Drafter: David.Watson@rva.gov Effective Date:

Related Files:

Approval History

| Version | Seq # | Action Date | Approver | Action | Due Date |
|---------|-------|-------------|------------------|---------|-----------|
| 2 | 1 | 2/11/2025 | Matthew Ebinger | Approve | 2/13/2025 |
| 2 | 3 | 2/11/2025 | Kevin Vonck | Approve | 2/18/2025 |
| 2 | 5 | 2/11/2025 | Sharon Ebert | Approve | 2/13/2025 |
| 2 | 7 | 2/28/2025 | Jeff Gray | Approve | 2/13/2025 |
| 2 | 8 | 3/3/2025 | Sabrina Joy-Hogg | Approve | 3/4/2025 |
| 2 | 9 | 3/3/2025 | Mayor Avula | Approve | 3/5/2025 |

History of Legislative File

| Ver- sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|---------------|--------------|-------|---------|----------|-----------|-----------------|---------|
|---------------|--------------|-------|---------|----------|-----------|-----------------|---------|

Text of Legislative File Admin-2024-1502

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: February 11, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Economic Development and Planning

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To vacate, pursuant to Va. Code § 15.2-2272(2), that part of the Oxford Addition, Terrace P subdivision plat that reserved 3601 Sherbrook Road and a portion of 3717 Sherbrook Road, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To vacate, pursuant to Va. Code § 15.2-2272(2), that part of the Oxford Addition, Terrace P subdivision plat that reserved 3601 Sherbrook Road and a portion of 3717 Sherbrook Road, upon certain terms and conditions.

BACKGROUND: Property owner desires removal of the “reserved” status of 3601 Sherbrook Road and a portion of 3717 Sherbrook Road, as established by a 1963 subdivision plat, to allow for (i) construction of a single-family dwelling at 3601 Sherbrook Road consistent with the underlying R-2 Single-Family Residential zoning of that parcel, and (ii) a potential future merge of 3601 Sherbrook Road and the referenced portion of 3717 Sherbrook Road. To effect such removal, it is necessary to vacate the part of the subdivision plat that “reserved” the property. Virginia Code Section 15.2-2272(2) describes one means for such vacation. The property is located on Sherbrook Road east of its intersection with Chippenham Parkway in the Stratford Hills neighborhood. The zoning of the property is R-2 Single-Family Residential.

The Richmond 300 land use designation for the property is Residential. Primary uses recommended for this land use designation are single-family houses, accessory dwelling units, and open space.

Under Virginia Code Section 15.2-2274, recordation of the requested ordinance “shall operate to destroy the force and effect of the recording” of the vacated part of the subdivision plat, which may have the effect of terminating City easements within the property that recordation of the original subdivision plat established. As a result, the ordinance requires property owner to grant the City easements equivalent to those that recordation of the ordinance might vacate before the vacation can

take effect.

COMMUNITY ENGAGEMENT: Civic associations, adjacent property owners and residents will be notified of this request by staff. The applicant is also notifying adjacent residents.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: March 10, 2025

CITY COUNCIL PUBLIC HEARING DATE: April 14, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, April 1, 2025

AFFECTED AGENCIES: Law Department (for review of ordinance and preparation of utility easements); Department of Public Utilities (for preparation of utility easements)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Sherbrook Subdivision Certificate (1963)

STAFF: Matthew J. Ebinger, Planning Supervisor - Land Use Administration 804-646-6308

SUBDIVISION CERTIFICATE

The subdivision of land shown on this plat designated as Rearrangement of Lots, Oxford Addition, Terrace P is with the free consent and in accordance with the desires of the undersigned owners. The dedication of the easements is of the width and extent shown on this plan. All easements are for surface and underground drainage and underground and overhead utilities. All alley easements are subject to the right of the county of Chesterfield and/or the City of Richmond, Va. to establish alleys on said easements at any future time without cost for property involved. There is no mortgage on this property.

Given under our hands and seals this 17th day of OCT 1962
F.G. Pruitt, Inc., owner; J.K. Timmons, owner; Marian F. Timmons, owner;
by J.K. Timmons, Pres. J.K. Timmons Marian F. Timmons
F.G. Pruitt, Inc. Asst. Secy.
by F.L. Gordon Asst. Secy.
F.L. Gordon

Vacation Certificate: The 16' easement for drainage & utilities that crossed the rear of lots 10, 11, 12 & 13 Terrace P, Oxford Addition was vacated by Instrument dated Aug 7, 1961 and duly recorded August 7, 1961 in Deed Book 658, p 2 in the Clerks Office of the Circuit Court of Chesterfield County.

J.K. Timmons
J.K. Timmons
Civil Engineer

ENGINEERS CERTIFICATE

To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivisions for recordation in Chesterfield County Virginia have been complied with. All stones have been set.

J.K. Timmons
J.K. Timmons
Civil Engineer

SOURCE OF TITLE - The property embraced within the limits of this subdivision was conveyed to F.G. Pruitt, Inc. by Schmidt Investment Corp. by deed dated Dec. 21, 1959 and recorded Dec 31, 1959 in DB.608, p 329 in Chesterfield County Circuit Court Clerks Office. One half undivided interest in the property embraced within the limits of this subdivision was conveyed to J.K. Timmons by F.G. Pruitt, Inc. by deed dated Oct. 31, 1960 and recorded Nov. 7 1960 in DB. 636, page 455, in the Clerks Office of Chesterfield County Circuit Court.

J.K. Timmons
J.K. Timmons
Civil Engineer

STATE OF VIRGINIA } To wit
CITY OF RICHMOND }

I, A.J. Bridges, a notary public in and for the City aforesaid in the State of Virginia, do hereby certify that F.G. PRUITT, JR. PRES.

F.L. GORDON ASST. SECY.

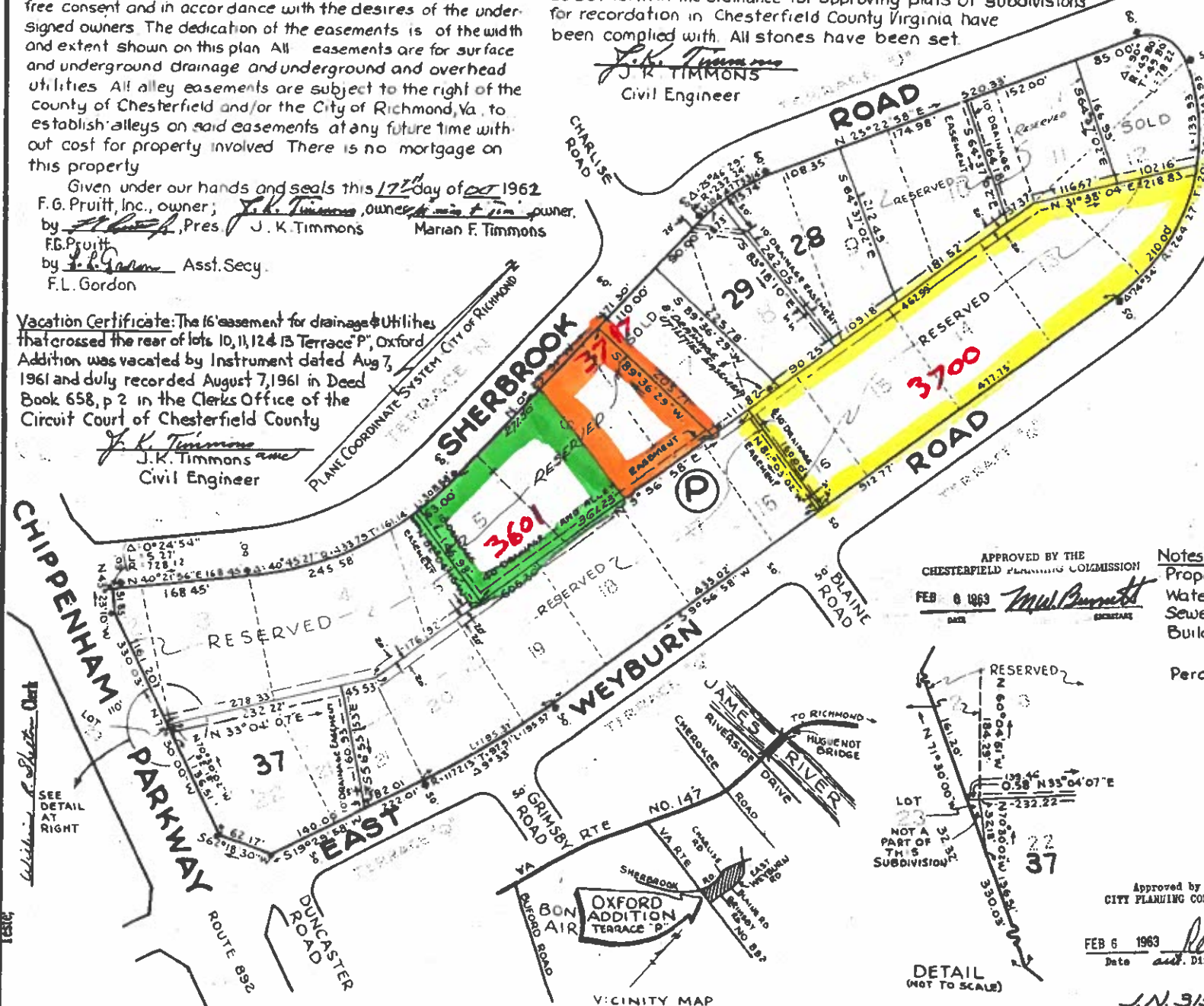
J.K. TIMMONS OWNER

MARIAN F. TIMMONS OWNER

whose names are signed to the subdivision certificate at the left have acknowledged the same before me in my city and state aforesaid.

Given under my hand and seal this 18th day of OCT 1962.

A.J. Bridges Notary Public
My commission expires MAR 9, 1963.



APPROVED BY THE
CHESTERFIELD PLANNING COMMISSION
FEB 6 1963 M. Burnett
DATE SIGNATURE

Notes

Proposed Use: Residential
Water: County Water System
Sewerage: Individual Septic Tanks
Building Lines: To conform to Chesterfield County Zoning Ordinance (REAR BUILDING LINE TO BE NO MORE THAN 150' FROM E OF ROAD)
Percolation: To be approved by County Health Dept.

REARRANGEMENT OF LOTS
OXFORD ADDITION
TERRACE "P"
MIDLOTHIAN DIST.
CHESTERFIELD CO. VA.
OCT. 11, 1962 SCALE 1"=100'
J. K. TIMMONS
CIVIL ENGINEER
RICHMOND, VA.

Approved by the
CITY PLANNING COMMISSION
FEB 6 1963 M. Burnett
Date and Director

DETAIL
(NOT TO SCALE)

J.N. 3158

14-13-68
In the Clerk's Office of the Circuit Court of Chesterfield County, the 2nd day of OCT 1962, this plat was presented and with the Certificate, admitted to record at 3:40 o'clock, P. M.

SEE DETAIL AT RIGHT

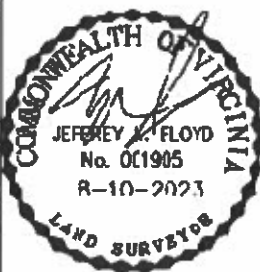
VICINITY MAP

61

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 8-10-2023 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

This property is within a FEMA Floodway Hazard as shown on Comm. Panel # 51012900160 Zone: "AE & X" DATED: 4 2 2005

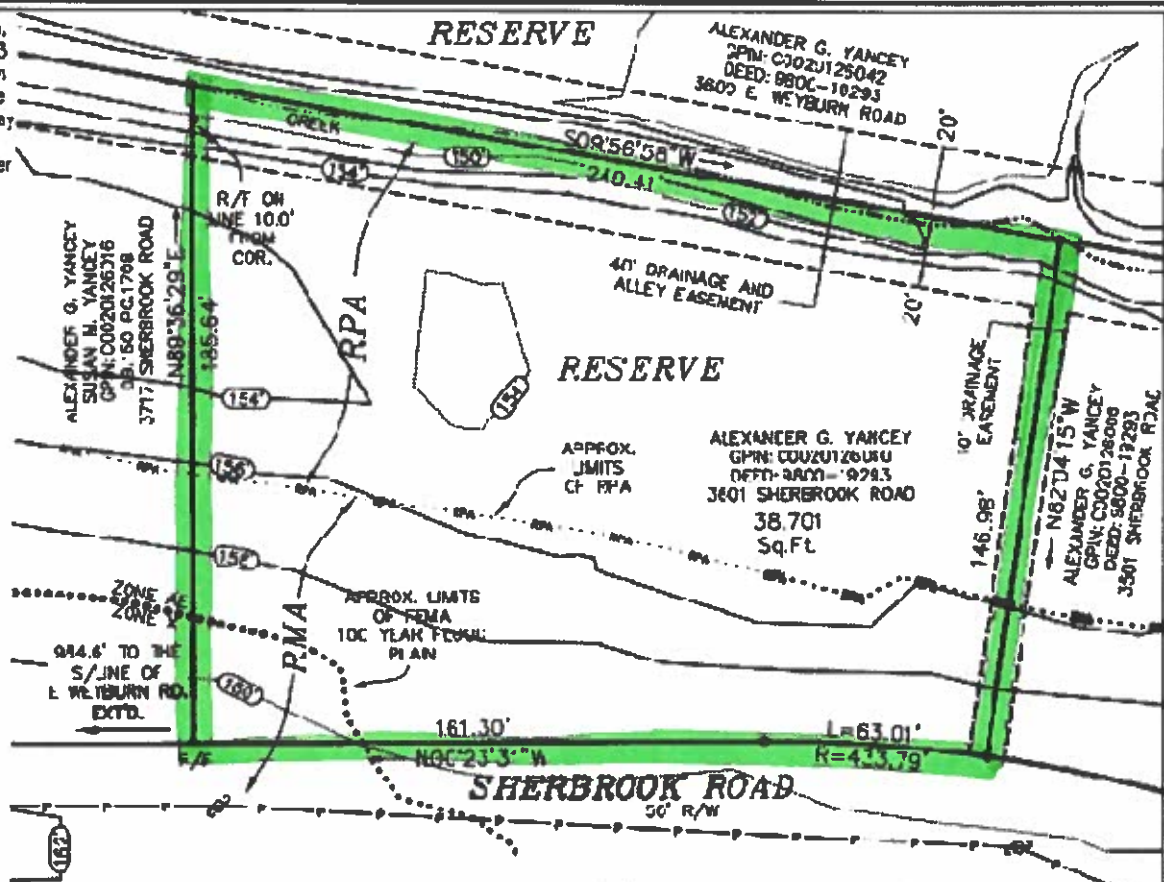
PB.13 PG.19 CC



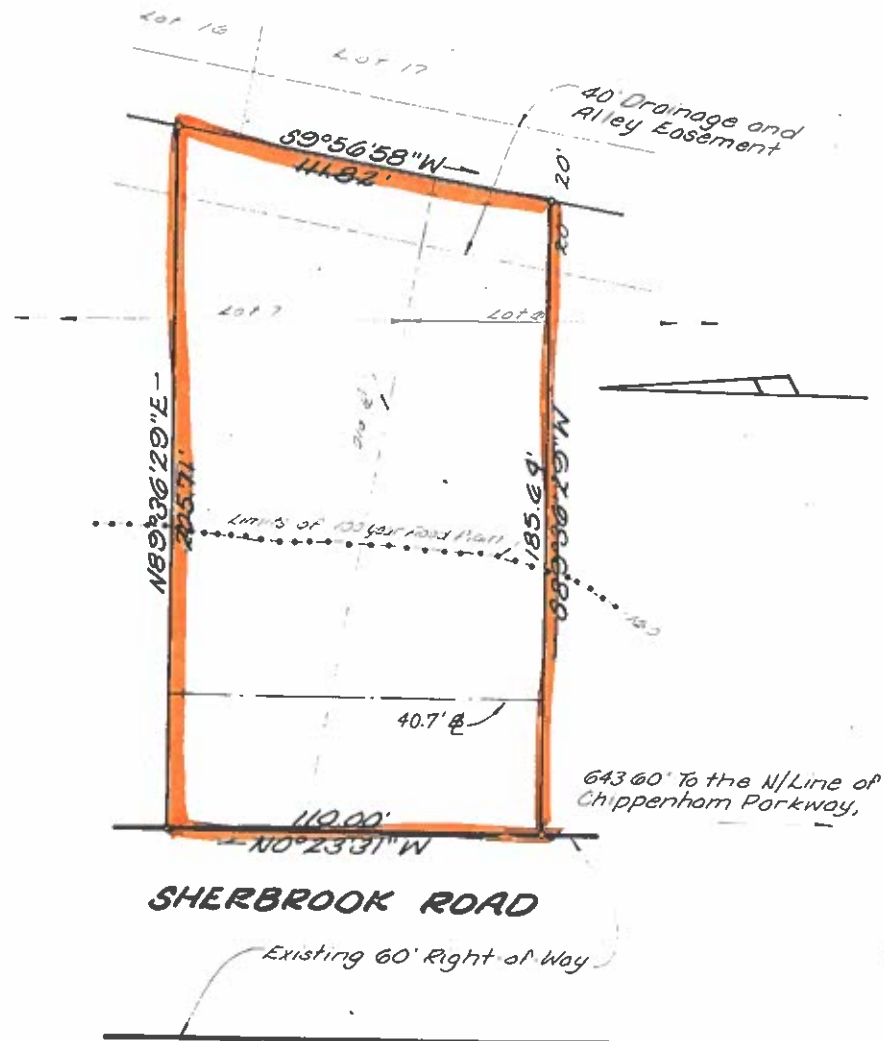
Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-6481
COPYRIGHT © VIRGINIA SURVEYS
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DATE: 8-10-2023
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1" = 10'
JOB NO. 230715856



**MAP SHOWING THE IMPROVEMENTS ON
No. 3601 SHERBROOK ROAD
BEING PORTION OF A RESERVE AREA,
TERRACE "P", "OXFORD ADDITION"
IN THE CITY OF RICHMOND, VA.,**



SUBDIVISION CERTIFICATE

The subdivision of land shown hereon, designated as Oxford Addition Terrace "P" Subdivision of A Portion Of A Reserved Parcel Of Land, is with the free consent & in accordance with the desires of the undersigned owner. There is no mortgage on this property. The dedication of the streets & easements are of the width & extent shown on this plan. All easements are for surface & underground drainage & overhead utilities, unless otherwise noted. All alley easements are subject to the right of the City of Richmond, Virginia to establish alleys on said easements at any future time without cost of property involved.

Given under my Hand & Seal this 22 day of May, 19 85
(Owner)
Claire K. Spear

COMMONWEALTH OF VIRGINIA

Cit. of Richmond To Wit:
J. J. Taylor a notary public in & for the
Cit. of Richmond Commonwealth of Virginia
do hereby certify that CLAIRE K. SPEAR
whose names are signed to the foregoing writing have appeared
before & acknowledged the same in my Cit. & Commonwealth
afore said.

Given under my Hand & Seal this 22 day of May, 19 85
My Commission expires 2-18-86

J. J. Taylor
Notary Public

SOURCE OF TITLE

The property embraced within the limits of this subdivision was conveyed to Robert N. Spear and Clair K. Spear from F.G. Pruitt, Incorporated, J.K. Timmons and Marion F. Timmons, by Deed dated September 16, 1965 and recorded October 14, 1965 in Deed Book 821, Page 138 in the Clerks Office of the Circuit Court of Chesterfield County, Virginia.

Approved by the
CITY PLANNING COMMISSION
5-24-85
Date
J. J. Taylor
Notary



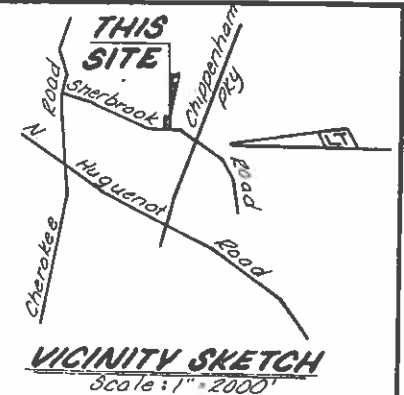
SUBDIVISION of a PORTION of A
RESERVED PARCEL of LAND
In the CITY of RICHMOND, VIRGINIA
March 15, 1985

Scale: 1"=30'

Bodie, Taylor & Puryear, Inc.
Engineers & Surveyors
Richmond, Virginia

Sheet 1 of 1

FN 6479



NOTES:

Use Residential
Zoning R-2
Water Public
Sewer Public

SURVEYORS CERTIFICATE

To the best of my knowledge & belief all of the requirements as set forth in the ordinance for approving plats of subdivisions for recordation in the City of Richmond, Virginia, have been complied with. All monuments will be set by July 31, 1986.

Bodie, Taylor and Puryear, Inc.

By: Charles P. Taylor
Charles P. Taylor, C.L.S.

CC-589-F