

AN ORDINANCE No. 87-137-132

ADOPTED JUN 22 1987

To close to public use and travel an alley 10 feet, more or less, in width that extends in a northwesterly direction from Adams Street to Jefferson Street, parallel to and distant 100 feet from Canal Street, and an alley that is 10.3 feet in width at its intersection with the above-identified alley and extends 113.95 feet in a northeasterly direction, widening to 10.38 feet at its intersection with a platted but unopened alley that lies 100 feet, more or less, from the southwest right of way line of Cary Street, in the block bounded by Jefferson Street, Cary Street, Adams Street and Canal Street, said alleys proposed to be closed containing in the aggregate 3,841 square feet, more or less, shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21659, dated March 26, 1987, entitled: "Closing of Two Alleys in the Block Bounded by Jefferson, Cary, Adams and Canal Streets", upon certain conditions.

Patron - City Manager - (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That two alleys, the first an alley 10 feet, more or less, in width that extends in a northwesterly direction from Adams Street to Jefferson Street, parallel to and distant 100 feet from Canal Street, and an alley that is 10.3 feet in width at its intersection with the above-identified alley and extends 113.95 feet in a northeasterly direction, widening to 10.38 feet at its intersection with a platted but unopened alley that lies 100 feet, more or less,

from the southwest right of way line of Cary Street, in the block bounded by Jefferson Street, Cary Street, Adams Street and Canal Street, said alleys proposed to be closed containing in the aggregate 3,841 square feet, more or less, shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21659, dated March 26, 1987, entitled: "Closing of Two Alleys in the Block Bounded by Jefferson, Cary, Adams and Canal Streets", which plan is on file in the office of the Department of Public Works and a copy of which is attached to the draft of this ordinance, be and are hereby closed to public use and travel and abandoned as public alleys of the City of Richmond, said alleys 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 the property abutting the alleys (to be closed pursuant to the provisions of this ordinance) consent thereto in writing which consent shall be filed in the office of the City Clerk; (b) C. Kenneth Wright makes arrangements satisfactory to public utility or public service corporations including the Department of Public Utilities of the City of Richmond or private utility companies whose properties or

facilities are in said alleys for either 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) C. Kenneth Wright bears all cost involved and agrees in writing with the City that for himself, successors and assigns, to 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 alleys 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 alleys, or any of them, on account thereof, to defend the City in any such suit or proceeding at his costs; and in the event of a final judgment or decree being obtained against the City, to pay such judgment or comply with such decree including payment of all costs and expenses of whatsoever nature and hold the City and said owners harmless therefrom.

The consent herein required to be executed on behalf of the owners of the real estate abutting the alleys to be closed to public use and travel shall be in form satisfactory to the City Attorney. C. Kenneth Wright shall be responsible for satisfying all terms and conditions imposed and requisite for this ordinance becoming effective and for the alleys being closed.

City of Richmond
City Planning Commission



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

June 16, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of June 15, 1987, the City Planning Commission voted (7-0)
to recommend APPROVAL of:

Ordinance No. 87-137

To close to public use and travel an alley 10 feet, *** in a northwesterly direction from Adams Street to Jefferson Street, *** and an alley that is 10.3 feet in width at its intersection with the above-identified alley and extends 113.95 feet in a northeasterly direction, *** said alleys proposed to be closed containing in aggregate 3,841 square feet, *** upon certain conditions.

This paper would close to public use and travel two alleys within the block bounded by Jefferson, Cary, Adams and Canal Streets. The first alley is an improved east-west alley which connects Adams and Jefferson Streets, and is ten feet in width. The second alley extends from the east-west alley northward 114 feet to an intersection with a platted but unopened alley, and is also ten feet in width. The alleys contain only a private sewer which the petitioner would be responsible for relocating. The petitioner owns all the abutting properties in the block and has requested the closing in order to consolidate his holdings for more efficient use of the properties. The petitioner's properties are devoted to a number of business uses and parking areas. The subject alleys are substandard in width, and are not needed for access or circulation by the general public. No opposition has been expressed to the Commission.

Very truly yours,

A handwritten signature in cursive script that reads "Jon P. Weersing".

Jon P. Weersing
Secretary

JPW:lk

cc: Mr. Lawrence E. Marshall, III - Attorney for Applicant
Director - Department of Public Works

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 87-137
 Requested by City Manager, By Request
 Received City Manager's Office -----
 Summarized June 15, 1987

Subject
 To close two alleys bounded by
 Jefferson, Cary, Adams and Canal
 Streets

SUMMARY

This Ordinance would close to public use and travel two alleys within the block bounded by Jefferson, Cary, Adams and Canal Streets.

One alleys is an improved east-west alley which connects Adams and Jefferson Streets. The other extends from the east-west alley to an intersection with a platted but unopened alley.

The alleys contain a private service which will be relocated by the petitioner.

The petitioner owns all the abutting properties in the block and has requested the closing in order to consolidate his holdings for more efficient use of the properties.

The alleys are substandard in width and are not needed for access or circulation by the public.

Planning Committee granted approval (7-0) June 15, 1987.

COUNCIL ACTION

On Docket June 22, 1987
 Amended
 Adopted
 Rejected