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City of Richmond
Department of
Planning & Community Development



900 East Broad Street, Richmond, Virginia 23219
804-780-4346

March 6, 1984

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of March 5, 1984, the City Planning Commission voted (9-0)
to recommend APPROVAL of:

Ordinance No. 84-46

*To close to public use and travel a portion of Holly Lane
(an unimproved street lying east of Warwick Road) as it
extends easterly from a point 230.55 feet, more or less, ***
shown on Dept. of Public Works Drawing, entitled: "Proposed
closing of a T-shaped 16' alley in the block bounded by Atmore
Dr., Arcadia St., Warwick Rd. & Carnation St., and a portion
of Holly Lane, north of Atmore Dr. (Cloverdale Subdivision)," etc.*

This ordinance would close to public use and travel unimproved portions of Holly Street, two unimproved alleys and a residue portion of Warwick Road within an area north of Midlothian Turnpike and east of Chippenham Parkway bounded by Atmore Drive, Arcadia Street, Warwick Road and Carnation Street. The owner of most of the property abutting the streets and alleys to be closed has requested the closings in order to consolidate his holdings for development of an office/warehouse complex. The area is zoned B-3, and the Master Plan calls for this type of development. All of the other abutting property owners have consented to the closings. Given the pattern of property ownership in the block and the adjacent street pattern, none of the rights-of-way involved are needed for traffic circulation or access to properties. There are no utilities in the rights-of-way. Since the rights-of-way are not needed and the closings would enable more practical lotting configurations for development of the land, approval is recommended.

Very truly yours,

Jon P. Weersing
Secretary

JPW:lk

cc: Director of Public Works

AN ORDINANCE *N. 84-46-45*~~ADOPTED~~ MAR 12 1984

To close to public use and travel a portion of Holly Lane (an unimproved street lying east of Warwick Road) as it extends easterly from a point 230.55 feet, more or less, east (S 74° 54' 30" E) of the intersection of the south right of way line of said Holly Lane with the east right of way line of Arcadia Street to Atmore Drive, a portion of the right of way line of Warwick Road "Old" lying west of the intersection of the south right of way line of Warwick Road and the west right of way line of Carnation Street, and two 16-foot alleys (one extending in an east-west direction between and approximately parallel with Holly Lane and Warwick Road, the other extending in a north-south direction from the north right of way line of Holly Lane to the south right of way line of Warwick Road "Old"), shown shaded on Department of Public Works Drawing No. O-21127, dated January 12, 1984, entitled: "Proposed closing of a T-shaped 16' alley in the block bounded by Atmore Dr., Arcadia St., Warwick Rd. & Carnation St., and a portion of Holly Lane, north of Atmore Dr. (Cloverdale Subdivision)", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That a portion of Holly Lane (an unimproved
3. street lying east of Warwick Road) as it extends easterly
4. from a point 230.55 feet, more or less, east (S 74° 54' 30"
5. E) of the intersection of the south right of way line of
6. said Holly Lane with the east right of way line of Arcadia
7. Street to Atmore Drive, a portion of the right of way line
8. of Warwick Road "Old" lying west of the intersection
9. of the south right of way line of Warwick Road and

1. the west right of way line of Carnation Street, and two
2. 16-foot alleys (one extending in an east-west direction
3. between and approximately parallel with Holly Lane and
4. Warwick Road, the other extending in a north-south direction
5. from the north right of way line of Holly Lane to the south
6. right of way line of Warwick Road "Old"), as shown shaded on
7. the copy of the plan on file in the Department of Public
8. Works marked "Drawing No. O-21127", dated January 12, 1984,
9. entitled: "Proposed closing of a T-shaped 16' alley in the
10. block bounded by Atmore Dr., Arcadia St., Warwick Rd. &
11. Carnation St., and a portion of Holly Lane, north of Atmore
12. Dr. (Cloverdale Subdivision)", a copy of which plat is
13. attached to the draft of this ordinance, be and are hereby
14. closed to public use and travel and abandoned as portions of
15. public streets and public alleys of the City of Richmond,
16. being no longer needed for the public convenience.

17. § 2. This ordinance shall be in force as provided
18. in Section 4.09 of the Charter of the City of Richmond and
19. shall become effective when, within twelve months from the
20. day this ordinance is in force (a) the owners of all of the
21. property abutting the aforesaid portions of the streets and
22. alleys (to be closed by this ordinance becoming effective)
23. consent thereto in writing, which consent shall be filed
24. in the office of the City Clerk, (b) Wyatt Construction

1. Company, Inc., makes arrangements satisfactory to public
2. utility or public service corporations whose properties or
3. facilities are in said streets and alleys to be closed for
4. either the removal, relocation or abandonment thereof or for
5. the construction, reconstruction, maintenance and repair
6. thereof; (c) Wyatt Construction Company, Inc., bears all
7. cost involved and agrees in writing with the City that for
8. itself, its successors and assigns, it will indemnify,
9. reimburse, keep and hold the City of Richmond free and
10. harmless from liability on account of injury or damage to
11. persons, firms or corporations or property which may result
12. directly or indirectly from the closing of the streets and
13. alleys to public use and travel by this ordinance and the
14. obstruction or interference with the flow or overflow of
15. surface or subsurface water resulting directly or indirectly
16. therefrom, and in the event that any suit or proceeding is
17. brought against the City at law or in equity, either inde-
18. pendently or jointly with the owners of all the property
19. abutting the aforesaid portions of the streets and alleys,
20. or any of them on account thereof, to defend the City in any
21. such suit or proceeding at its costs, and in the event of a
22. final judgment or decree being obtained against the City,
23. either independently or jointly with the owners of all of
24. the property abutting the aforesaid portions of the streets

1. and alleys to be closed to public use and travel, or any of
2. them, to pay such judgment or comply with such decree
3. including payment of all costs and expenses of whatsoever
4. nature and hold the City harmless therefrom; and (d) Wyatt
5. Construction Company, Inc., shall be solely responsible for
6. satisfying all terms and conditions requisite to closing
7. said portions of streets and alleys by adoption of this
8. ordinance.