

AN ORDINANCE *No. 94-98-80*

ADOPTED MAY 09 1994

To close to public use and travel a 2.67 foot by 109.83 foot strip of right-of-way along the north line of North Dock Street between South 17th and South 18th Streets, as shown hatched on a plan prepared by the Department of Public Works designated as DPW Drawing No. N-22582, dated March 25, 1994, entitled: "Proposed Closing of Public Right Of Way Along the North Line of N. Dock Street Between S. 17TH and S. 18TH Streets", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by the City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a 2.67 foot by 109.83 foot strip of right-of-way along the north line of North Dock Street between South 17th and South 18th Streets be and is hereby closed to public use and travel and abandoned as a public right-of-way of the City of Richmond, as shown hatched on a plan prepared by the Department of Public Works designated as DPW Drawing No. N-22582, dated March 25, 1994, entitled: "Proposed Closing of Public Right Of Way Along the North Line of N. Dock Street Between S. 17TH and S. 18TH Streets", a copy of which is attached to the draft of this ordinance, such portion of said street being no longer needed for the public convenience.

§ 2. This ordinance, as to the closing of the public right-of-way above-identified, 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) consent to the closing is obtained in writing from each of the owners of land, buildings or structures from whom consent is required under Section 25-132 of the Code of the City of Richmond, 1993, which consents shall be in writing, approved as to form by the City Attorney, and filed in the office of the City Clerk; (b) the applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in said public right-of-way 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) applicant bears all cost involved, including, but not limited to, realignment of utilities, installment of new utilities, new or revised street name signs, etc. as directed by City agencies, and agrees in writing with the City that for itself, its successors and assigns, it will indemnify, reimburse, keep and hold the City 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 public right-of-way to public use and travel by this ordinance and the construction 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 public right-of-way, or any of them, on account thereof, to defend the City in any such suit or proceeding at its costs; 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 public right-of-way to be closed to public use and travel, or any of them, to pay such judgment or comply with such decree including payment of all costs and expenses of whatsoever nature and hold the City harmless therefrom.

§ 3. Margaret Freund shall be responsible, as approved by the Director of Public Works, for constructing, reconstructing, extending curbing, placing gutters and sidewalks across the termini of the proposed public right-of-way to be closed where it intersects the City right-of-way so as to give the appearance that the closed public right-of-way is not owned or maintained by the City.

§ 4. Margaret Freund, as applicant, shall be responsible for satisfying all terms and conditions requisite for the closing of the public right-of-way and shall provide the Department of Community Development, Division of Permits and Services, the Law Department, and the City Clerk's office with written evidence that all conditions of this ordinance have been satisfied.

§ 5. At such time as this ordinance becomes effective the City shall have no further right, title and interest in said public

right-of-way other than expressly retained or granted to satisfy terms and conditions set out in this ordinance.

§ 6. This ordinance shall be in force and effect upon satisfaction of the terms and conditions set out above.

ORDINANCE OR RESOLUTION SUMMARY

CITY OF RICHMOND, VIRGINIA

Resolution		*Subject
Ordinance No.	<u>94-98</u>	*
Patron(s)	<u>City Manager (by request)</u>	*Street Closing -
		*
		*
		*
		*

SUMMARY

Please See Planning Commission Letter.

COUNCIL ACTION

*	
* On Docket	<u>5/9/94</u> *
* Amended	_____
*	
* Adopted	_____
*	
* Rejected	_____
*	
* Stricken	_____

MISCELLANEOUS
RECEIPTS



City of Richmond, Virginia 50020
DEPARTMENT OF Finance
BUREAU OF Accty. & Conts.

DATE: 3-14-94

RECEIVED FROM: Elizabeth Freund & Margaret J. Freund

AMOUNT RECEIVED: \$ 300.00

IN CASH

BY CHECK NO 1169

M.O.

FOR: fee for council paper

**"DEPOSIT MADE AS
REQUIRED BY LAW"**

DISTRIBUTION OF COPIES
WHITE-PAYER
BLUE-RECEIPT USAGE REPORT
PINK-USING AGENCY
YELLOW-REMAIN ATTACHED IN BOOK

RECEIVED BY: *JLW*



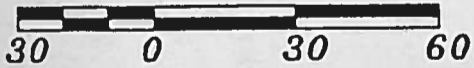
PARCEL: E000-0110-004
 (1701 E. CARY ST. &
 107 E. 17TH ST.)
 MARGARET J. FREUND
 P.O. BOX 14544
 RICHMOND, VA. 23221
 D.B. 820 PG. 1015 RCC

PORTION OF ALLEY CLOSED
 SEE DPW 0-22089
 SHEET 2 OF 3

NOTES:

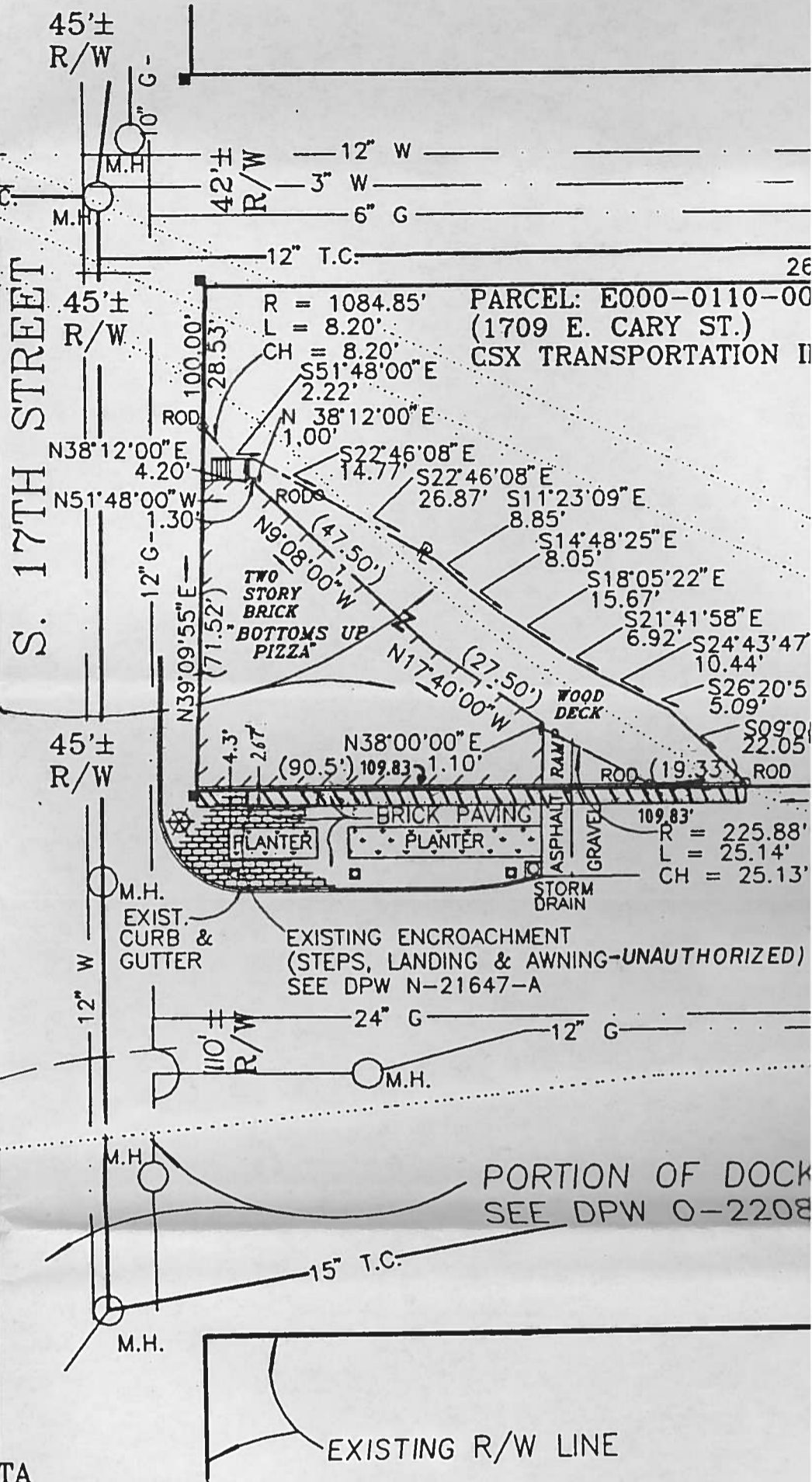
1. AREA OF RIGHT OF WAY PROPOSED TO BE CLOSED SHOWN HATCHED = 293± SQ. FT.
2. BEARINGS REFER TO PLAT ENTITLED "PLAT OF A 0.032 AC PARCEL ADDED TO A 0.064 AC PARCEL OF LAND SITUATED AT THE NORTHEAST CORNER OF 17TH & DOCK STREETS" DATED MAY 17, 1988 AND DRAWN BY WILLIAM J. SCHMIDT & ASSOC.
3. THIS DRAWING IS A COMPILATION OF BOUNDARY DATA FROM RECORD SOURCES.
4. ORDINANCE NO. 88-16-35, ADOPTED FEB. 22, 1988, (D.P.W N-21647-A) WHICH AUTHORIZED STEP, LANDING & AWNING ENCROACHMENTS IS NULL & VOID, AS TERMS/CONDITIONS OF ORDINANCE WERE NEVER MET.

SCALE:



SEE AS BUILTS
 OF FLOODWALL
 FOR REALIGNMENT
 OF DOCK ST.

S. 17TH STREET



PORTION OF DOCK
 SEE DPW 0-22089

EXISTING R/W LINE

1. Lot dimensions in parentheses are from deeds.
2. Property owners correct as of 3/11, 1994
3. Ordinance: _____
4. Adopted: _____
5. Accepted: _____

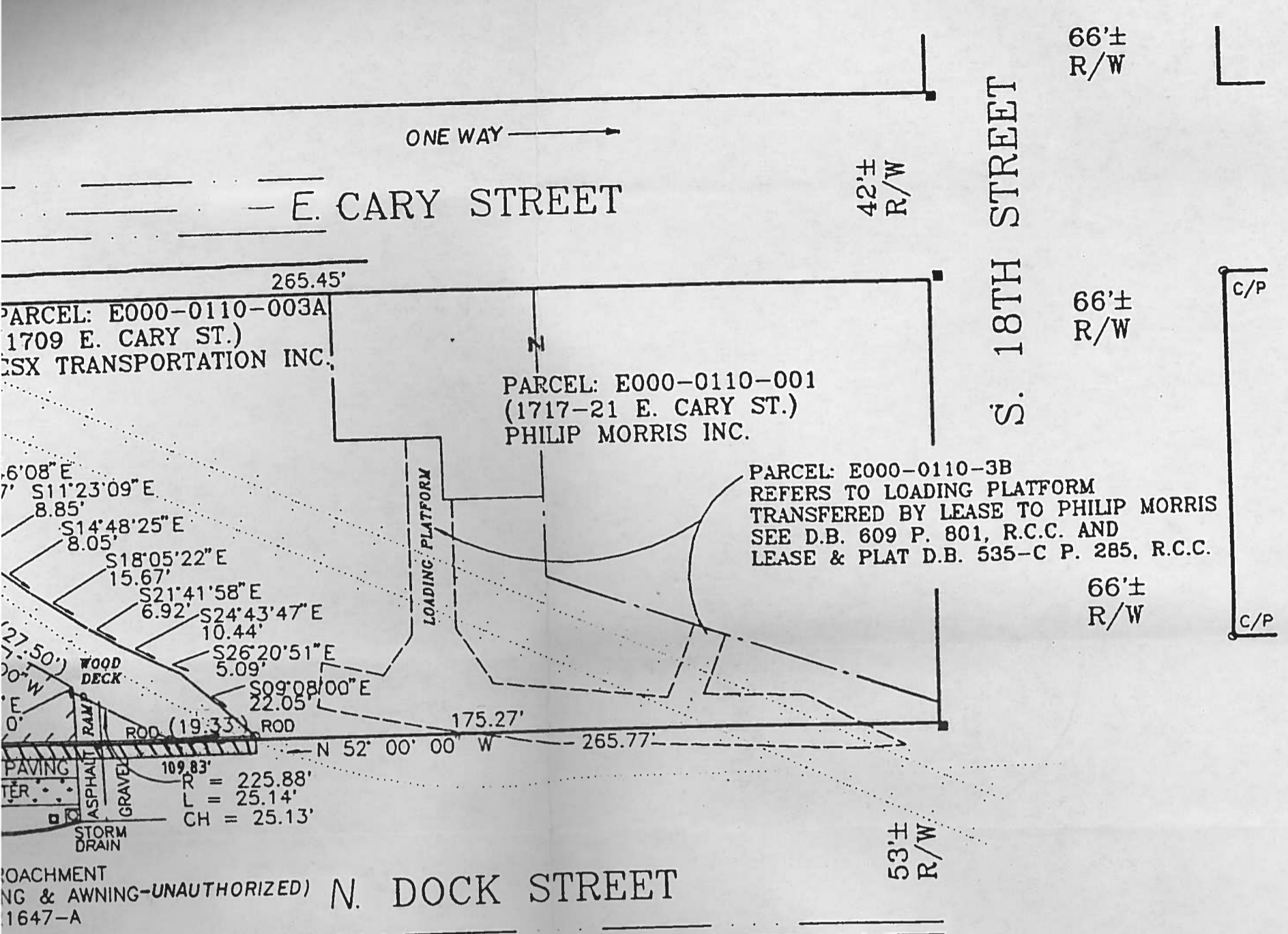


CHIEF OF DESIGN *[Signature]* 3-30-94
 Surveys Administrator *[Signature]* 3-30-94
 City Engineer *[Signature]* 3-30-94
 Director of Public Works

REFERENCES
 B/L 9SW, 2SE, N-21647-A, 0-22089, SEE NOTE 2

REVISIONS

DEPARTMENT OF PUBLIC WORKS
 RICHMOND, VIRGINIA



PORTION OF DOCK STREET CLOSED
SEE DPW O-22089 SHEETS 1 & 2 OF 3

BLOCK E-137

R/W LINE

BLOCK NO: E-110

<p><i>M. P. (Acting)</i> 3-30-94</p> <p><i>Margaret Freund</i> 3-30-94</p> <p><i>[Signature]</i> 3-30-94</p> <p>Director of Public Works</p>	<p>PROPOSED CLOSING OF PUBLIC RIGHT OF WAY ALONG THE NORTH LINE OF N. DOCK STREET BETWEEN S. 17TH AND S. 18TH STREETS.</p> <p>AUTHORITY: DIRECTOR-LETTER OF REQUEST 3/6/94 AND SIGNED BY MARGARET FREUND.</p>					
<p>OF PUBLIC WORKS</p> <p>ND, VIRGINIA</p>	<p>DRAWN BY <i>LEB</i></p> <p>CHECKED BY <i>ADC</i></p>	<p>FIELD NOTES</p>	<p>SCALE</p> <p>1"=30'</p>	<p>DATE</p> <p>3/25/94</p>	<p>PROJECT</p> <p>E-110-SC</p>	<p>DRAWING NO.</p> <p>N-22582</p>