

AN ORDINANCE No. 87-48-50

ADOPTED MAR 23 1987

To close to public use and travel an alley 12 feet, more or less, in width that extends northerly from the north right of way line of Nine Mile Road a distance of 109.67 feet, more or less, to an east-west alley that parallels said Nine Mile Road, in the block bounded by Nine Mile Road, 25th Street, U Street and 26th Street, shown shaded on a plan prepared by the Department of Public Works, Drawing No. M-21632, dated January 21, 1987, entitled: "Proposed Closing of the 12' Alley in Block Bounded by Nine Mile Rd., 25th St., U St., & 26th St.", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That an alley 12 feet, more or less, in width that extends northerly from the north right of way line of Nine Mile Road a distance of 109.67 feet, more or less, to an east-west alley that parallels said Nine Mile Road, in the block bounded by Nine Mile Road, 25th Street, U Street and 26th Street, shown shaded on a plan prepared by the Department of Public Works, Drawing No. M-21632, dated January 21, 1987, entitled: "Proposed Closing of the 12' Alley in Block Bounded by Nine Mile Rd., 25th St., U St., & 26th St.", 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 is hereby closed to public use and travel and abandoned as a public alley of the City of Richmond, said alley 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 owners of all the property abutting the alley (to be closed pursuant to the provisions of this ordinance) consent thereto in writing which shall be filed in the office of the City Clerk; (b) Harry E. Savage, Jr., and Karen Savage make arrangements satisfactory to public utility or public service corporations including the Department of Public Utilities of the City of Richmond and private utility companies whose properties or facilities are in said alley 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) Harry E. Savage, Jr., and Karen Savage bear all cost involved and agree in writing with the City that for themselves, their successors and assigns, they will 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 alley 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 owners of all the property abutting the aforesaid alley, or any of them, on account thereof, they will defend the City in any such suit or proceeding at their costs; and in the event of a final judgment or decree being obtained against the City, they will 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 consents herein required to be executed on behalf of the owners of the real estate abutting the alley to be closed to public use and travel shall be in form satisfactory to the City Attorney. Harry E. Savage, Jr., and Karen Savage, shall be responsible for satisfying all terms and conditions imposed and requisite for this ordinance becoming effective.

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

<p>Resolution Ordinance No. <u>87-48</u></p> <p>Requested by <u>City Manager, By Request</u></p> <p>Received City Manager's Office <u> </u></p> <p>Summarized <u>3/17/87</u></p>	<p>Subject</p> <p>To Close an Alley Bounded by Nine Mile Road, 25th, 26th and "U" Streets</p>
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SUMMARY

This Ordinance would close to public use and travel an unimproved alley in the block bounded by Nine Mile Road, 25th, 26th and "U" Streets in the East End of the City.

The alley abuts 2 privately-owned properties and a small vacant City-owned parcel. One of the abutting owners has requested the closing in order to provide additional parking to serve an abutting medical office building.

The subject alley is not needed for access or circulation and contains no utilities.

Planning Commission granted approval (9-0) March 16, 1987

COUNCIL ACTION

	<p>On Docket <u>3/23/87</u></p> <p>Amended <u> </u></p> <p>Adopted <u> </u></p> <p>Rejected <u> </u></p>
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City of Richmond
City Planning Commission



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

March 17, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of March 16, 1987, the City Planning Commission voted (9-0)
to recommend APPROVAL of:

Ordinance No. 87-48

To close to public use and travel an alley 12 feet, more or less, in width that extends northerly from the north right of way line of Nine Mile Road a distance of 109.67 feet, more or less, to an east-west alley that parallels said Nine Mile Road, in the block bounded by Nine Mile Road, 25th Street, U Street, and 26th Street, shown shaded on a plan prepared by the Department of Public Works, Drawing No. M-21632, dated January 21, 1987, entitled: "Proposed Closing of the 12' Alley in Block Bounded by Nine Mile Rd., 25th St., U St., & 26th St., upon certain terms and conditions.

This ordinance would close to public use and travel an unimproved alley in the block bounded by Nine Mile Road, 25th, 26th and "U" Streets in the East End. The subject alley is 12 feet in width and extends northwardly 109 feet from Nine Mile Road to an intersection with an east-west alley. The subject alley is partially blocked by a shed and is overgrown. It abuts two privately-owned properties and a small vacant City-owned parcel. One of the abutting owners has requested the closing in order to provide additional parking to serve an abutting medical office building. A paper to declare surplus and offer for sale the City-owned parcel will be presented at a future date. All adjacent properties are zoned for business use. Access to the abutting properties is from the existing primary east-west alley. The subject alley is not needed for access or circulation and contains no utilities. No objections to the closing have been expressed to the Commission.

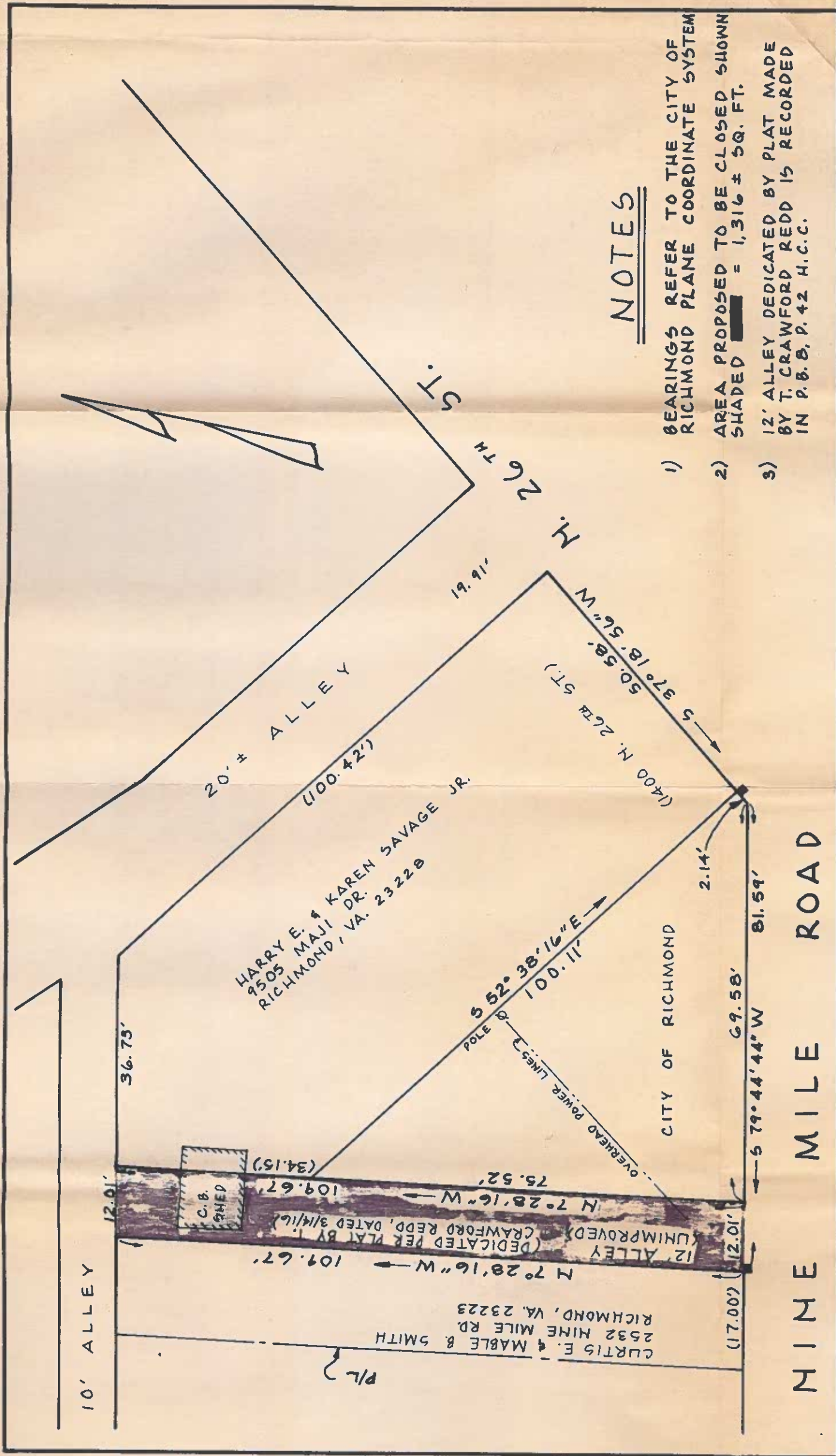
Very truly yours,

A handwritten signature in cursive script, appearing to read "Jon P. Weersing".

Jon P. Weersing
Secretary

JPW:lk

cc: Mr. Ronald R. Wesley - Attorney for Applicant
Director - Department of Public Works



NOTES

- 1) BEARINGS REFER TO THE CITY OF RICHMOND PLANE COORDINATE SYSTEM
- 2) AREA PROPOSED TO BE CLOSED SHOWN SHADED = 1,316 ± SQ. FT.
- 3) 12' ALLEY DEDICATED BY PLAT MADE BY T. CRAWFORD RECD IS RECORDED IN P.B.B, P. 42 H.C.C.