

AN ORDINANCE No 86-197-192

ADOPTED AUG 25 1986

To close to public use and travel a portion of an alley 10 feet, more or less, in width extending in an east-west direction westerly from the west right of way line of Davis Avenue a distance of 102.54 feet, more or less (along its southerly line) to a 12 foot wide north-south alley, in the block bounded by N. Davis Avenue, Main Street, N. Robinson Street and Floyd Avenue, shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21540, dated May 22, 1986, entitled: "Proposed Closing of a Portion of a 10' Alley in Block Bounded by N. Davis, Main, N. Robinson and Floyd Streets", upon certain terms and conditions.

Patron - Acting 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 an alley 10 feet, more or
3. less, in width extending in an east-west direction westerly
4. from the west right of way line of Davis Avenue a distance
5. of 102.54 feet, more or less (along its southerly line) to a
6. 12 foot wide north-south alley, in the block bounded by N.
7. Davis Avenue, Main Street, N. Robinson Street and Floyd
8. Avenue, shown shaded on a plan prepared by the Department of
9. Public Works, Drawing No. N-21540, dated May 22, 1986,
10. entitled: "Proposed Closing of a Portion of a 10' Alley in
11. Block Bounded by N. Davis, Main, N. Robinson and Floyd
12. Streets", which plan is on file in the office of the

1. Department of Public Works and a copy of which is attached
2. to the draft of this ordinance, be and is hereby closed to
3. public use and travel and abandoned as a portion of a public
4. alley of the City of Richmond, said portion of the alley
5. being no longer needed for the public convenience.

6. § 2. This ordinance shall be in force as provided
7. in Section 4.09 of the Charter of the City of Richmond and
8. shall become effective when, within six months from the day
9. this ordinance is in force (a) the owner or owners of all
10. the property abutting the alley (to be closed pursuant to
11. the provisions of this ordinance) consent thereto in writing
12. which consent shall be filed in the office of the City
13. Clerk; (b) Michael J. Boss makes arrangements satisfactory
14. to public utility or public service corporations including
15. the Department of Public Utilities of the City of Richmond
16. or private utility companies whose properties or facilities
17. are in said alley for either the removal, relocation or
18. abandonment thereof or for the construction, reconstruction,
19. maintenance and repair thereof, evidence of which shall be
20. in writing, approved as to form by the City Attorney, and
21. filed in the office of the City Clerk; (c) Michael J. Boss
22. bears all cost involved and agrees in writing with the City
23. that for himself, successors and assigns, to indemnify,
24. reimburse, keep and hold the City free and harmless from

1. liability on account of injury or damage to persons, firms
2. or corporations or property which may result directly or
3. indirectly from the closing of the alley to public use and
4. travel by this ordinance and the obstruction or interference
5. with the flow or overflow of surface or subsurface water
6. resulting directly or indirectly therefrom; and in the event
7. that any suit or proceeding is brought against the City at
8. law or in equity, either independently or jointly with the
9. owner or owners of all the property abutting the aforesaid
10. alley, or any of them, on account thereof, to defend the
11. City in any such suit or proceeding at his costs; and in the
12. event of a final judgment or decree being obtained against
13. the City, to pay such judgment or comply with such decree
14. including payment of all costs and expenses of whatsoever
15. nature and hold the City and said owners harmless therefrom.

16. The consent herein required to be executed on behalf
17. of the owners of the real estate abutting the alley to be
18. closed to public use and travel shall be in form satisfac-
19. tory to the City Attorney. Michael J. Boss shall be
20. responsible for satisfying all terms and conditions imposed
21. and requisite for this ordinance becoming effective.

22.
23.
24.

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No.	86-197 City Manager,	Subject To Close Alley/Bounded by Davis, Main, Robinson and Floyd.
Requested by	By Request	
Received City Manager's Office	--	
Summarized	8/4/86	

SUMMARY

This Ordinance would close to public use and travel the easternmost portion of a minimally improved and narrow east-west alley bounded by N. Davis, Floyd, N. Robinson and Main Streets (Fan District).

The abutting owners have requested the closing in order to increase security and reduce damage to their property.

The alley is not needed for access or circulation; it doesn't contain utilities and no objections have been noted.

Revenue: 1,019 sq. ft. added to taxable property.

No objections by Public Works. Terms to include:

1. Applicant to bear all relative costs;
2. Public/private utilities rights to be protected;
3. Applicant responsible for surface overflow;
4. Abutting owners must provide written consent agreement to closing.

Planning Commission granted approval (7-0) on August 4, 1986.

COUNCIL ACTION

On Docket	8/25/86
Amended	
Adopted	
Rejected	

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 86-197	Subject To Close Alley/Bounded by Davis, Main, Robinson and Floyd.
Requested by ..By...Request..... City Manager,	
Received City Manager's Office --	
Summarized 8/4/86	

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2. Public/private utilities rights to be protected;
3. Applicant responsible for surface overflow;
4. Abutting owners must provide written consent agreement to closing.

Planning Commission granted approval on August 4, 1986.

COUNCIL ACTION

On Docket 8/11/86
Amended
Adopted
Rejected

City of Richmond
City Planning Commission



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

August 5, 1986

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of August 4, 1986, the City Planning Commission voted (7-0)
to recommend APPROVAL of:

Ordinance No. 86-197

To close to public use and travel a portion of an alley 10 feet, more or less, in width, *** in the block bounded by N. Davis Avenue, Main Street, N. Robinson Street and Floyd Avenue, shown shaded on a plan prepared by the Department of Public Works, *** "Proposed Closing of a Portion of a 10' Alley in Block Bounded by N. Davis, Main, N. Robinson and Floyd Streets", etc.

The purpose of this paper is to close to public use and travel the easternmost portion of a minimally improved and narrow east-west alley in the block bounded by Davis and Floyd Avenues and Main and Robinson Streets in the Fan District. The portion to be closed extends from Davis Avenue westward 102 feet to an intersection with a north-south alley which connects to Main Street. The alley functions as a secondary route through the block and, for the most part, is overgrown and used for informal parking. The portion to be closed is ten feet in width and runs between the side walls of two dwellings fronting Davis Avenue. It serves only these two properties, the owners of which have requested the closing in order to increase security and reduce property damage. Access to and from the portion of the alley to remain open is provided from the primary east-west alley and the north-south alley which connects to Main Street. The alley is not needed for access or circulation by the general public or the abutting owners, and contains no utilities. No objections to the closing have been expressed to the Commission.

Very truly yours,

A handwritten signature in cursive script, reading "Jon P. Weersing".

Jon P. Weersing
Secretary

JPW:lk

cc: Mr. Michael J. Boss - Petitioner