

## ORDINANCE NUMBER 2022-



**AN ORDINANCE CLOSING AND VACATING APPROXIMATELY 1.06 ACRES OF UNIMPROVED STREETS AND ALLEYS TO THE EAST OF THE INTERSECTION OF ELKIN CIRCLE AND 11TH STREET IN WINCHESTER HEIGHTS BETWEEN BLOCK 9 AND 10, WAYNESBORO, VIRGINIA**

**WHEREAS**, upon application by William T. Elder to close and vacate approximately 1.06 acres of unimproved streets and alleys to the east of the intersection of Elkin Circle and 11th Street in Winchester Heights between Block 9 and 10, in accordance with Va. Code § 15.2-2006, the Mayor appointed viewers to ascertain and report whether any inconvenience would result to the public and whether, in the viewer's opinion, any special damages would be suffered by any person if the hereinafter described alley were closed, and

**WHEREAS**, after receipt by the entire Council of a viewers' report that concluded no adverse impacts to the traveling public or adjoining property owners, a lawfully convened public hearing was held pursuant to due notice, the costs of which are to be paid by the applicant.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Waynesboro, Virginia, that:

1. Approximately 1.06 acres of unimproved streets and alleys to the east of the intersection of Elkin Circle and E. 11<sup>th</sup> Street in Winchester Heights between Block 9 and 10, as shown on the plat entitled "Vacation Plat for Gun Street & 20' Alley Winchester Heights" prepared by Teresa M. Hannon, dated August 25, 2022, (the "Plat"), and generally described in the Staff Report #22-017 dated October 12, 2022, both of which are attached hereto and incorporated herein as Exhibit 1, shall be closed and vacated upon recordation of the Plat.
2. Title to the vacated areas may be vested in the owners of the properties adjoining the vacated right-of-way portions, as their interests may appear and at their request, subject to reservation of any and all existing easements granted to the City over and upon the unimproved street and alley hereby vacated.
3. The City Manager is authorized to execute any and all documents reasonably necessary to effectuate and carry out the purpose of this Ordinance, including, without limitation, quitclaim deeds.
4. This Ordinance shall take effect immediately upon adoption by the City Council.

**CERTIFICATE**

The undersigned Mayor and Clerk of the City Council of the City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Closing and Vacating 1.06 Acres of Unimproved Streets and Alleys to the East of the Intersection of Elkin Circle and 11th Street in Winchester Heights between Block 9 and 10, Waynesboro, Virginia, adopted by the City Council at a meeting held on \_\_\_\_\_.

INTRODUCED: ON OCTOBER 12, 2022 BY COUNCIL MEMBER TERRY SHORT, JR.

ADOPTED:

EFFECTIVE:

[SEAL]

ATTEST: \_\_\_\_\_  
Clerk, City Council

\_\_\_\_\_  
Mayor, City Council