

## ORDINANCE NUMBER 2023-



**AN ORDINANCE CLOSING AND VACATING APPROXIMATELY 0.677 ACRES OF UNIMPROVED STREETS AND ALLEYS DESCRIBED AS OHIO STREET ALONG BLOCK 40, LOT 1 AND OHIO STREET ALONG BLOCK 42, LOT 12, AND NORTH AUGUSTA AVENUE BETWEEN BLOCK 40, LOTS 1 AND 2, AND BLOCK 42, LOTS 12-16 AND 4 FT OF LOT 17, WAYNESBORO, VIRGINIA**

**WHEREAS**, upon petition by David Harner, President and CEO of Haley, Chisholm & Morris, Inc., to close and vacate approximately 0.677 acres of unimproved streets and alleys described as Ohio Street along Block 40, Lot 1 and Ohio Street along Block 42, Lot 12, and North Augusta Avenue between Block 40, Lots 1 and 2, and Block 42, Lots 12-16 and 4 ft. of Lot 17, the Mayor appointed viewers under the provisions of the Charter of this City 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 viewer's 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;

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

1. Approximately 0.677 acres of unimproved streets and alleys described as Ohio Street along Block 40, Lot 1 and Ohio Street along Block 42, Lot 12, and North Augusta Avenue between Block 40, Lots 1 and 2, and Block 42, Lots 12-16 and 4 ft. of Lot 17., be closed and vacated, as shown on the attached plat entitled "Plat for Haley, Chisholm, & Morris Inc. for Vacation of Portion of Ohio St and a Portion of N. Augusta Ave" prepared by James Brenneman, dated July 12, 2023;
2. The title to the said vacated area may be vested in the owners of the property adjoining the said vacated right-of-way portions, as their interests may appear and at their request, subject to reservation of any and all existing easements for utility purposes over the said alley portion hereby vacated.
3. The City Council hereby authorizes and designates the City Manager as sole designee for purposes of executing and associated quitclaim deeds conveying the said City's interest identified by this ordinance.

INTRODUCED: ON JULY 24, 2023 BY COUNCIL MEMBER BRUCE ALLEN

ADOPTED:

EFFECTIVE:

**CERTIFICATE**

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled "An Ordinance Closing

and Vacating Approximately 0.677-acres of Unimproved Streets and Alleys Described as Ohio Street Along Block 40, Lot 1 and Ohio Street Along Block 42, Lot 12, and North Augusta Avenue between Block 40, Lots 1 and 2, and Block 42, Lots 12-16 and 4 ft of Lot 17, Waynesboro, Virginia,” adopted by the City Council at a meeting held on .

[SEAL]

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CLERK

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MAYOR