

ORDINANCE NO. 10-1700-883
CITY OF MANASSAS PARK

MOTION: Councilmember Polk SECOND: Councilmember Kassinger

Date of Meeting: January 5, 2010

AN ORDINANCE VACATING A PORTION OF MANASSAS DRIVE THROUGH THE VACATION OF A PORTION OF A PLAT DEDICATING CERTAIN RIGHT-OF-WAY TO THE CITY OF MANASSAS PARK, VIRGINIA; AND ALLOCATING THE CITY'S INTEREST IN THE VACATED STREET TO AN ABUTTING PROPERTY OWNER.

WHEREAS, the City of Manassas Park, Virginia (the "City") is the owner of certain right-of-way comprising a portion of Manassas Drive situate in the City, containing 0.03402 acres (1,482 square feet) of land (the "Right-of-Way"), as shown on the plat attached hereto and incorporated herein by this reference (File No. P390), dated November 19, 2009, entitled "PLAT SHOWING RIGHT OF WAY VACATION CITY OF MANASSAS PARK" and prepared by Barnes & Johnson, Inc. of Manassas Park, Virginia, having acquired the Right-of-Way by deed recorded in Deed Book 1153 at Page 614 (the "Conveyance Deed"), among the land records of Prince William County, Virginia;

WHEREAS, Park Center LLC, a Virginia limited liability company, has petitioned the City to vacate those portions of the plat incorporated into the Conveyance Deed by which the Right-of-Way was dedicated to the City (the "Conveyance Plat"), said vacation to create four separate vacated portions of right-of-way: Right-of-Way Vacation 1, containing 0.01719 acres (749 square feet) of land, shown on the Plat as "R/W VACATION 1 0.01719 ACRES 749 S.F." ("ROW 1"), which will become part of Parcel A4-1, PARK CENTER; Right-of-Way Vacation 2, containing 0.00599 acres (261 square feet) of land, shown on the Plat as "R/W VACATION 2 0.00599 ACRES 261 S.F." ("ROW 2"), which will become part of Parcel A5-1, PARK CENTER; Right-of-Way Vacation 3, containing 0.00597 acres (260 square feet) of land, shown on the Plat as "RW VACATION 3 0.00597 ACRES 260 S.F." ("ROW 3"), which will become part of Parcel A4-1, PARK CENTER; and Right-of-Way Vacation 4, containing 0.00487 acres (212 square feet) of land, shown on the Plat as "RW VACATION 4 0.00487 ACRES 212 S.F." ("ROW 4").

WHEREAS, pursuant to Sections 15.2-2006, 15.2-2008, 15.2-2272 and 15.2-2274 of the Code of Virginia, the Governing Body of the City of Manassas Park (the "Governing Body") is authorized, and so desires, to vacate those portions of the Conveyance Plat described above as ROW 1, ROW 2, ROW 3 and ROW 4.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body that:

1. The foregoing recitals are hereby incorporated into this Ordinance as if set forth herein in their entirety.

2. On application of Park Center LLC, a Virginia limited liability company and abutting landowner, the Governing Body hereby vacates the Right-of-Way pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia and vacates pursuant to Sections 15.2-2272 and 15.2-2774 of the Code of Virginia, those portions of the plat incorporated into the Conveyance Deed by which the Right-of-Way was dedicated to the City, said Right-of-Way depicted as "R/W VACATION 1 0.01719 ACRES 749 S.F.", "R/W VACATION 2 0.00599 ACRES 261 S.F.", "RW VACATION 3 0.00597 ACRES 260 S.F.", and "RW VACATION 4 0.00487 ACRES 212 S.F." on the Plat.

3. The Mayor, or in his absence the Vice Mayor, is authorized to sign and deliver any ancillary legal instrument necessary to evidence or carry out the vacation of the Right-of-Way evidenced by this ordinance, provided such legal instrument has been reviewed and approved as to form by the City Attorney.

4. This ordinance shall be effective on and after the date of its adoption. This ordinance shall be recorded among the land records of the Circuit Court of Prince William County, Virginia, no sooner than thirty (30) days following its adoption.

Francis C. Jones, Jr., Mayor

Lana A. Conner, City Clerk, Attest

Ayes: Polk, Kassinger, Bunner, Naddoni, Jones

Nays: None

Abstain: None

Absent: Miller, Treuting