

Reviewed by (Owner /Counsel):

Alley between 205 Atlantic Avenue
(LRSN 12006130)
& 211 Atlantic Avenue
(LRSN 12006583)
Consideration: \$0.00

PREPARED BY AND RETURN TO:
HAMPTON CITY ATTORNEY’S OFFICE
TIMOTHY W. DREWRY (VSB #39558)
22 LINCOLN STREEET
HAMPTON, VIRGINIA 23669

*EXEMPTED FROM RECORDATION
TAXES UNDER SECTION 58.1-811(C)(4)
AND CLERK’S FEES UNDER SECTIONS
17.1-266 AND 17.1-279.E*

VACATION AGREEMENT
(Alley between 205 Atlantic Avenue & 211 Atlantic Avenue)

THIS VACATION AGREEMENT (this “Agreement”), made this ____ day of _____, 2021, by and among the **CITY OF HAMPTON, VIRGINIA**, a municipal corporation of the Commonwealth of Virginia, located at 22 Lincoln Street, Hampton, Virginia 23669 (the “City” and “Grantor” for the purpose of indexing), and **THOMAS E. GRAY**, owner of the property located at 205 Atlantic Avenue, Hampton, Virginia 23664 (LRSN 12006130) (the “Owner” and “Grantee” for the purpose of indexing); and **SAMANTHA R. TAYLOR**, owner of the property located at 211 Atlantic Avenue, Hampton, Virginia 23664 (LRSN 12006583)(the “Adjacent Owner” and “Grantee” for the purpose of indexing).

WHEREAS, the City owns that certain alley located between 205 Atlantic Avenue and 211 Atlantic Avenue, comprised of 1,746 square feet (0.0400 acre), more or less, located in the City of Hampton and more particularly described as:

All that certain lot, piece, or parcel of land containing 1,746 square feet (0.0400 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as “ALLEY HEREBY VACATED BY THE CITY OF

HAMPTON, VA,” as shown on that certain plat or sketch entitled: “PLAT SHOWING PROPERTY LINE & ALLEY VACATION LOCATED BETWEEN 205 & 211 ATLANTIC AVENUE, HAMPTON, VA BY THE CITY OF HAMPTON, VA,” said plat/sketch bearing a date of September 16, 2020, which is attached hereto as Exhibit “A” for reference and made a part of this legal description (the “Vacation Area”);

WHEREAS, Owner owns the residential property located at 205 Atlantic Avenue (LRSN 12006130) (herein referred to as “Parcel A”);

WHEREAS, Adjacent Owner owns the property located at 211 Atlantic Avenue (LRSN 12006583) (herein referred to as “Parcel B”);

WHEREAS, Owner requests the vacation of the alley between his property (Parcel A) and the Adjacent Owner’s property (Parcel B), comprising 1,746 square feet (0.0400 acre), more or less (the “Vacation Area”), all being as shown on Exhibit “A” attached hereto;

WHEREAS, the City, acting by and through its City Council, is of the opinion that the Vacation Area is not now and will not be needed for public interest.

NOW, THEREFORE, in accordance with Section 2.05 of the City Charter for the City of Hampton, Virginia, the City of Hampton, Virginia, acting by and through its City Council at its duly held meeting on the 11th day of August, 2021, does, by these presents, release and vacate the following described property interest, to-wit:

All that certain lot, piece, or parcel of land containing 1,746 square feet (0.0400 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as “ALLEY HEREBY VACATED BY THE CITY OF HAMPTON, VA,” as shown on that certain plat or sketch entitled: “PLAT SHOWING PROPERTY LINE & ALLEY VACATION LOCATED BETWEEN 205 & 211 ATLANTIC AVENUE, HAMPTON, VA BY THE CITY OF HAMPTON, VA,” said plat/sketch bearing a date of September 16, 2020, which is attached hereto as Exhibit “A” for reference and made a part of this legal description (the “Vacation Area”);

IN WITNESS WHEREOF, the City of Hampton, Virginia, a municipal corporation of the Commonwealth of Virginia, has caused its name to be signed to this Agreement by its City Manager or her duly Authorized Designee, and its corporate seal to be affixed and attested by its Clerk, Katherine K. Glass, they having been duly authorized to do so. Owner likewise has

caused his name to be signed to this Agreement indicating his acceptance of same. Adjacent Owner in accordance with the City Charter Section 2.05 has also caused her name to be signed to this Agreement indicating her acceptance of same.

CITY OF HAMPTON, VIRGINIA

By: _____
City Manager / Authorized Designee

COMMONWEALTH OF VIRGINIA,
City of Hampton, to wit:

On this _____ day of _____, 2021, I hereby certify that the foregoing Vacation Agreement was executed before me by _____, City Manager or Authorized Designee for the City of Hampton, Virginia. She/He is known to me personally.

Notary Public

My Commission Expires: _____
Registration No.: _____

ATTEST:

Clerk or designee

Approved as to Form:

By: _____
City Attorney's Office

Approved as to Content:

By: _____
Department of Public Works

(SIGNATURES CONTINUE ON FOLLOWING PAGES)

ACCEPTANCE:

OWNER:

By: _____
Thomas E. Gray

COMMONWEALTH OF VIRGINIA

City/County of _____, to-wit:

I hereby certify on this ____ day of _____, 2021 that the foregoing Vacation Agreement was acknowledged and accepted before me by Thomas E. Gray. He is known to me personally or provided _____ as identification.

Notary Public

My Commission Expires: _____

Registration No. _____

(SIGNATURES CONCLUDE ON FOLLOWING PAGE)

ADJACENT OWNER:

By: _____
Samantha R. Taylor

COMMONWEALTH OF VIRGINIA
City/County of _____, to-wit:

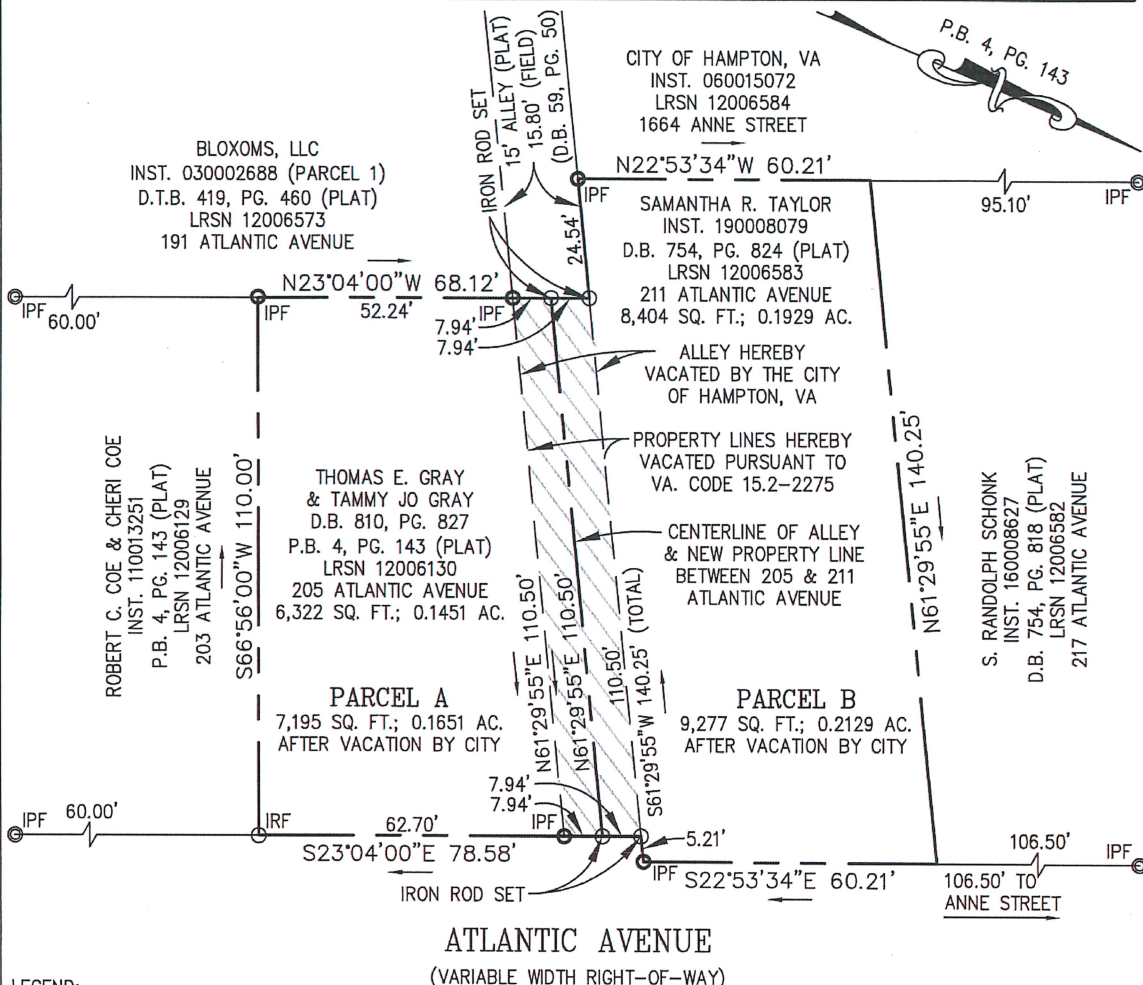
I hereby certify on this ____ day of _____, 2021 that the foregoing Vacation Agreement was acknowledged and accepted before me by Samantha R. Taylor. She is known to me personally or provided _____ as identification.

Notary Public


My Commission Expires: _____
Registration No. _____

DISCLAIMER FOR ELECTRONICALLY TRANSMITTED DOCUMENTS:

THE ORIGINAL SIGNED VERSION OF THIS PLAN OR PLAT IS ON FILE AT THE CITY OF HAMPTON PUBLIC WORKS ENGINEERING DEPARTMENT AT 22 LINCOLN STREET, HAMPTON, VIRGINIA. NEITHER THE CITY OF HAMPTON NOR THE LICENSED LAND SURVEYOR WHO PREPARED THIS PLAN OR PLAT ASSUMES ANY RESPONSIBILITY FOR ANY SUBSEQUENT CHANGES TO THE INFORMATION OR DATA SHOWN ON THE ORIGINAL SIGNED VERSION, WHICH ARE NOT MADE BY THE LICENSED LAND SURVEYOR OR THOSE WORKING UNDER HIS DIRECT CONTROL AND PERSONAL SUPERVISION.



LEGEND:

 VACATED PORTION OF ALLEY

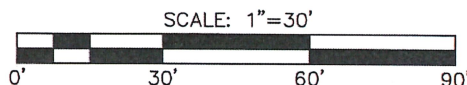
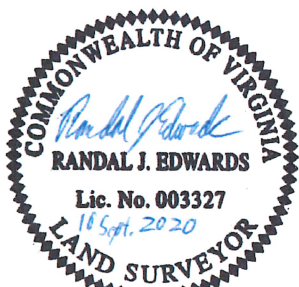
VACATED PORTION OF ALLEY: 1,746 S.F. ±; 0.0400 AC. ±
 VACATED PORTION TO PARCEL A: 873 S.F. ±; 0.0200 ±
 VACATED PORTION TO PARCEL B: 873 S.F. ±; 0.0200 ±

NOTES:

1. THE LAND BOUNDARY SURVEY SHOWN HEREON IS BASED UPON A CURRENT FIELD SURVEY.
2. A CURRENT TITLE REPORT WAS NOT FURNISHED FOR THIS SURVEY.
3. ALL EXISTING EASEMENTS MAY NOT BE SHOWN ON THIS PLAT.
4. PROPERTY IS SUBJECT TO RIGHTS OF WAY, EASEMENTS, COVENANTS AND ALL MATTERS OF PUBLIC RECORD.

ADDITIONAL REFERENCES:

\\pwfiles2\pwo
 users\rjedwards\2020
 \205 Atlantic Alley
 \205ATLANTIC_ROW01.dwg



Plat Showing
 Property Line & Alley Vacation
 Located Between 205 & 211 Atlantic Avenue,
 Hampton, VA
 By The City of Hampton, VA



CITY SURVEYOR – RANDAL J. EDWARDS, L.S.
 CITY OF HAMPTON
 PUBLIC WORKS ENGINEERING
 22 LINCOLN ST., HAMPTON VA 23669

SURVEY BY: R.J. Edwards, L.S. DATE: 16 Sept, 2020
 CAL'C BY: R.J. Edwards, L.S.
 DRAWN BY: R.J. Edwards, L.S.
 CH'KD BY: R.J. Edwards, L.S. SCALE: 1" = 30'