

**Reviewed by:**

Phillip R. Trapani, Jr., Esq.  
431 Granby Street  
Norfolk, VA 23510

Alley Intersecting 500 N. First Street  
(LRSN 12007111)

Consideration: \$300.00

**After Recording, Return to:**

Veronica E. Meade  
City Attorney's Office  
City of Hampton  
22 Lincoln Street  
Hampton, VA 23669

EXEMPTION FROM GRANTOR'S TAX UNDER  
VIRGINIA CODE § 58.1-811(C)(4)

**VACATION AGREEMENT**  
**(Alley Intersecting 500 N. First Street)**

**THIS VACATION AGREEMENT** (this "Agreement"), made this \_\_\_\_ day of October, 2017, 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 **SPRATLEY METTS KAY** and **ROBERT F. KAY, JR.**, owners of the property located at 500 N. First Street, Hampton, Virginia 23664 (LRSN 12007111) (jointly, the "Owner").

**WHEREAS**, the City owns the 15' alley intersecting the Owner's property at 500 N. First Street, comprising 675 square feet (0.0155 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 675 square feet (0.0155 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as "EXISTING ALLEY ... AREA 675 S.F.±" as shown on that certain sketch entitled: "SKETCH SHOWING ALLEY & PROPERTY LINE VACATION AT 500 N. FIRST ST," said sketch bearing a date of August 29, 2017, 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 500 N. First Street (LRSN 12007111) that is intersected by a 15' alley;

**WHEREAS**, Owner requests the vacation of the alley intersecting their property, comprising 675 square feet (0.0155 acre), more or less (the "Vacation Area") and interior property lines as highlighted on Exhibit "A" attached hereto;

**WHEREAS**, pursuant to the site plan dated May 25, 2017, the existing structure will be demolished and replaced; and Owner agrees to remove the 358 square feet (0.008 acre), more or less, portion of driveway encroaching into Owens Avenue as highlighted on Exhibit "B" attached hereto;

**WHEREAS**, while the City normally does not vacate portions of public alleys, portions of this alley on both sides of the Vacation Area have been vacated previously;

**WHEREAS**, the City is agreeable to this vacation on the condition that Owner vacates the interior property lines as illustrated on the attached exhibit to merge the five separate lots;

**WHEREAS**, pursuant to § 34-120 of the City Code, the purchase price of the Vacation Area is valued at Three Hundred and 00/100 Dollars (\$300.00); and

**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 Chapter 34, Article V of the Hampton City Code, the City of Hampton, Virginia, acting by and through its City Council at its duly held meeting on the 11<sup>th</sup> day of October, 2017, does by these presents release, quit-claim, and vacate unto Owner for the purchase price of \$300.00 the following described property interest, to-wit:

All that certain lot, piece, or parcel of land containing 675 square feet (0.0155 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as "EXISTING ALLEY ... AREA 675 S.F.±" as shown on that certain sketch entitled: "SKETCH SHOWING ALLEY & PROPERTY LINE VACATION AT 500 N. FIRST ST," said sketch bearing a date of August 29, 2017, which is attached hereto as Exhibit "A" for reference and made a part of this legal description, which is attached hereto as Exhibit "A" for reference and made a part of this legal description.

**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 its name to be signed to this Agreement.

**CITY OF HAMPTON, VIRGINIA**

By: \_\_\_\_\_  
City Manager / Authorized Designee

COMMONWEALTH OF VIRGINIA,  
City of Hampton, to wit:

On this \_\_\_\_\_ day of October, 2017, 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

COMMONWEALTH OF VIRGINIA,  
City of Hampton, to wit:

On this \_\_\_\_\_ day of October, 2017, I hereby certify that the foregoing Vacation Agreement was executed before me by Katherine K. Glass, Clerk of Council for the City of Hampton, Virginia. She is known to me personally.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
Registration No.: \_\_\_\_\_

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Deputy City Attorney

ACCEPTANCE:

By: X   
Spratley Metts Kay

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

I hereby certify on this 20 day of September, 2017 that the foregoing Vacation Agreement was acknowledged before me by Spratley Metts Kay. She is known to me personally or provided a license as identification.

RAINA B BRETAN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02BR6310788

Notary Public My Commission Expires September 02, 2018



My Commission Expires: 9/2/18  
Registration No. 02BR6310788

\* \* \*  
By: X   
Robert F Kay, Jr.

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

I hereby certify on this 20 day of September, 2017 that the foregoing Vacation Agreement was acknowledged before me by Robert F. Kay, Jr. He is known to me personally or provided a license as identification.

RAINA B BRETAN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02BR6310788  
My Commission Expires September 02, 2018

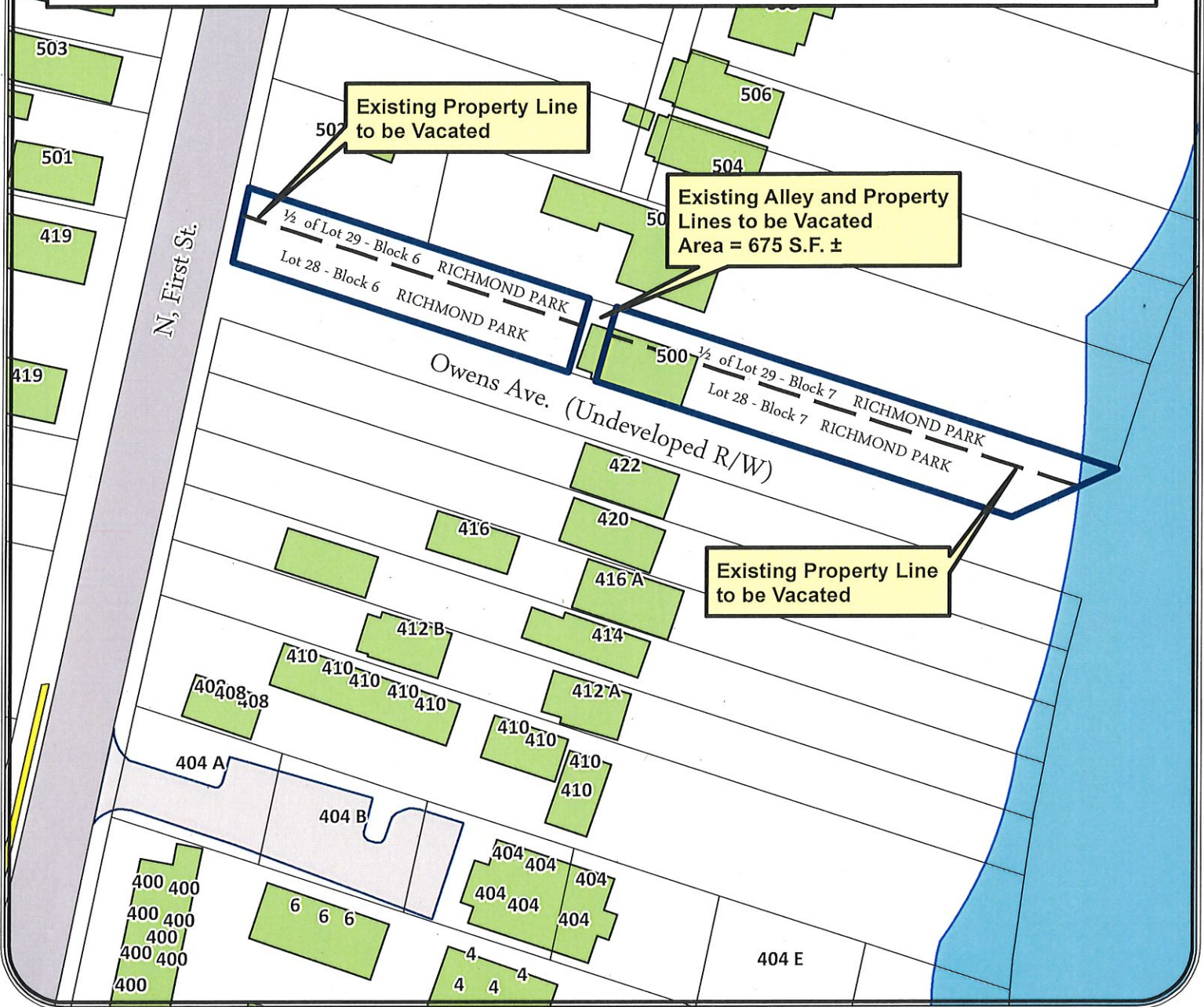
Notary Public



My Commission Expires: 9/2/18  
Registration No. 02BR6310788

- Notes 1. Combined area of Lot 28 & ½ of Lot 29, Block 6 of Richmond Park Subdivision = 8,435 S.F. ±  
 2. Combined area of Lot 28 & ½ of Lot 29, Block 7 of Richmond Park Subdivision = 8,435 S.F. ±

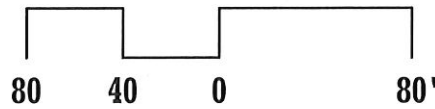
(Information based upon a topographic survey by WPL, dated 08/19/16 and provided to the City of Hampton)



### Sketch Showing Alley & Property Line Vacation at 500 N. First St

Prepared by: CITY of HAMPTON  
 Dept. of Public Works - Engineering Services

Scale: 1" = 80'



Map printed: 8 September, 2017

**DISCLAIMER** Although the information contained herein is believed to be reliable, no warranty, expressed or implied, is made regarding the accuracy, completeness, legality, reliability, or usefulness of any information, either isolated or in the aggregate, unless expressly specified. Neither is this information intended as a substitute for applicants' obligation to retain its own independent professional advice from an engineer, surveyor, attorney, or the like.

EXHIBIT "A"

