



Legislation Details (With Text)

File #: 17-0175 **Version:** 1 **Name:** Ducette Dr Vacation
Type: Ordinance-Non-coded **Status:** Passed
File created: 5/5/2017 **In control:** City Council Legislative Session
On agenda: 5/24/2017 **Final action:** 5/24/2017
Title: Ordinance Approving the Vacation of a Portion of a Sanitary Sewer Easement at 19 Ducette Drive (LRSN 13001038), Comprising 376 Square Feet (0.0086 Acre), More or Less, Pursuant to Chapter 34, Article V of the City Code

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vacation

Date	Ver.	Action By	Action	Result
5/24/2017	1	City Council Legislative Session	approved	Pass

Ordinance Approving the Vacation of a Portion of a Sanitary Sewer Easement at 19 Ducette Drive (LRSN 13001038), Comprising 376 Square Feet (0.0086 Acre), More or Less, Pursuant to Chapter 34, Article V of the City Code

PURPOSE/BACKGROUND:

Terry Plymouth owns the property located at 19 Ducette Drive (LRSN 13001038), and the City of Hampton (the "City") holds a 2,214 square foot (0.0508 acre) sanitary sewer easement at the rear of Mr. Plymouth's property. Mr. Plymouth requests the City to vacate 376 square feet (0.0086 acre) of the rear easement, as illustrated on the plat attached to the accompanying Vacation Agreement (the "Vacation Area"), to enable him to build a detached garage.

This request has been routed to staff and local utilities. Finding that the Vacation Area does not interfere with the gravity main and no other utilities exist in the area, staff recommends approval of this vacation request pursuant to Chapter 34, Article V of the Hampton City Code and in accordance with the accompanying Vacation Agreement and attached plat.

Staff also requests City Council to waive the purchase price pursuant to § 34-120 because the sanitary sewer easement was conveyed without charge via the subdivision plat incorporating Mr. Plymouth's property that was recorded in May 2004. However, if Council chooses not to waive the purchase price, staff estimates the value of the Vacation Area to be \$100.00.

Discussion:

N/A

Impact:

N/A

Recommendation:

Conduct public hearing
Approve Ordinance

WHEREAS, Terry Plymouth owns the property located at 19 Ducette Drive (LRSN 13001038), and the City of Hampton (the “City”) holds a 2,214 square foot (0.0508 acre) sanitary sewer easement at the rear of Mr. Plymouth’s property;

WHEREAS, Mr. Plymouth requests the City to vacate 376 square feet (0.0086 acre) of the rear easement, as illustrated on the plat attached to the accompanying Vacation Agreement (the “Vacation Area”), to enable him to build a detached garage;

WHEREAS, upon finding that the Vacation Area does not interfere with the gravity main and no other utilities exist in the area, staff recommends approval of this vacation request in accordance with the accompanying Vacation Agreement and attached plat;

WHEREAS, the Vacation Area will not be needed for any public purpose;

WHEREAS, the Vacation Area is valued at One Hundred and 00/100 Dollars (\$100.00); however, the City waives the purchase price pursuant to § 34-120 of the City Code because the sanitary sewer easement was conveyed without charge via the subdivision plat incorporating Mr. Plymouth’s property that was recorded in May 2004; and

WHEREAS, pursuant to Chapter 34, Article V of the Code for the City of Hampton, City Council agrees to vacate a portion of the sanitary sewer easement in the rear of 19 Ducette Drive, comprising 376 square feet (0.0086 acre), more or less, without charge, in accordance with the attached Vacation Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Hampton, Virginia, as follows:

1. That the vacation of a portion of the sanitary sewer easement in the rear of 19 Ducette Drive, comprising 376 square feet (0.0086 acre), more or less, is approved;
2. That the City Manager, or her authorized designee, and Clerk of Council are authorized to execute and attest the vacation of a portion of the sanitary sewer easement at the rear of 19 Ducette Drive as set forth in this Ordinance and the attached Vacation Agreement; and
3. That a certified copy of this vacation ordinance shall be recorded in the Office of the Clerk of the Circuit Court for the City of Hampton, Virginia in the manner as deeds are recorded and indexed in the name of the City of Hampton.