



## Legislation Text

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**File #:** 18-0363, **Version:** 1

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Ordinance Vacating Any and All City of Hampton Interest In A Certain Alley Approximately 17' Wide And Containing 5,545± Square Feet Bounded On The North By Parcels Collectively Addressed As 1300 Kecoughtan Road (LRSN 1004555) And On The South By Parcels Collectively Addressed 230 Catalpa Avenue (LRSN 1004554) And 200 Claremont Avenue (LRSN 1005036) Between Catalpa Avenue And Claremont Avenue

### **PURPOSE/BACKGROUND:**

The City of Hampton, Hampton Redevelopment and Housing Authority, and Wythe Elementary School, LLC (the "Developer") have negotiated a certain Wythe Elementary School Development Agreement, through which the Developer plans to redevelop the former Wythe Elementary School building located at 200 Claremont Avenue into 40 +/- apartments. By subdivision plat entitled, "Map of Newport News Co." dated 1891 and recorded in the Circuit Court for the City of Hampton at Deed Book 21 Page 325, a certain 5,545± alley (the "Alley") was created within a block designated as "Block 21," shown on **Exhibit A**. The Alley is located between properties owned by the City of Hampton, Virginia (the "City") addressed as 1300 Kecoughtan Road (LRSN 1004555) and 200 Claremont Avenue (LRSN 1005036) and a property owned by the George Wythe Recreation Association addressed as 230 Claremont Avenue (LRSN 1004554). The properties owned by the City are involved in the Wythe Elementary School Development Agreement. In order to confirm that the City has no interest in the Alley and to facilitate a transfer in fee simple of the property containing the former Wythe Elementary School building to the Developer, the City desires to vacate any and all City interest in the Alley, which is not improved and does not contain any utilities.

This is one of 5 items being brought forward together for action by City Council, including:

1. Hampton Drive Vacation (Item # 18-0364)
2. Alley Vacation (Item # 18-0363)
3. Rezoning # 18-00004 (Item # 18-0352)
4. Rezoning #18-00007 (Item # 18-0353)
5. Wythe Elementary School Development Agreement (Item # 18-0362)

### **Recommendation:**

Conduct a public hearing and adopt the ordinance.

**WHEREAS**, by subdivision plat entitled, "Map of Newport News Co." dated 1891 and recorded in the Circuit Court for the City of Hampton at Deed Book 21 Page 325, a certain 5,545± alley (the "Alley") was created within a block designated as "Block 21," shown on **Exhibit A** entitled, "Vacation Plat of Remaining Alley, Block 21, Map of Newport News Co., Deed Book 21 Page 325, City of Hampton, Virginia" prepared by Michael Surveying & Mapping, P.C. and dated 9/20/18;

**WHEREAS**, the Alley is located between properties owned by the City of Hampton, Virginia (the "City") addressed as 1300 Kecoughtan Road (LRSN 1004555) and 200 Claremont Avenue

(LRSN 1005036) and a property owned by the George Wythe Recreation Association addressed as 230 Claremont Avenue (LRSN 1004554);

**WHEREAS**, the City, Hampton Redevelopment and Housing Authority, and Wythe Elementary School, LLC (the "Developer") are or will become parties to a certain Wythe Elementary School Development Agreement, through which the Developer plans to redevelop the former Wythe Elementary School building located at 200 Claremont Avenue into 40 +/- apartments;

**WHEREAS**, in order to confirm that the City has no interest in the Alley and to facilitate a transfer in fee simple of the property containing the former Wythe Elementary School building to the Developer, the City desires to vacate any and all City interest in the Alley;

**WHEREAS**, the Alley is not improved and does not contain any utilities;

**WHEREAS**, Chapter 34 of the City Code and Section 15.2-2006 of the Code of Virginia permit vacation of public rights-of-way by ordinance of the City Council after a public hearing;

**WHEREAS**, the City Council finds that vacation of the Alley as shown on Exhibit A is in the best interest of the City and its citizens;

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

1. That the vacation of the Alley as depicted on Exhibit A is hereby approved; and
2. That the City Manager or her authorized designee is hereby authorized to record this ordinance in accordance with Chapter 34 of the City Code and Section 15.2-2006 in the Circuit Court for the City of Hampton, Virginia and to perform other such acts as may be necessary and appropriate in accordance with the intent of this ordinance.