

ORDINANCE NO. 2020-

**An Ordinance Discontinuing and Vacating a Portion of Reed Street,
a 50-foot Wide Right-of-Way and the Entirety of a Public 12-foot Wide Alleyway in
Max Meadows, Fort Chiswell Magisterial District, Wythe County, Virginia**

WHEREAS, Kathy Armbrister, Administrator of the estate of Emily S. Crigger, has submitted an application to discontinue and vacate a portion of Reed Street, a 50-foot wide right-of-way, and the entirety of a public 12-foot wide alley way in Max Meadows, Fort Chiswell Magisterial District, Wythe County, Virginia.

WHEREAS, notice that the Board of Supervisors of Wythe County would consider such request has been given pursuant to Section 15.2-2006 of the Code of Virginia, 1950, as amended.

WHEREAS, the Board of Supervisors held a public meeting and considered such application on September 8, 2020, pursuant to such notice.

WHEREAS, the Board was of the opinion that the vacation would not result in any inconvenience and was in the interest of public welfare.

NOW, THEREFORE, be it ordained that the portion of Reed Street, a 50-foot right-of-way and the entirety of a public 12-foot wide alleyway shown on the plat attached to this Ordinance as Exhibit A, which is made a part of this ordinance by this reference, is hereby DISCONTINUED AND VACATED.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance be recorded as deeds are recorded and indexed, in the name of the County of Wythe, in the Clerk's Office of the Circuit Court of Wythe County, Virginia.

This ordinance was duly considered following a required public hearing held on September 8, 2020, and was adopted by the Board of Supervisors of Wythe County, Virginia, at its regular meeting held on September 8, 2020, the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Brian W. Vaught				
Rolland R. Cook				
Ryan M. Lawson				
James D. Smith				
Coy L. McRoberts				
B.G. "Gene" Horney, Jr.				
Brian W. Vaught				

I certify that this is a true and correct copy taken from the September 8, 2020, minutes of the Wythe County Board of Supervisors meeting.

Martha Collins, Clerk of the Board

NOTES:

- THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAPS #51197C0227D DATED 05/02/08.
- THE SUBJECT PARCELS ARE CURRENTLY SERVED BY PUBLIC WATER. THE EXISTING MOBILE HOME ON THE WEST SIDE OF THE SUBJECT PROPERTY IS CURRENTLY SERVED BY PRIVATE SANITARY SEWER WITH COUNTY SEPTIC PERMIT #94-198-083. THE EASTERN SIDE OF THE PROPERTY CAN BE SERVED BY PUBLIC SEWER DATED 05/02/08.
- THERE ARE NO PRINCIPLE STRUCTURES WITHIN THE SETBACK AREAS ALONG NEW BOUNDARY LINES. THE SETBACK LINE IS FROM THE EXISTING RIGHT OF WAY LINE. FRONT SETBACKS = 35', REAR SETBACKS = 10', AND SIDE SETBACKS = 10'.
- PUBLIC UTILITY EASEMENTS OF NOT LESS THAN TEN (10) FEET IN WIDTH SHALL BE PROVIDED FOR WATER, SEWER, POWER LINES, AND OTHER PUBLIC UTILITIES IN THE SUBDIVISION ALONG EACH PROPERTY LINE EXCEPT ALONG THE OUTSIDE BOUNDARY WHERE TWENTY (20) FEET SHALL BE REQUIRED.
- SUBJECT PROPERTY IS CURRENTLY USED AS RESIDENTIAL. THE PROPOSED USE FOR THE NEW PARCELS SHALL REMAIN THE SAME. ALL ADJOINER PROPERTIES ARE CURRENTLY USED AS RESIDENTIAL.
- RESTRICTIONS AND/OR COVENANTS, IF ANY, ARE TO BE RECORDED SIMULTANEOUSLY WITH THIS PLAT AND THERE ARE NO EXISTING COVENANTS.
- THERE ARE CURRENTLY NO PLANS FOR DEVELOPING THESE NEW PARCEL CONFIGURATIONS.
- THE INTENT OF THIS PLAT IS TO CREATE 1 NEW PARCEL BY VACATING ALL INTERIOR LOT LINES, A PUBLIC 12' WIDE ALLEY AND A PUBLIC 50' WIDE STREET AS SHOWN HEREON. ALL INTERIOR DASHED PROPERTY LINES WITHIN THE SUBJECT PARCELS ARE HEREBY VACATED.

WYTHE COUNTY CERTIFICATE OF APPROVAL:

THE SUBDIVISION PLAT KNOWN AS LOT LINE AND PUBLIC STREET/ALLEY VACATION SUBDIVISION IS IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

ADMINISTRATOR _____ DATE _____
 PLANNING COMMISSION _____ DATE _____

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND THE ORDINANCES OF WYTHE COUNTY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITH THE COUNTY HAVE BEEN MET.

BRADLEY TATE, L.S. NO. 2794 _____ DATE 07-16-20

OWNER'S CONSENT

THIS IS TO CERTIFY THAT THIS SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

KATHY ARMBRISTER (HEIR) (ADMINISTRATOR) _____ DATE _____

COMMONWEALTH AT LARGE TO WIT:
 STATE OF VIRGINIA
 COUNTY/CITY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____, 20____. MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

SOURCE OF TITLE:

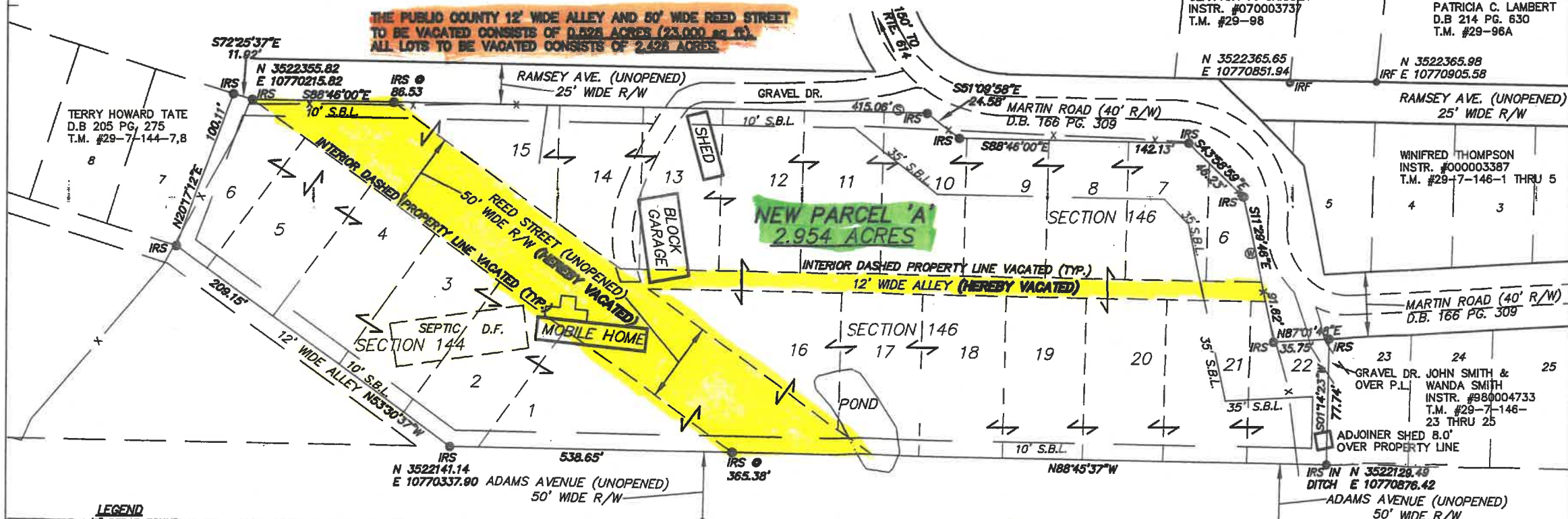
T.M. #29-7-146-6 THRU 22 (LOTS 6 THRU 22, SECTION 146)
 T.M. #29-7-144-1 THRU 6 (LOTS 1 THRU 6, SECTION 144)
 THE AREA SHOWN WAS ACQUIRED BY EMILY S. CRIGGER FROM RICHARD GILMER BURCHAM AND LYNDY L. BURCHAM, AND VIRGINIA ELMA BROWN DATED SEPTEMBER 1, 1993 AS RECORDED IN D.B. 418 PG. 31 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA. DEED MAKES REFERENCE TO INCORRECT LOT NUMBERS WITHIN PARCEL 2 OF SAID DEED. EMILY S. CRIGGER DIED INTESTATE AND KATHY C. ARMBRISTER IS THE ADMINISTRATOR OF THE ESTATE AS PER WILL INSTR. #130000031.

SEE PLAT ENTITLED 'PLAN G OF THE TOWN OF MAX MEADOWS' AS RECORDED IN PLAT BOOK 1 PAGE 21.

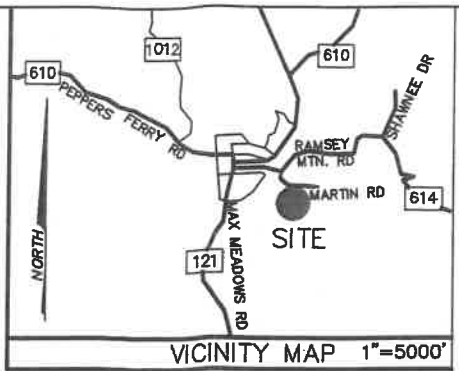
THIS SURVEYOR LOOKED FOR AND TIED DOWN CORNER MONUMENTATION AND OCCUPATION LINE EVIDENCE ON ADJOINERS WITHIN THE ORIGINAL 'PLAN 'G' OF THE TOWN OF MAX MEADOWS' DIVISION RECORDED IN P.B. 1 PG. 21. THE BOUNDARY LINES SHOWN HEREON ARE ESTABLISHED BY HOLDING EVIDENCE FOUND ALONG RAMSEY AVENUE CONSISTING OF FENCE REMNANTS ON THE SOUTH SIDE OF RAMSEY AVENUE AND CORNER MONUMENTATION FOUND ON THE NORTH SIDE OF RAMSEY AVENUE ON T.M. #29-96A. FENCE EVIDENCE FOUND SOUTH OF THE SUBJECT PROPERTY ON THE ALLEY WAY IN SECTION 147 CHECKS +/-10'.

MARTIN ROAD 40' WIDE RIGHT OF WAY IS SET UP BY HOLDING CENTERLINE OF ROAD. NO DESCRIPTION WAS FOUND FOR THIS RIGHT OF WAY OTHER THAN DESCRIBED IN D.B. 166 PG. 309.

THE PUBLIC COUNTY 12' WIDE ALLEY AND 50' WIDE REED STREET TO BE VACATED CONSISTS OF 0.828 ACRES (23,000 sq. ft.). ALL LOTS TO BE VACATED CONSISTS OF 2.428 ACRES.



- LEGEND**
- IRF 1/2" REBAR FOUND
 - IPF 1/2" IRON PIPE FOUND
 - ⊙ IRS 1/2" REBAR SET
 - ⊙ WATER METER
 - W — UG WATER LINE
 - X — FENCE LINE
 - S.B.L. — SET BACK LINE
 - P.L. — PROPERTY LINE
 - D.F. — DRAIN FIELD



HURTT & PROFFITT
 INCORPORATED
 350 S. 4TH STREET
 WYTHEVILLE, VA 24582
 800-292-4806 TOLL FREE
 276-228-0008 MAIN
 276-223-0008 FAX

PLAT SHOWING VACATION OF
 A PUBLIC 12' WIDE ALLEY AND 50' WIDE REED STREET AND
 LOTS 6 THRU 22, SECTION 146, P.B. 1 PG. 21
 MAX MEADOWS, FORT CHISWELL MAG. DIST., WYTHE COUNTY, VA

PROJECT NO. 20190566
 G.L. NO. _____
 FILE NO. _____
 DATE: 07-16-20
 DRAWN BY: MBT
 CHECKED BY: MBT


HURTT & PROFFITT

SHEET NO.
 1 OF 1



SLEY JERRY WAYNE JR
 RRY WAYNE JR
 Y
 29-7-142-16 VIARS CHARLES RAY & DARLENE ARNOLD
 29-7-142-14 CHRISLEY SHARON
 29-7-142-13 CHRISLEY SHARON
 29-7-142-12 CHRISLEY SHARON
 29-7-142-11 CHRISLEY SHARON
 CARSON & DOLLY
 EPH
 44-14 TERRY HOWARD ROBERT TATE
 29-7-144-12 TATE TERRY HOWARD c/o ROBERT TATE
 29-7-144-9
 29-7-144-8 TATE TERRY HOWARD
 29-7-144-7 TATE TERRY HOWARD
 29-7-144-5 CRIGGER EMILY S
 29-7-144-4 CRIGGER EMILY S
 29-7-144-3 CRIGGER EMILY S
 29-7-144-2 CRIGGER EMILY S
 29-7-144-1 CRIGGER EMILY S
 29-7-149-13 ARMENTROUT OLIN MARK
 29-7-149-12 ARMENTROUT OLIN MARK
 29-7-149-9 ARMENTROUT OLIN MARK
 29-7-149-7 ARMENTROUT OLIN MARK
 29-7-149-2 ARMENTROUT OLIN MARK
 29-7-149-3 ARMENTROUT OLIN MARK
 29-7-149-4 ARMENTROUT OLIN MARK
 29-7-150-1 WYTHE BLAND WATER & SEWER AUTHORITY
 29-7-150-3 WYTHE BLAND WATER & SEWER AUTHORITY
 29-7-150-4 WYTHE BLAND WATER & SEWER AUTHORITY
 29-7-150-5 WYTHE BLAND WATER & SEWER AUTHORITY

29-7-145-1 SMITH SCOTTY WAYNE & HEATHER JEAN SMITH
 29-7-145-3 VIARS WILLIAM DAVID & TERRI ANN VIARS
 29-7-145-4 VIARS WILLIAM DAVID & TERRI ANN VIARS
 29-7-145-6 VIARS WILLIAM DAVID & TERRI ANN VIARS
 29-7-145-9 SMITH SCOTTY WAYNE & HEATHER JEAN SMITH
 29-7-145-7 VIARS WILLIAM DAVID & TERRI ANN VIARS
 29-101 COLLINS JAMES T & WANDA R
 29-100 DUNFORD DOUGLAS L & VANESSA C
 29-99 CRIGGER MILDRED A
 29-98 CRIGGER HEATHER L & CLAYTON F CRIGGER
 29-94 DAVIS TIMOTHY RAY EST
 29-95 DAVIS TIMOTHY RAY EST
 29-96 WOLFE REGINA DOSS
 29-96A LAMBERT GEORGE W & PATRICIA C
 29-104 CRIGGER EMILY S
 29-104 CRIGGER EMILY S
 29-7-146-15 CRIGGER EMILY S
 29-7-146-14 CRIGGER EMILY S
 29-7-146-13 CRIGGER EMILY S
 29-7-146-9 CRIGGER EMILY S
 29-7-146-8 CRIGGER EMILY S
 29-7-146-6 CRIGGER EMILY S
 29-7-146-4 THOMPSON WINIFRED L
 29-7-146-3 THOMPSON WINIFRED L
 29-75 OGLE ROBERT L & BRENDA K
 29-7-146-24 SCOTT VICKIE L
 29-7-146-25 SMITH WANDA HILLENBERG
 29-7-146-27 SMITH WANDA HILLENBERG
 29-7-146-21 CRIGGER EMILY S
 29-7-146-19 CRIGGER EMILY S
 29-7-146-17 CRIGGER EMILY S
 29-7-146-23 SCOTT VICKIE L
 29-7-146-21 CRIGGER EMILY S
 29-7-146-25 SMITH WANDA HILLENBERG
 29-7-146-27 SMITH WANDA HILLENBERG
 29-74 SMITH WANDA HILLENBERG
 29-7-149-1 ARMENTROUT OLIN MARK
 29-7-149-2 ARMENTROUT OLIN MARK
 29-7-149-3 ARMENTROUT OLIN MARK
 29-7-149-4 ARMENTROUT OLIN MARK
 29-7-147-8 ARMENTROUT OLIN MARK
 29-7-147-6 ARMENTROUT OLIN MARK
 29-7-147-3 ARMENTROUT OLIN MARK


WYTHE COUNTY
 EMILY CRIGGER ESTATE

0 50 ft 100 ft

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Courtesy of VGN, Commonwealth of Virginia