

**ORDINANCE CLOSING VILLA DRIVE, PINE COURT, SPRUCE COURT,
HAWTHORNE CIRCLE AND A PORTION OF SHANK DRIVE (EAST OF PARK
ROAD), CONTAINING APPROXIMATELY 2.834 ACRES, MORE OR LESS,
LOCATED IN THE CITY OF HARRISONBURG**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA:**

That certain Villa Drive, Pine Court, Spruce Court, Hawthorn Circle and that portion of Shank Drive located east of Park Road containing in the aggregate approximately 2.834 acres, more or less, located in the CITY OF HARRISONBURG, to be indexed as Grantor, be closed and vacated, subject to the easements described below. Plats showing the streets to be closed, prepared by Hal T. Benner, Land Surveyor, dated April 6, 2017 entitled "Park Village Inc, Lot Line Vacation, Street Dedication and Street Closing", are attached hereto and made a part hereof.

That upon passage of this ordinance, the title to Villa Drive, Pine Court, Spruce Court, Hawthorne Circle and that portion of Shank Drive located east of Park Road to be closed and vacated, and which are shown on the aforementioned plats, shall be vested in PARK VILLAGE, INC., a Virginia corporation, owner of the adjoining parcels, to be indexed as Grantee. The streets to be closed and vacated are shown on City Block Map number 52, and shown on the above referenced plats.

That upon passage of this ordinance, all portions of Villa Drive, Pine Court, Spruce Court, Hawthorne Circle and that portion of Shank Drive located east of Park Road, conveyed herein, shall be subject to an easement encompassing all of such property conveyed for the benefit of any public utilities existing therein, including but not limited to the City of

Harrisonburg, Columbia Gas of Virginia, Inc., and Harrisonburg Electric Commission, to access, install, construct, increase or decrease the size operate, add to or alter present or future utilities, including but not limited to fire hydrants, valves, meters, manholes, and service laterals. All utilities and appurtenant facilities shall remain the property of the City, Columbia Gas or Harrisonburg Electric Commission, or other public utility as the case may be. The City and the other utilities providers shall have full and free use of the easement retained herein, and shall have all rights and privileges reasonably necessary to the exercise of the rights retained herein, including the right of access, provided that any areas within the easement disturbed by the City or other utility providers shall be restored as nearly as possible to their original condition. The Grantee shall have the right to make such use of the easement which may not be inconsistent with the rights reserved herein or interfere with the use of said easement by the City or other utilities providers for the purposes set forth above.

That upon passage of this ordinance the property conveyed herein shall be subject to the City of Harrisonburg's interest in any easement shown on the Plat as being retained by the City; including, but not limited to a fifty (50) square foot area dedication for public use for Park Road Public Street Right of Way, a seventy-one (71) square foot area dedication for public use for Park Road Public Street Right of Way, and an eighty-eight (88) square foot area dedication for public use for Park Road Public Street Right of Way, all as shown on the aforementioned Plat.

That upon passage of this ordinance the property conveyed herein shall be subject to the City of Harrisonburg's interest and the interest of any public utility companies, in any easement shown on the Plat.

This ordinance shall be effective from the date of its passage.

ADOPTED and APPROVED this _____ day of _____, 2017.

MAYOR

ATTESTE:

Clerk of the Council

PARK VILLAGE, INC. LOT LINE VACATION STREET DEDICATION AND STREET CLOSING

CITY OF HARRISONBURG, VIRGINIA
REVISED APRIL 6, 2017
JANUARY 16, 2017

OWNER'S CONSENT AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE VACATION OF LOT LINES, STREET DEDICATION AND STREET CLOSING AS SHOWN ON THIS PLAT, CONTAINING 16.168 ACRES, MORE OR LESS, AND DESIGNATED AS PARK VILLAGE, INC. LOT LINE VACATION, STREET DEDICATION AND STREET CLOSING IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF.

PARK VILLAGE, INC. HAS TITLE TO SEVERAL PARCELS AS FOLLOWS:

TAX PARCEL 52 (D) 4 CONTAINING 3.922 ACRES OF LANDS HEREBY SUBDIVIDED IS A PORTION OF THE LAND CONVEYED TO PARK VILLAGE, INC. BY VIRGINIA MENNONITE HOME, INCORPORATED BY DEED DATED OCTOBER 19, 1981, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 640, PAGE 18.

TAX PARCEL 52 (D) 6 CONTAINING 0.344 ACRES OF LANDS HEREBY SUBDIVIDED IS THE LAND CONVEYED TO PARK VILLAGE, INC. BY E. CLAYTON AND MARY HOLSINGER SHANK BY DEED DATED DECEMBER 29, 1989, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 992, PAGE 782.

TAX PARCEL 52 (D) 7 CONTAINING 0.334 ACRES OF LANDS HEREBY SUBDIVIDED IS THE LAND CONVEYED TO PARK VILLAGE, INC. BY E. CLAYTON AND MARY HOLSINGER SHANK BY DEED DATED DECEMBER 29, 1989, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 992, PAGE 782.

TAX PARCEL 52 (D) 8 CONTAINING 1.486 ACRES OF LAND HEREBY SUBDIVIDED IS THE LAND CONVEYED TO PARK VILLAGE, INC. BY E. CLAYTON AND MARY HOLSINGER SHANK BY DEED DATED SEPTEMBER 14, 1981, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 635, PAGE 508.

TAX PARCEL 52 (D) 9 CONTAINING 6.507 ACRES OF LAND HEREBY SUBDIVIDED IS A PORTION OF THE LAND CONVEYED TO PARK VILLAGE, INC. BY TRIPLE H FARMS, INC. BY DEED DATED NOVEMBER 2, 1981, IN DEED BOOK 643, PAGE 577 AND A PORTION OF THE LAND CONVEYED TO PARK VILLAGE INC. BY VIRGINIA MENNONITE HOME, INCORPORATED BY DEED DATED OCTOBER 19, 1981, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 640, PAGE 18.

TAX PARCEL 52 (D) 10 CONTAINING 0.341 ACRES OF LANDS HEREBY SUBDIVIDED IS A PORTION OF THE LAND CONVEYED TO PARK VILLAGE, INC. BY VIRGINIA MENNONITE HOME, INCORPORATED BY DEED DATED OCTOBER 19, 1981, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 640, PAGE 18.

0.400 ACRES OF LAND HEREBY SUBDIVIDED IS A PORTION OF THE LANDS CONVEYED TO PARK VILLAGE INC. BY TRIPLE H FARMS, INC. BY DEED DATED NOVEMBER 2, 1981, RECORDED IN DEED BOOK 643, PAGE 577 AND THE LAND CONVEYED TO PARK VILLAGE INC. BY VIRGINIA MENNONITE HOME, INCORPORATED BY DEED DATED OCTOBER 19, 1981, IN DEED BOOK 640, PAGE 18, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

THE STREETS HERE BY DEDICATED BY PARK VILLAGE, INC. ARE 71 SQUARE FEET PORTION OF TAX PARCEL 52(D)9, 88 SQUARE FEET PORTION TO TAX PARCEL 52(D)10 AND 50 SQUARE FEET PORTION OF TAX PARCEL 52 (D) 8.

THE STREETS HEREBY CLOSED CONTAINING 2.834 ACRES ARE, VILLA DRIVE, SPRUCE COURT, PINE COURT, HAWTHORNE CIRCLE, AND SHANK DRIVE. VILLA DRIVE AND SPRUCE COURT WERE CONVEYED TO THE CITY OF HARRISONBURG, VIRGINIA BY DEED DATED JULY 11, 1984, AND RECORDED IN DEED BOOK 718, PAGE 682. PINE COURT WAS CONVEYED TO THE CITY OF HARRISONBURG, VIRGINIA BY DEED DATED NOVEMBER 15, 1985, AND RECORDED IN DEED BOOK 769, PAGE 4. HAWTHORNE CIRCLE AND A PORTION OF SHANK DRIVE WERE CONVEYED TO THE CITY OF HARRISONBURG, VIRGINIA BY DEED DATED JUNE 19, 1986, AND RECORDED IN DEED BOOK 806, PAGE 434. THE RESIDUE OF SHANK DRIVE WAS ACQUIRED BY THE CITY OF HARRISONBURG THROUGH ANNEXATION. THE ORIGINAL DEDICATION TO PUBLIC USE WAS RECORDED ON A SUBDIVISION PLAT IN DEED BOOK 441, PAGE 34.

GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2017.
PARK VILLAGE, INC.

(name)

STATE OF VIRGINIA AT LARGE

CITY/COUNTY OF _____, TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017, BY PARK VILLAGE, INC.

NOTARY PUBLIC

REGISTRATION NO.

MY COMMISSION EXPIRES: _____

BENNER & ASSOC., INC.
8 PLEASANT HILL ROAD
HARRISONBURG, VA 22801
540 434-0267
REF# 071608
DRAWING: 071608-VMRC 2017 LOT VACATION.dwg
CRD: 071608

SHEET 1 OF 5



GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2017.
CITY OF HARRISONBURG, VIRGINIA

(name)

STATE OF VIRGINIA AT LARGE

CITY/COUNTY OF _____, TO WIT:
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017, BY CITY OF HARRISONBURG, VIRGINIA.

NOTARY PUBLIC _____ REGISTRATION NO. _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

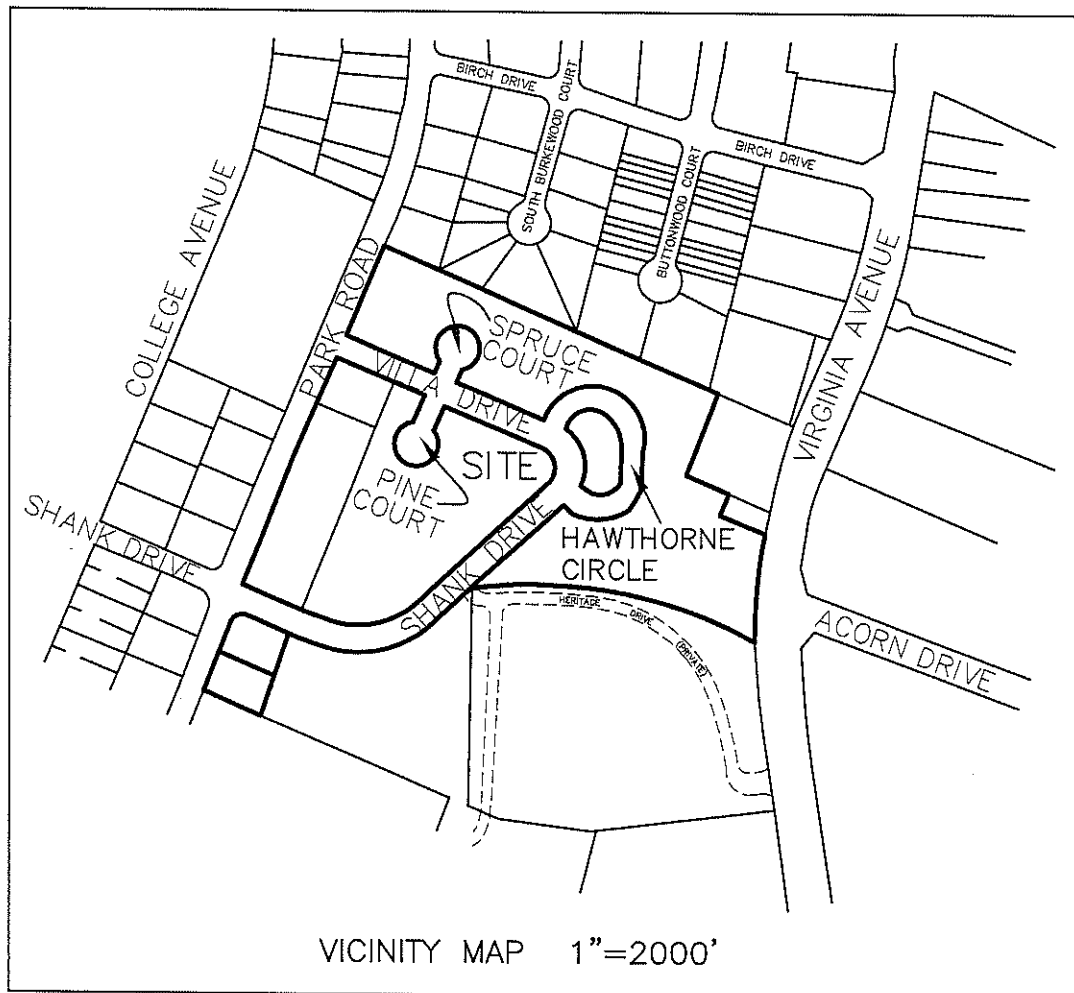
THIS LOT LINE VACATION PLAT KNOWN AS PARK VILLAGE, INC. LOT LINE VACATION STREET DEDICATION AND STREET CLOSING OF THE FOLLOWING STREETS VILLA DRIVE, SPRUCE COURT, PINE COURT, HAWTHORNE CIRCLE AND SHANK DRIVE IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD.

DIRECTOR OF COMMUNITY DEVELOPMENT DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND ORDINANCES OF THE CITY OF HARRISONBURG, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED WITH.

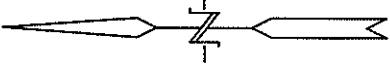
GIVEN UNDER MY HAND THIS 6 DAY OF APRIL, 2017.



BENNER & ASSOC., INC.
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SCALE: 1"=150'
 O = FOUND IRON PIN
 ⊙ = FOUND PIPE
 Δ = POINT
 — = PROPERTY LINE HEREBY VACATED

VA. GRID NORTH



SEE DETAIL 2
ON SHEET 4
OF 5

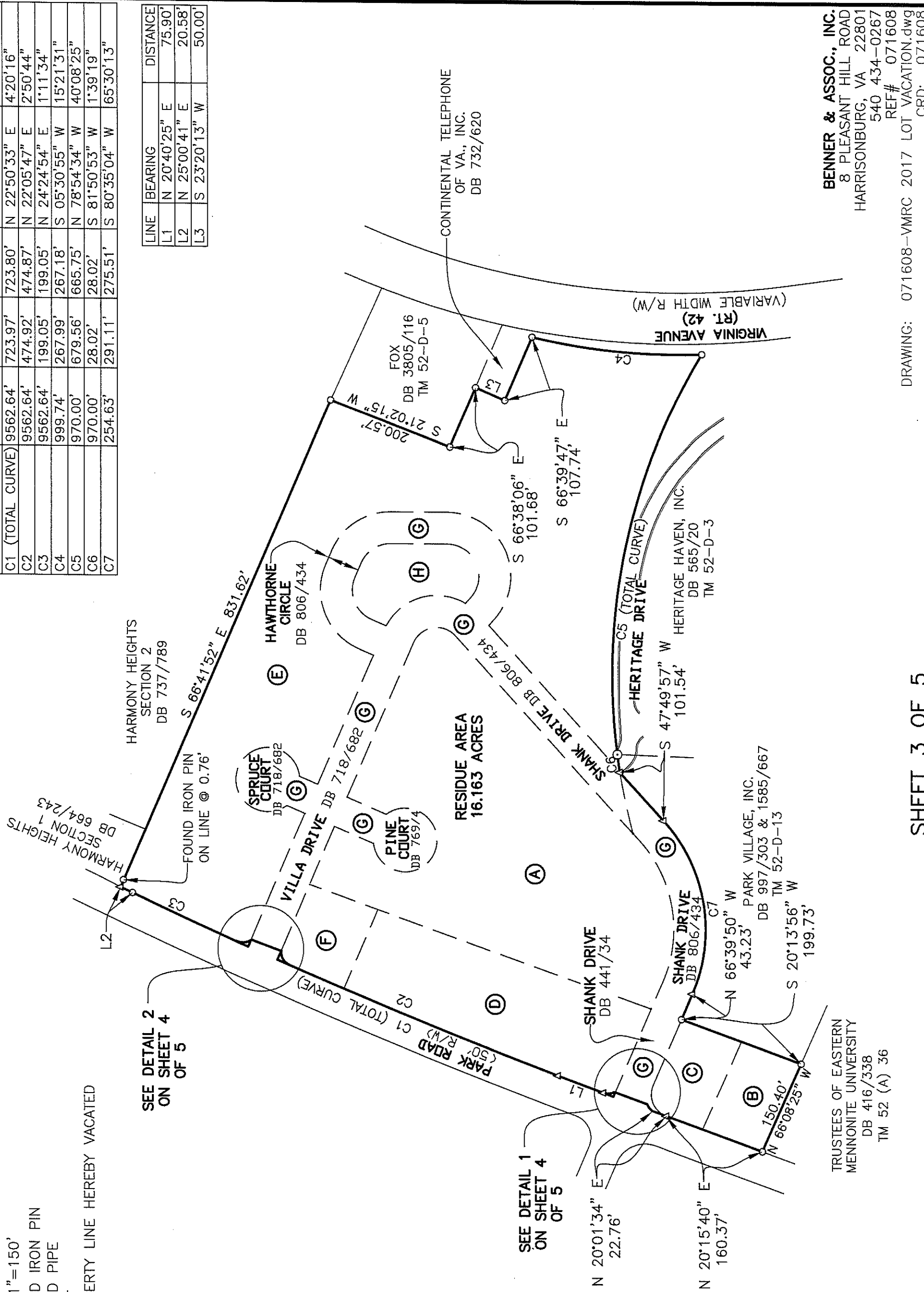
SEE DETAIL 1
ON SHEET 4
OF 5

TITLE INFORMATION:

- (A) = TM 52-D-4
DB 640/18
ZONE: R3
3.922 ACRES
- (B) = TM 52-D-6
DB 992/782
ZONE: R3
0.344 ACRES
- (C) = TM 52-D-7
DB 992/782
ZONE: R3
0.334 ACRES
- (D) = TM 52-D-8
DB 635/508
ZONE: R3
1.486 ACRES
- (E) = TM 52-D-9
DB 640/18 &
DB 643/577
ZONE: R3
6.507 ACRES
- (F) = TM 52-D-10
DB 640/18
ZONE: R3
0.341 ACRES
- (G) = ALL STREETS
2.834 ACRES
- (H) = 0.400 ACRES

| CURVE | RADIUS | ARC | CHORD | CHORD BRG | DELTA ANGLE |
|------------------|----------|---------|---------|---------------|-------------|
| C1 (TOTAL CURVE) | 9562.64' | 723.97' | 723.80' | N 22°50'33" E | 4°20'16" |
| C2 | 9562.64' | 474.92' | 474.87' | N 22°05'47" E | 2°50'44" |
| C3 | 9562.64' | 199.05' | 199.05' | N 24°24'54" E | 1°11'34" |
| C4 | 999.74' | 267.99' | 267.18' | S 05°30'55" W | 15°21'31" |
| C5 | 970.00' | 679.56' | 665.75' | N 78°54'34" W | 40°08'25" |
| C6 | 970.00' | 28.02' | 28.02' | S 81°50'53" W | 1°39'19" |
| C7 | 254.63' | 291.11' | 275.51' | S 80°35'04" W | 65°30'13" |

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 20°40'25" E | 75.90' |
| L2 | N 25°00'41" E | 20.58' |
| L3 | S 23°20'13" W | 50.00' |



TRUSTEES OF EASTERN
Mennonite UNIVERSITY
DB 416/338
TM 52 (A) 36

HERITAGE HAVEN, INC.
DB 565/20
TM 52-D-3

BENNER & ASSOC., INC.
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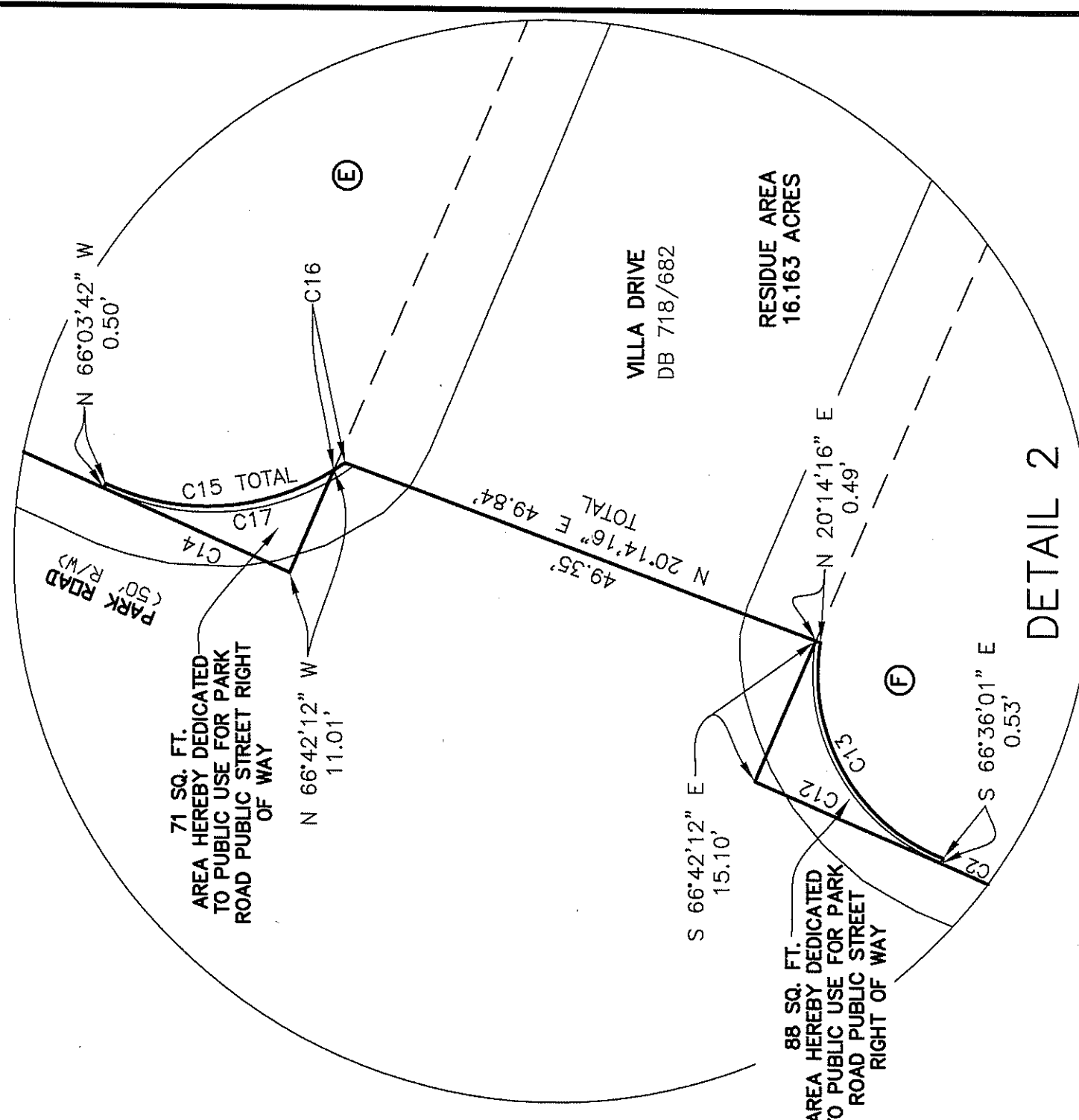
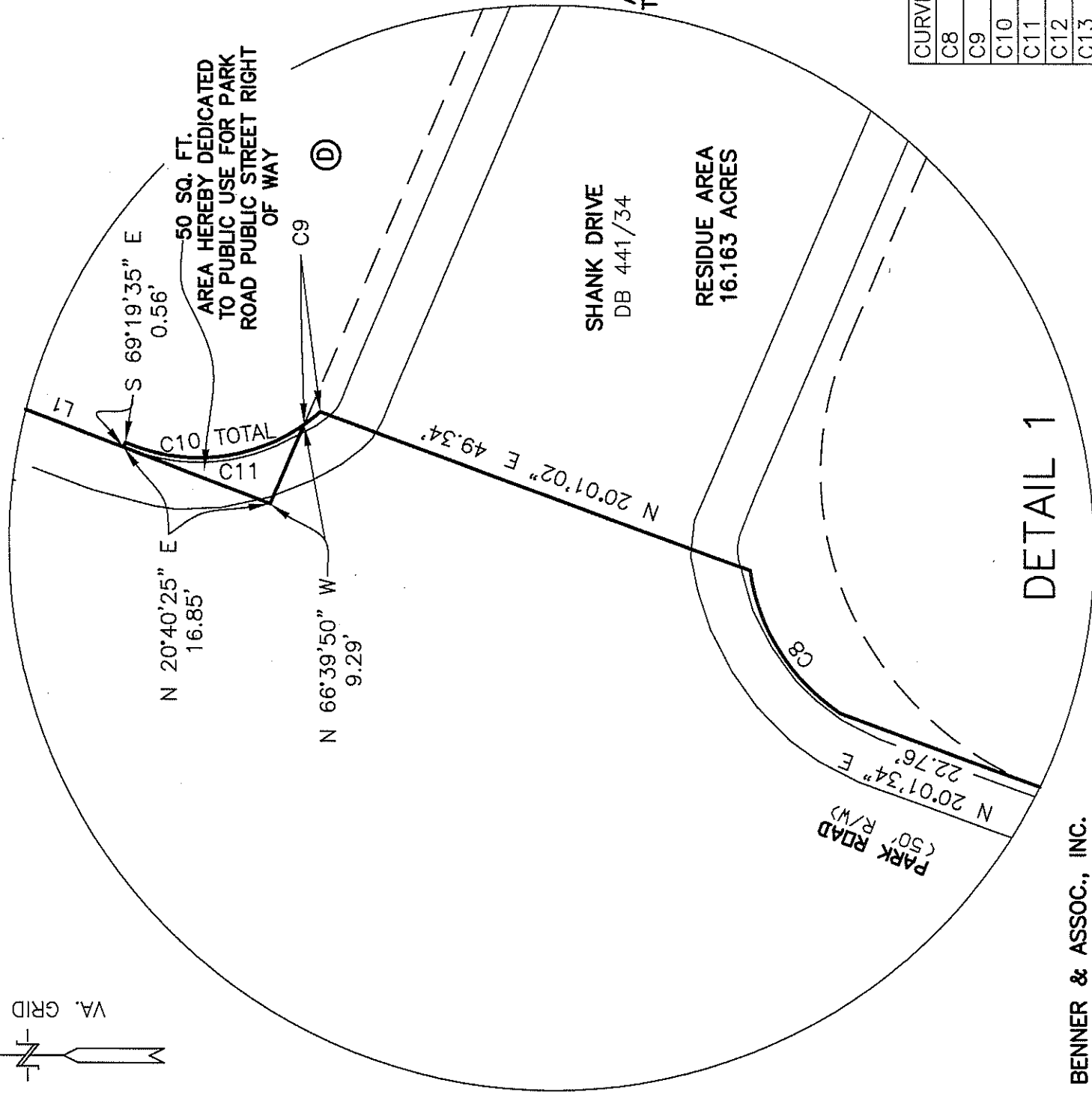
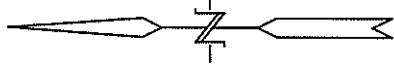
SCALE: NOT TO SCALE

○ = FOUND IRON PIN

△ = POINT

— = PROPERTY LINE HEREBY VACATED

VA. GRID NORTH



| CURVE | RADIUS | ARC | CHORD | CHORD BRG | DELTA ANGLE |
|-------|----------|--------|--------|---------------|-------------|
| C8 | 22.09' | 18.69' | 18.14' | N 58°05'58" E | 48°28'11" |
| C9 | 19.81' | 2.23' | 2.23' | N 38°34'30" W | 6°27'23" |
| C10 | 19.81' | 22.46' | 21.27' | N 09°19'19" W | 64°57'46" |
| C11 | 19.81' | 20.23' | 19.36' | S 06°05'37" E | 58°30'23" |
| C12 | 9562.64' | 19.92' | 19.92' | N 23°27'34" E | 0°07'10" |
| C13 | 19.33' | 26.34' | 24.35' | S 60°19'11" W | 78°05'08" |
| C14 | 9562.64' | 19.94' | 19.94' | N 23°52'43" E | 0°07'10" |
| C15 | 23.44' | 24.75' | 23.62' | N 05°41'18" W | 60°30'34" |
| C16 | 23.44' | 1.35' | 1.35' | N 34°17'42" W | 3°17'45" |
| C17 | 23.44' | 23.41' | 22.45' | S 04°02'25" E | 57°12'49" |

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METES & BOUNDS DESCRIPTION

BEGINNING AT A FOUND IRON PIN ON THE EASTERN LINE OF PARK ROAD, CORNER WITH THE TRUSTEES OF EASTERN MENNONITE UNIVERSITY; THENCE WITH THE SAID LINE OF PARK ROAD
N 20°15'40" E 160.37 FEET
TO A POINT AT THE SOUTHEASTERN INTERSECTION OF PARK ROAD AND SHANK DRIVE; THENCE THE EASTERN LINE OF PARK ROAD
N 20°01'34" E 22.76 FEET
TO A POINT; THENCE THROUGH SHANK DRIVE AND WITH A CURVE TO THE RIGHT WITH A RADIUS OF 22.09', AN ARC LENGTH OF 18.69', AND A DELTA ANGLE OF 48°28'11",
LONG CHORD N 58°05'58" E 18.14 FEET
TO A POINT; THENCE
N 20°01'02" E 49.34 FEET
TO A POINT; THENCE WITH A CURVE TO THE RIGHT WITH A RADIUS OF 19.81', AN ARC LENGTH OF 2.23', AND A DELTA ANGLE OF 06°27'23"
LONG CHORD N 38°34'30" W 2.23 FEET
TO A POINT; THENCE WITH THE NORTHERN LINE OF SHANK DRIVE
N 66°39'50" W 9.29 FEET
TO A POINT; THENCE WITH THE EASTERN LINE OF PARK ROAD
N 20°40'25" E 92.75 FEET
TO A POINT; THENCE WITH A CURVE TO THE RIGHT WITH A RADIUS OF 9562.64', AN ARC LENGTH OF 474.92', AND A DELTA ANGLE OF 02°50'44",
LONG CHORD N 22°05'47" E 474.87 FEET
TO A POINT; THENCE WITH THE SOUTHERN LINE OF VILLA DRIVE
S 66°42'12" E 15.10 FEET
TO A POINT; THENCE CROSSING VILLA DRIVE
N 20°14'16" E 49.35 FEET
TO A POINT; THENCE WITH A CURVE TO THE RIGHT WITH A RADIUS OF 23.44', AN ARC LENGTH OF 1.35', AND A DELTA ANGLE OF 03°17'45",
LONG CHORD N 34°17'42" W 1.35 FEET
TO A POINT; THENCE WITH THE NORTHERN LINE OF VILLA DRIVE
N 66°42'12" W 11.01 FEET
TO A POINT; THENCE WITH THE EASTERN LINE OF PARK ROAD AND A CURVE TO THE RIGHT WITH A RADIUS OF 9562.64', AN ARC LENGTH OF 199.05', AND A DELTA ANGLE OF 01°11'34",
LONG CHORD N 24°24'54" E 199.05 FEET
TO A FOUND PIN; THENCE
N 25°00'41" E 20.58 FEET
TO A POINT; THENCE LEAVING PARK ROAD AND WITH HARMONY HEIGHTS, PASSING A FOUND PIN ON LINE AT 0.76 FEET
S 66°41'52" E 831.62 FEET
TO A FOUND PIN; THENCE WITH FOX'S LOT
S 21°02'15" W 200.57 FEET
TO A FOUND PIN; THENCE
S 66°38'06" E 101.68 FEET
TO A FOUND PIN; THENCE WITH THE CONTINENTAL TELEPHONE OF VA., INC. LOT
S 23°20'13" W 50.00 FEET
TO A FOUND PIN; THENCE
S 66°39'47" E 107.74 FEET
TO A FOUND PIN ON THE WESTERN LINE OF VIRGINIA AVENUE; THENCE WITH SAID LINE OF VIRGINIA AVENUE AND A CURVE TO THE LEFT WITH A RADIUS OF 999.74', AN ARC LENGTH OF 267.99', AND A DELTA ANGLE OF 15°21'31"
LONG CHORD S 05°30'55" W 267.18 FEET
TO A FOUND PIN; THENCE WITH HERITAGE HAVEN, INC LANDS AND A CURVE TO THE LEFT WITH A RADIUS OF 970.00', AN ARC LENGTH OF 679.56', AND A DELTA ANGLE OF 40°08'25"
LONG CHORD N 78°54'34" W 665.75 FEET
TO A POINT ON THE SOUTHEASTERN LINE OF SHANK DRIVE; THENCE CONTINUING WITH SAID LINE OF SHANK DRIVE AND HERITAGE HAVEN, INC LANDS
S 47°49'57" W 101.54 FEET
TO A POINT; THENCE WITH A CURVE TO THE RIGHT WITH A RADIUS OF 254.63', AN ARC LENGTH OF 291.11', AND A DELTA ANGLE OF 65°30'13"
LONG CHORD S 80°35'04" W 275.51 FEET
TO A POINT; THENCE
N 66°39'50" W 43.23 FEET
TO A FOUND PIN; THENCE LEAVING SHANK DRIVE AND CONTINUING WITH HERITAGE HAVEN, INC. LANDS
S 20°13'56" W 199.73 FEET
TO A FOUND PIN; THENCE WITH THE LANDS OF THE TRUSTEES OF EASTERN MENNONITE UNIVERSITY
N 66°08'25" W 150.40 FEET
TO THE BEGINNING AND ENCLOSING AN AREA OF 16.168 ACRES.

BENNER & ASSOC., INC.

8 PLEASANT HILL ROAD
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