

Date application received: 10/11/16

**Application for Street or Alley Closing
City of Harrisonburg, Virginia**

Review fee: \$50.00 Board of Viewers appointment \$ _____ Total Paid: \$ _____

Applicant's Name: VIRGINIA MENNONITE RETIREMENT COMMUNITY (VMRC)

Street Address: 1501 Virginia Avenue E-mail: _____

City: Harrisonburg State: Virginia Zip: 22802

Telephone: Work 540-564-3412 Fax 540-564-3700 Mobile _____

Representative (if any): Scott Kleist, MCSE, Vice President of Technology & Facilities

Street Address: 1501 Virginia Avenue E-mail: skleist@vmrc.org

City: Harrisonburg State: Virginia Zip: 22802

Telephone: Work 540-564-3412 Fax 540-564-3700 Mobile _____

Description of Request

Location Villa Dr., Pine Ct., Spruce Ct., Hawthorne Circle, and Shank Dr. (East of Park Rd.)

Square footage of area to be closed: 124,697.73 sf (-49,422.32 sf water main easement)

Cost per square foot: \$ 0 Total cost: \$ 0

Please provide a detailed description of the proposed closure (additional pages attached):
VMRC is in the process of updating their Master Plan, and would like to request closure and integration of the above mentioned city street right-of-ways into the Park Village section of their grater campus.

Name and addresses of adjacent property owners (Additional names listed on separate sheet)

North: See attached Sheet for all adjacent property owners

South: _____

East: _____

West: _____

I hereby certify that it is my intention to have the above described Street(s) or Alley(s) closed and that the information contained herein is true and accurate. In addition, I understand that all required advertising and associated costs will be at the expense of the applicant.

Signature:  Applicant

Date: 10/11/16

ITEMS REQUIRED FOR SUBMISSION

- Completed application
- Letter described proposed use
- Adjacent property owners
- Survey & metes and bounds description (prepared by a surveyor, engineer, or other person duly authorized by the State)
- Value per square foot of cost to purchase
- Fees paid
- Other _____

Please be advised, adjoining property owners shall be expected to buy that portion of the street/alley which abuts their property before second reading and final closing! The cost shall be a fair market value determined by the Commissioner of Revenue.

Virginia Mennonite Retirement Community

Adjacent Property Owners

To The North-

VINE PROPERTY LLC
1620 PARK RD
HARRISONBURG VA
22802

ARIEL H FIX
1631 S BURKWOOD CT UNIT B
HARRISONBURG VA
22802

ELK-AYR FARM INC
1620 S BURKWOOD CT
HARRISONBURG VA
22802

METZLER INTERIORS INC
1625 BUTTONWOOD CT
HARRISONBURG VA
22802

METZLER INTERIORS INC
1624 BUTTONWOOD CT
HARRISONBURG VA
22802

PLEASANT VIEW INC
1631 VIRGINIA AVE
HARRISONBURG VA
22802

To The East-

JAMES & NANCY ELIZABETH FOX
1621 VIRGINIA AVE
HARRISONBURG VA
22802

PUBLIC FACILITIES
1561 VIRGINIA AVE
HARRISONBURG VA
22802

To The South-

EASTERN MENNONITE UNIVERSITY
1200 PARK RD
HARRISONBURG VA
22802



1501 Virginia Avenue
Harrisonburg, VA 22802
(540) 564-3400
toll free (888) 564-8672

October 11, 2016

Kurt Hodgen
City Manager
409 South Main Street
Harrisonburg, VA 22801

RE: Request for Street or Alley Closing

Mr. Hodgen,

Virginia Mennonite Retirement Community (VMRC) requests to close / vacate the existing right-of-ways for the public streets currently located within the Park Village portion of their campus. This request includes the closure of Villa Drive, Pine Court, Spruce Court, Hawthorn Circle, and Shank Drive (east of Park Road).

The attached Application for Street or Alley Closing is being submitted in association with a Proposed Master Plan Amendment to the VMRC campus, with the purpose of updating and redeveloping a portion of the Park Village section.

As described in the Master Plan narrative, VMRC is recasting its vision for the Park Village neighborhood, and intends to update or redevelop their current residential structures to be able to provide the amenities desired by current and future retirees. Integrating the current streets into their campus will allow VMRC to have the option in the future of reconfiguring the Park Village section, and to provide safe walkable facilities for their residents by modifying the use of the existing streets.

VMRC understands that the proposed closure of the above mentioned streets will also require utility easements to be reserved by the City for the existing public utilities currently located within the existing right-of-ways.

Thank you very much for your consideration. We will be happy to answer any questions you may have regarding our request.

Sincerely,



Scott Kleist, MCSE
Vice President of Technology & Facilities
VMRC

Internal Revenue Service

Department of the Treasury

Washington, DC 20224

26 DEC RECD

Virginia Mennonite Retirement
Community, Inc.
1301 Edom Road
Harrisonburg, VA 22801

Person to Contact:
Mr. C. Barrett
Telephone Number:
(202)566-4754
Refer Reply to:
E:EO:T:R:2-4
Date: DEC 17 1980

Employer Identification Number: Applied For
Key District: Baltimore
Accounting Period Ends: March 31
Foundation Status Classification: 509(a)(2)
Advance Ruling Period Ends: March 31, 1983

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section 509(a)(2).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to your key District Director information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you

Virginia Mennonite Retirement Community, Inc.

will no longer be treated as a section 509(a)(2) organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(2) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(2) organization.

If your sources of support, or your purposes, character, or method of operation change, please let your key District Director know so that office can consider the effect on the change on your exempt status. Also, you should inform your key District Director of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should contact your key District Director. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other federal excise taxes. If you have questions about excise employment, or other federal taxes, contact any Internal Revenue Service office.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

You are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than \$10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

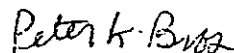
Virginia Mennonite Retirement Community, Inc.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

We are informing your key District Director of this action. Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Peter K. Bros
Chief, Rulings Section 2
Exempt Organizations
Technical Branch