

**ORDINANCE CLOSING PORTIONS OF SOUTH MASON STREET,  
EAST GRACE STREET AND CHESAPEAKE AVENUE,  
AND A TEN FOOT WIDE ALLEY BETWEEN SOUTH MAIN STREET AND SOUTH  
MASON STREET, CONTAINING APPROXIMATELY 2.218 ACRES LOCATED IN  
THE CITY OF HARRISONBURG**

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

That certain portions of Chesapeake Avenue, East Grace Street, South Mason Street, and a ten foot alley between South Main Street and South Mason Street, containing in the aggregate approximately 2.218 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 portions of the streets and the alley to be closed, prepared by J. Adam Bryant, Land Surveyor, are attached hereto and made a part hereof.

That upon passage of this ordinance, the title to a .555 acre portion of Chesapeake Avenue to be closed and vacated, and which is shown on a plat entitled "Plat showing Vacation of a Portion of Chesapeake Avenue, City of Harrisonburg, Virginia" prepared by J. Adam Bryant, Land Surveyor and dated August 5, 2014, shall be vested in THE VISITORS OF JAMES MADISON UNIVERSITY, owner of the adjoining parcels, to be indexed as Grantee. The portion of Chesapeake Avenue to be closed and vacated is shown on City Block Map number 24. The .555 acre portion of Chesapeake Avenue to be vested in The Visitors of James Madison University consists of two (2) parcels, all as shown on the above referenced plat, and more particularly described as follows:

1. A parcel containing .278 acre, which shall become part of Tax Map Parcel 24-S-12.
2. A parcel containing .277 acre, which shall become part of Tax Map Parcel 24-S-13.

That upon passage of this ordinance, the title to a .853 acre portion of East Grace Street to be closed and vacated, and which is shown on a plat entitled “Plat Showing Vacation of a Portion of East Grace Street, City of Harrisonburg, Virginia” prepared by J. Adam Bryant, Land Surveyor and dated July 8, 2014, shall be vested in THE VISITORS OF JAMES MADISON UNIVERSITY, owner of the adjoining parcels, to be indexed as Grantee. The portion of East Grace Street to be closed and vacated is shown on City Block Map number 17 and City Block Map number 25. The portion of East Grace Street to be vested in The Visitors of James Madison University consists of one (1) parcel containing .853 acre, which shall become part of Tax Map Parcel 17-B-1.

That upon passage of this ordinance, the title to a .656 acre portion of South Mason Street to be closed and vacated, and which is shown on a plat entitled “Plat Showing Vacation of a Portion of South Mason Street, City of Harrisonburg, Virginia” prepared by J. Adam Bryant, Land Surveyor and dated May 21, 2014, shall be vested in THE VISITORS OF JAMES MADISON UNIVERSITY, owner of the adjoining parcels, to be indexed as Grantee. The portion of South Mason Street to be closed and vacated is shown on City Block Map number 17 and City Block Map number 25. The .656 acre portion of South Mason Street to be vested in The Visitors of James Madison University consists of six (6) parcels, all as shown on the above referenced plat, and more particularly described as follows:

1. A parcel containing .157 acre, which shall become part of Tax Map Parcel 25-P-1.
2. A parcel containing .064 acre, which shall become part of Tax Map Parcel 25-P-14.
3. A parcel containing .043 acre, which shall become part of Tax Map Parcel 25-P-13.

4. A parcel containing .042 acre, which shall become part of Tax Map Parcel 25-P-10/12.
5. A parcel containing .022 acre, which shall become part of Tax Map Parcel 25-P-11.
6. A parcel containing .328 acre, which shall become part of Tax Map Parcel 17-C-0.

That upon passage of this ordinance, the title to a ten (10) foot wide alley between South Main Street and South Mason Street, containing .154 acre, to be closed and vacated and which is shown on the plat entitled “Plat Showing the Vacation of a 10’ Alley Between South Main Street & South Mason Street, City of Harrisonburg, Virginia” prepared by J. Adam Bryant, Land Surveyor and dated August 5, 2014, shall be vested in THE VISITORS OF JAMES MADISON UNIVERSITY, owner of the adjoining parcels, to be indexed as Grantee. The portion of the alley to be closed and vacated is shown on City Block Map number 25. The .154 acre alley to be vested in The Visitors of James Madison University consists of seven (7) parcels, all as shown on the above referenced plat and more particularly described as follows:

1. A parcel containing .039 acre, which shall become part of Tax Map Parcel 25-P-3.
2. A parcel containing .025 acre, which shall become part of Tax Map Parcel 24-P-4.
3. A parcel containing .037 acre, which shall become part of Tax Map Parcel 25-P-5.
4. A parcel containing .006 acre, which shall become part of Tax Map Parcel 25-P-10.
5. A parcel containing .009 acre, which shall become part of Tax Map Parcel 25-P-12.
6. A parcel containing .020 acre, which shall become part of Tax Map Parcel 25-P-13A.
7. A parcel containing .018 acre, which shall become part of Tax Map Parcel 25-P-13.

That upon passage of this ordinance, all portions of South Mason Street, East Grace Street, and Chesapeake Avenue conveyed herein shall be subject to an easement encompassing

all of such property conveyed for the benefit of 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, as well as traffic control devices. All utilities and appurtenant facilities shall remain the property of the City, Columbia Gas or Harrisonburg Electric Commission, as the case may be. The City and the utilities providers named in this ordinance 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 named herein 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.

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

ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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MAYOR

ATTESTE:

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Clerk of the Council