

**ORDINANCE CLOSING A PORTION OF RED OAK STREET CONTAINING
APPROXIMATELY
8,523 SQUARE FEET
CITY OF HARRISONBURG**

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

That certain portion of Red Oak Street containing in the aggregate approximately 8,523 square feet, more or less, located in the northern section of the CITY OF HARRISONBURG, to be indexed as Grantor, be closed and vacated, subject to the easements described below. A plat showing the portions of the street to be closed, prepared by Benner & Assoc., Inc., dated August 12, 2015 (the Plat) is attached hereto and made a part hereof. The portion of the street being closed and vacated is shown on City Block Map number 56.

That upon passage of this ordinance, the title to 8,523 square feet of a portion of Red Oak Street to be closed and vacated and is shown on the Plat, shall be vested in JAMISON BLACK MARBLE WILDLIFE PRESERVE, LLC, a Virginia limited liability company, owner of the adjoining parcel, to be indexed as Grantee. The 8,523 square feet to be vested in Jamison Black Marble Wildlife Preserve, LLC, a Virginia company, consists of one parcel as shown on the Plat shall become part of Tax Map Parcel 46 C 8.

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 1,174 square feet, more or less, New Public Sanitary Sewer & Water Line Easement, a new Public 20' Water Line Easement containing 2,388 square feet, more

or less, and a new HEC Easement for the benefit of Harrisonburg Electric Commission, all as shown on the aforementioned Plat.

That upon passage of this Ordinance the property conveyed herein shall be subject to a Private Access Easement for the benefit of and to serve Tax Map Parcel # 56-E-26 (currently in the name of Acorn Enterprises, Inc.) and a new 20' Private Drainage Easement also for the benefit of and to serve Tax Map Parcel # 56-E-26, as shown on sheet 4 of the aforementioned Plat.

Be it further ordained that the portion of Red Oak Street, referenced and vacated herein and shall be conveyed to Jamison Black Marble Wildlife Preserve, LLC, said conveyance to be contingent upon the recordation of this Ordinance and upon receipt of a Deed of Easement, in a form approved by the City Attorney, conveying a 20' Water Line Easement containing 1,737 square feet, more or less, to the City of Harrisonburg, such 20' Water Line Easement being shown on sheet 4 of the Plat.

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

ADOPTED and APPROVED this _____ day of _____, 2016.

MAYOR

ATTESTE:

CLERK PRO TEMPORE