



**PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL**

City Council will hold a public hearing on Thursday, August 13, 2020, at 2:00 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street. Should the COVID-19 restrictions imposed by the Governor of Virginia change, City Council may hold this meeting electronically. In that event, written comments will be accepted by City Council by sending an email to virtualcitycouncil@williamsburgva.gov. Members of the public may participate in the meeting. Please check the City's website at www.williamsburgva.gov for more information prior to the meeting date. City Council will consider the following:

VAC-20-001: Request of Modern World LLC to vacate a portion of an alley at the rear of 410 Pocahontas Street, approximately 100 feet in length, containing 1,600 square feet, more or less in size. The applicant requests vacation of the 16' wide alley behind their lots 17 through 20, Block 8, in the Powhatan Park Subdivision.

Additional information on this case is available at www.williamsburgva.gov/publicnotice.

If you are disabled and need an accommodation to participate in the public hearings, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than noon, Thursday, August 6, 2020.

Sandi Filicko
Clerk of Council

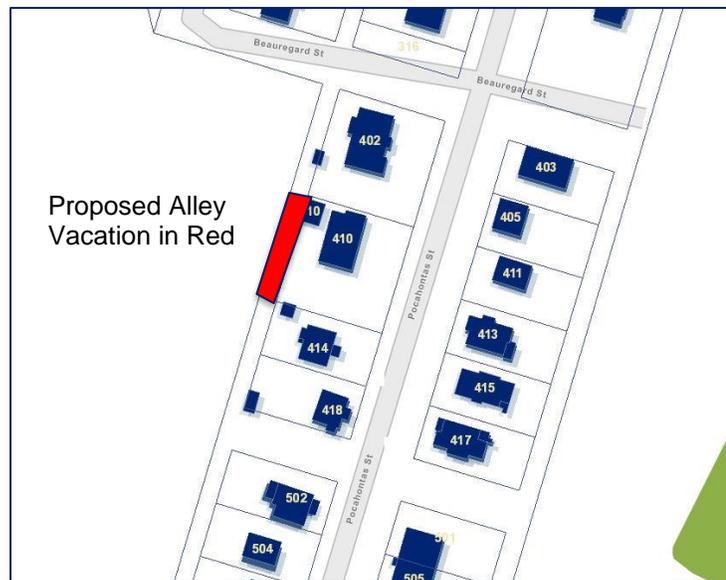


CITY OF WILLIAMSBURG
MEMORANDUM

DATE: July 24, 2020

SUBJECT: VAC#20-001
Request of Modern World LLC to vacate a portion of an alley at the rear of 410 Pocahontas Street.

Modern World LLC is requesting the vacation of a portion of an unimproved alley behind lots on the west side of Pocahontas Street and Colonial Williamsburg Foundation property. The applicant proposes the vacation of approximately 1,600 square feet (16' x 100') of the unimproved alley at the rear of 410 Pocahontas Street in the Powhatan Park Subdivision. If approved by City Council, the applicant proposes to incorporate the vacated alley into 410 Pocahontas Street parcel.



City Council's practice is to sell vacated rights-of-way (primarily paper streets) to the adjoining property owners for 25% of the assessed value established by the City Assessor. The assessed value for the right-of-way to be vacated as determined by the City Assessor is \$1,900.

VAC#20-001
July 24, 2020
Page 2

CITY COUNCIL PUBLIC HEARING

A City Council public hearing is scheduled for their regular meeting on August 13, 2020, in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning & Codes Compliance Director



VAC # 20-001
Date 7/20/2020
1969-500299

**REQUEST FOR VACATION
OF ALLEY, EASEMENT OR STREET**
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185-3617
(757) 220-6130 FAX: (757) 220-6130

TO THE COUNCIL OF THE CITY OF WILLIAMSBURG:

(I) (WE) THE UNDERSIGNED

Name Modern World, L.L.C.

Name _____

Address 2908 Leather Leaf Dr

Address _____

City, State, Zip Toano, VA 23168

City, State, Zip _____

Phone/Fax Number 757-869-2162

Phone/Fax Number _____

E-mail jcrawford102@gmail.com

E-mail _____

Signature *John Crawford*

Signature _____

DO HEREBY PETITION THE COUNCIL OF THE CITY OF WILLIAMSBURG TO VACATE THE FOLLOWING ALLEY, EASEMENT OR STREET:

[Describe area to be vacated by metes and bounds or by identifying all abutting property, by lot number or City tax map identification. Attach description on separate page if necessary.]

See attached Exhibit A

- Existing zoning classification(s) and dimensions of property abutting alley, easement, lot line or street(s).
1. Lots 17, 18, 19, 20 of Powhatan Park lying to the East of the Alley, Map # 499/01/08/017/ is zoned RS-2 and is 100'x100'.
 2. Golden Horseshoe Golf Course Parcel 1 lying to the West of the Alley, Map # 558/01/00/001 is zoned as RS-1 and is 290.661 acres.

The vacation is requested for the following reason(s):
Modern World, L.L.C. requests vacation of the portion of the Paper Alley behind its parcel at 410 Pocahontas Street because the Alley is not actually used. Powhatan Park was not developed as plotted, and instead the Paper Alley simply lies between this parcel and the golf course.

The property abutting the alley, easement or street to be vacated is owned by:

Name Modern World, L.L.C.

Address 2908 Leather Leaf Drive, Toano, VA 23168

Phone/Fax Numbers 757-869-2162

If request is made by someone other than the owner(s) of abutting properties, please complete the following:

The undersigned hereby deposes and says that (he/she is) (they are) owner(s) of property abutting the proposed vacation and that this application is made with (his/her) (their) full knowledge and consent.

printed name & phone

printed name & phone

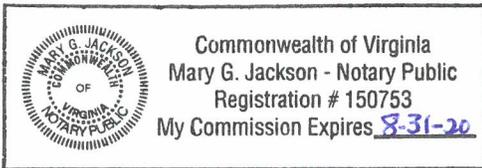
signature of owner & date

signature of owner & date

STATE OF VIRGINIA
CITY OF WILLIAMSBURG, TO WIT:

THIS AUTHORIZATION FORM WAS ACKNOWLEDGED BEFORE ME

ON THIS 25th DAY OF June, 20 20, BY John
Crawford, member of Modern World, LLC.



Mary G. Jackson
Notary

8/31/2020
Commission Expiration

Petitioner represented by:

Andrew M. Franck

printed name

1177 Jamestown Road

street address

757-220-6500

phone/fax numbers

Geddy, Harris, Franck & Hickman, LLP

firm name

Williamsburg, VA 23185

city, state, zip

afranck@ghfhlaw.com

E-mail

EXHIBIT A
Description of Alley Area to be Vacated

All that certain piece or parcel of land situate, lying and being in the City of Williamsburg, Virginia, containing 1,600 square feet, more or less, and being the portion of the 16' wide alley lying to the west of Lots 17 through 20, Block 8, Powhatan Park, as shown on that certain plat of subdivision entitled "POWHATAN PARK, WILLIAMSBURG, VA., PROPERTY OF THE YORK LAND CORPORATION" dated April 1916, made by Bolton, Clarke & Pratt, Inc. Civil Engineers and Surveyors, and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia, in Plat Book 2, Page 45, and more particularly described by metes and bounds as follows:

Commencing at an iron rod at the southwest corner of Lot 20, Block 8, Powhatan Park, as shown and described on the aforementioned plat; thence N 16° 50' 00" E along the eastern boundary of the alley a distance of 100.00' to an iron rod; thence N 73° 10' 00" W a distance of 16.00' to a point in the boundary of the alley and the lands of The Colonial Williamsburg Foundation; thence S 16° 50' 00" W along the western boundary of the alley and the line of The Colonial Williamsburg Foundation a distance of 100' to a point; thence S 73° 10' 00" E a distance of 16.00' to the point of beginning.

WAIVER AND CONSENT

THIS WAIVER AND CONSENT is given the 7 day of JULY 2020 by The Colonial Williamsburg Foundation, a Virginia non-stock corporation ("CWF") in connection with the Request for Vacation of Alley to be submitted by Modern World, L.L.C., a Virginia limited liability company ("MW") to the City of Williamsburg, Virginia (the "City").

WHEREAS, CWF owns that certain parcel of real estate located in the City identified by Tax Map No. 558-01-00-001 with an area of approximately 290.661 acres being a portion of the Golden Horseshoe Golf Course (the "CWF Parcel") which includes undeveloped Lots 1 through 12 of Block 8 of Powhatan Park subdivision as depicted on the plat of Powhatan Park recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia, in Plat Book 2, Page 45 (the "Plat"); and

WHEREAS, MW owns that certain parcel of real estate located in the City identified by Tax Map No. 499-01-08-017, described as Lots 17, 18, 19, and 20 of Powhatan Park, and commonly known as 410 Pocahontas Street (the "MW Parcel"); and

WHEREAS, a sixteen foot (16') wide alley lies between the CWF Parcel and the MW Parcel as shown on the Plat; and

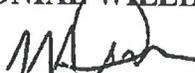
WHEREAS, given that the alley is not used, MW desires to petition the City to vacate the portion of the alley lying behind the MW Parcel which is more particularly described in Exhibit A attached hereto (the "Area to be Vacated") and to acquire title to the entire Area to be Vacated; and

WHEREAS, CWF has agreed to consent to vacation of the Area to be Vacated and to waive any claim CWF may have to the Area to be Vacated so that MW may acquire title to the entire Area to be Vacated.

NOW, THEREFORE, CWF does hereby irrevocably waive any claim to the Area to be Vacated and consents to vacation of the alley in the Area to be Vacated and MW's acquisition of title thereto.

WITNESS the following signature and seal:

THE COLONIAL WILLIAMSBURG FOUNDATION

By:  (SEAL)

Name: Jeffrey A. Duncan

Title: VP Real Estate

ATTEST:

By:

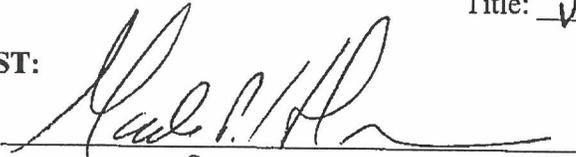

Secretary

EXHIBIT A
Description of Alley Area to be Vacated

All that certain piece or parcel of land situate, lying and being in the City of Williamsburg, Virginia, containing 1,600 square feet, more or less, and being the portion of the 16' wide alley lying to the west of Lots 17 through 20, Block 8, Powhatan Park, as shown on that certain plat of subdivision entitled "POWHATAN PARK, WILLIAMSBURG, VA., PROPERTY OF THE YORK LAND CORPORATION" dated April 1916, made by Bolton, Clarke & Pratt, Inc. Civil Engineers and Surveyors, and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia, in Plat Book 2, Page 45, and more particularly described by metes and bounds as follows:

Commencing at an iron rod at the southwest corner of Lot 20, Block 8, Powhatan Park, as shown and described on the aforementioned plat; thence N 16° 50' 00" E along the eastern boundary of the alley a distance of 100.00' to an iron rod; thence N 73° 10' 00" W a distance of 16.00' to a point in the boundary of the alley and the lands of The Colonial Williamsburg Foundation; thence S 16° 50' 00" W along the western boundary of the alley and the line of The Colonial Williamsburg Foundation a distance of 100' to a point; thence S 73° 10' 00" E a distance of 16.00' to the point of beginning.

Gazette: July 25 and August 1, 2020

**PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL**

City Council will hold a public hearing on Thursday, August 13, 2020, at 2:00 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street. Should the COVID-19 restrictions imposed by the Governor of Virginia change, City Council may hold this meeting electronically. In that event, written comments will be accepted City Council by sending an email to virtualcitycouncil@williamsburgva.gov. Members of the public may participate in the meeting. Please check the City's website at www.williamsburgva.gov for more information prior to the meeting date. City Council will consider the following:

VAC-20-001: Request of Modern World LLC to vacate a portion of an alley at the rear of 410 Pocahontas Street, approximately 100 feet in length and 1,600 square feet, more or less in size. The applicant request vacation of the 16' wide alley behind their lots 17 through 20, Block 8, in the Powhatan Park Subdivision.

Additional information on this case is available at www.williamsburgva.gov/publicnotice.

If you are disabled and need an accommodation to participate in the public hearings, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than noon, Thursday, August 6, 2020.

Sandi Filicko
Clerk of Council

GEDDY, HARRIS, FRANCK & HICKMAN, L.L.P.

ATTORNEYS AT LAW

1177 JAMESTOWN ROAD

WILLIAMSBURG, VIRGINIA 23185

TELEPHONE: (757) 220-6500

FAX: (757) 229-5342

MAILING ADDRESS:

POST OFFICE BOX 379

WILLIAMSBURG, VIRGINIA 23187-0379

VERNON M. GEDDY, JR. (1926-2005)

STEPHEN D. HARRIS

SHELDON M. FRANCK

VERNON M. GEDDY, III

SUSANNA B. HICKMAN

ANDREW M. FRANCK

SHERRI L. NELSON

July 8, 2020

Ms. Carolyn Murphy
Director of Planning and Codes Compliance
City of Williamsburg
401 Lafayette Street
Williamsburg, Virginia 23185-3617

Re: Request for Vacation of Alley at the rear of 410 Pocahontas Street

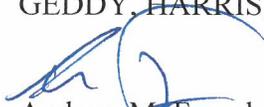
Dear Ms. Murphy:

Please find enclosed a Request for Vacation of Alley, Easement or Street submitted on behalf of my client, Modern World, LLC, which owns the property located at 410 Pocahontas Street and is seeking to vacate the paper alley at its rear. This Request is accompanied by my client's check in the amount of \$300.00 to cover the applicable fee, and a copy of the Waiver and Consent executed on behalf of The Colonial Williamsburg Foundation as owner of the property on the other side of the alley.

I appreciate your assistance in this matter. Please let me know if there is any further information or documentation I can provide that would facilitate the processing of this Request. With kind regards, I am

Sincerely,

GEDDY, HARRIS, FRANCK & HICKMAN, LLP



Andrew M. Franck

enclosures

cc: Paul Gerhardt, Esquire
Modern World, LLC