

**ORDINANCE TO VACATE AN UNOPENED RIGHT-OF-WAY  
KNOWN AS "WHITE AVENUE" WITHIN THE TOWN OF ABINGDON VIRGINIA**

Ordinance Number: \_\_\_\_\_

**An Ordinance vacating a portion of an unopened 40-foot right-of-way known as "White Avenue" located at or near 226 Barter Drive; 238 Barter Drive and 236 Barter Drive in the Town of Abingdon, Virginia bounded by property currently owned by Petitioners Michael E. and Kaye C. Richards Beale (Tax Parcel Number 013-3-28); Robert D. and Estella M. Gilmer (Tax Parcel Number 013-3-116); and Lauren Street Wagner (Tax Parcel Number 013-3-36)**

**WHEREAS**, pursuant to § 15.2-2006 of the 1950 *Code of Virginia* as amended, a Petition was heretofore filed by owners of property in the Town of Abingdon, commonly known as 226 Barter Drive, 238 Barter Drive, and 236 Barter Drive, requesting the vacation, abandonment and closing of a portion of an unopened, 40-foot right-of-way entitled "White Avenue" between parcels of land owned by the Petitioners bearing Tax Parcel Numbers 013-3-28; 013-3-116 and 013-3-36; that pursuant to the aforementioned Code section, notice was published on December 21, 2020 and December 28, 2020 with at least six days elapsing between the first and second publications; the Bristol Herald Courier being a newspaper having general circulation in the Town of Abingdon, thereby notifying all interested parties of the transaction; and

**WHEREAS**, a public hearing was held pursuant to said notice on Monday, January 4, 2021 in the Council Chambers of the Town Hall at a regularly scheduled Town Council meeting; that during said meeting, a Board of Viewers consisting of Al Bradley, Wayne Craig and Robert Howard was appointed by the Council to conduct an inspection of the aforesaid unopened 40-foot right-of-way. Thereafter, the Board of Viewers submitted a written report dated January 26, 2021 stating that it found the right-of-way presently unused and that no inconvenience would result from the requested vacation; that based upon the evidence presented at the public hearing on January 4, 2021 and in the report submitted by the Board of Viewers on January 26, 2021; on February 1, 2021 at the regular meeting of the Town of Abingdon Council, after due notice to all potentially affected property owners, the Council voted unanimously to vacate the aforesaid unopened right-of-way, known as "White Avenue" located in the Town of Abingdon.

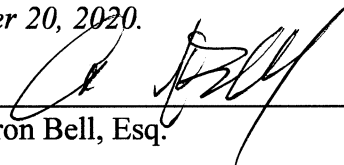
**NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF ABINGDON** that the aforesaid portion of unopened 40-foot right-of-way, known as "White Avenue" described above, which adjoins the property of the Petitioners, Michael E. and Kaye C. Richards Beale (Tax Parcel

Number 013-3-28); Robert D. and Estella M. Gilmer (Tax Parcel Number 013-3-116); and Lauren Street Wagner (Tax Parcel Number 013-3-36) is hereby vacated pursuant to *Va. Code* § 15.2-2006, as shown on the plat attached titled *“Plat Showing a Proposed Closing of the Property of The Town of Abingdon, Virginia, Located in the Town of Abingdon, in the County of Washington, Virginia, Plat of the Closing of a Portion of White Street”* surveyed by John S. Rasnick, L.S., of Boundary Hunter Land Surveying, October 20, 2020, and the property formerly the portion of unopened right of way is divided among the petitioners as indicated on the plat; and

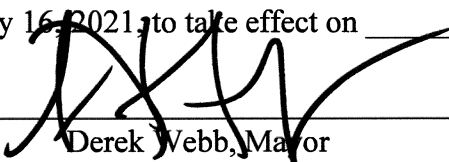
**IT IS FURTHER ORDAINED** that a certified copy be filed of record among the land records of the Clerk of the Circuit Court for Washington County Virginia and indexed in the names of the Town of Abingdon and Petitioners, Michael E. and Kaye C. Richards Beale (Tax Parcel Number 013-3-28); Robert D. and Estella M. Gilmer (Tax Parcel Number 013-3-116); and Lauren Street Wagner (Tax Parcel Number 013-3-36), the adjoining property owners.

**CERTIFICATE**

Pursuant to § 2-100 of the Code of the Town of Abingdon, I hereby certify that I have reviewed the foregoing proposed Ordinance vacating a portion of an unopened 40-foot right-of-way entitled “White Avenue” on a plat attached titled *“Plat Showing a Proposed Closing of the Property of The Town of Abingdon, Virginia, Located in the Town of Abingdon, in the County of Washington, Virginia, Plat of the Closing of a Portion of White Street”* surveyed by John S. Rasnick, L.S., of Boundary Hunter Land Surveying, October 20, 2020.

  
\_\_\_\_\_  
Cameron Bell, Esq.

This ordinance was adopted on February 16, 2021, to take effect on \_\_\_\_\_.

  
\_\_\_\_\_  
Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on February 16, 2021. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Derek Webb, Mayor	yes	aye
Donna Quetsch, Vice Mayor	yes	aye
James Anderson	yes	aye
Amanda Pillion	yes	aye
Mike Owens	yes	aye

WITNESS MY HAND and the seal of the Town of Abingdon as of February 16, 2021.

(SEAL)

  
Kimberly Kingsley, Clerk