



STREET CLOSURE PETITION

CHESAPEAKE PLANNING DEPARTMENT

PETITION NUMBER: _____
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

1. Primary Petitioner(s):

Name: _____

Address: _____

13-digit Tax Map Number: _____

Interest in subject property: _____

Daytime Phone: _____ FAX Number: _____

E-mail address: _____

2. Agent's Name: _____

Agency: _____

Address: _____

Daytime Phone: _____ FAX Number: _____

E-mail address: _____

3. Provide the names and addresses of all owners of property abutting the right-of-way to be vacated:

Name: _____

Address: _____

13-digit Tax Map Number: _____

Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

GENERAL INFORMATION (Continued)

3. (continued):

Name: _____

Address: _____

13-digit Tax Map Number: _____

Daytime Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

Name: _____

Address: _____

Daytime Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

Name: _____

Address: _____

13-digit Tax Map Number: _____

Daytime Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

Name: _____

Address: _____

13-digit Tax Map Number: _____

Daytime Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

Name: _____

Address: _____

13-digit Tax Map Number: _____

Daytime Phone: _____ FAX Number: _____

Is property owner joining this application as a petitioner? Yes No

ACKNOWLEDGEMENT OF PRIMARY PETITIONER

PETITION NUMBER: _____

DECLARATION OF PLANNING COMMISSION/CITY COUNCIL INTEREST:

Does any member of the Planning Commission or City Council own or have any personal or financial interest in the land which is subject to this application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act? No Yes If yes, please explain:

DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

I also certify that the list of adjacent property owners, if required, is complete and correct as of the date of this application submittal. I will update any changes in ownership of the property that is the subject of this application and adjacent property owners upon learning that any such property has been conveyed prior to final action on this application. I understand that if the list of adjacent property owners is determined to be inaccurate, out-of-date or incomplete at a later date, any action taken on this application may be deemed null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I, the undersigned, understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals. *Party responsible for advertising:* Applicant Agent

ACKNOWLEDGEMENT OF PRIMARY PETITIONER (Continued)

DECLARATION OF CONSENT:

By signing below, the petitioner/agent and owner consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this petition.

Name (signature) _____

Name (printed or typed) _____

Address _____

13-Digit Tax Map Number: _____

Date: _____

STATE OF VIRGINIA
CITY OF CHESAPEAKE

Subscribed and sworn to before me this _____ day of _____ 20____,

by _____

NOTARY PUBLIC

My commission expires: _____

ADJACENT PROPERTY OWNER (Non-Petitioner) CONSENT FORM

A petition will be submitted to the City of Chesapeake, petitioning City Council to close _____ as shown on the attached petition and plat. Because the area of closure abuts to your property, you may join this petition. If the street is closed, one-half of the vacated right-of-way will become a part of your property upon payment of a prorated share of the assessed value of the street. Should you decide not to make this payment, the vacated right-of-way will not become a part of your property.

The Chesapeake Planning Department requires your response to the following questions to complete the street closure petition:

My 13-digit tax map number is: _____

My street address is: _____

Do you wish to join in this petition? Yes No

Do you have any objections to this street closure? Yes No

If yes, please explain: _____

NOTE: If you wish to purchase your one-half share of the vacated right-of-way, you must join the application as a petitioner. If the property is jointly owned, all owners must consent.

Printed name of non-petitioner

Printed name of non-petitioner

Signature of non-petitioner

Signature of non-petitioner

STATE OF VIRGINIA
CITY OF CHESAPEAKE

Subscribed and sworn to before me this _____ day of _____ 20____,

by _____

NOTARY PUBLIC

My commission expires: _____

DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED

1. Street Name (If unnamed, provide a description):

2. Approximate length of right-of-way to be vacated in feet: _____

3. Census Tract: _____

4. Statistical Area: _____

5. Planning Area: _____

6. Date right-of-way recorded in Chesapeake Circuit Court: _____

7. Purpose of Street Closure: _____

STREET CLOSURE SPECIAL POWER OF ATTORNEY

Description of right-of-way to be vacated and of all adjoining parcels (13-digit Tax Map Number, Street Address or Common Description, Borough): _____

I/we _____, am/are the petitioner(s) for the above referenced petition and I/we do hereby make, constitute, and appoint _____, my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to represent my interests in processing the street closure petition described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said petition, including but not limited to offering conditions to which the proposed vacation of right-of-way would be subject.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the _____ day of _____, 20__, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

Petitioner*

State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

by _____

NOTARY PUBLIC

My commission expires: _____

* If the petitioner is a corporation, partnership, limited liability company or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.

STREET CLOSURE PETITION CHECKLIST

The following items are required as part of the filing of a Street Closure Petition:

- The completed original Street Closure Petition. Petitions for street closure must be filed by an adjacent property owner. All adjoining property owners of the portion of the street or other public right-of-way to be closed must either join in the petition or indicate their lack of objection by completing and signing the Adjacent Property Owner (Non-petitioner) Consent Form. *Please include this checklist with the original application.*
- Signatures for all property owners must be **notarized**. If additional sheets are needed, please use copies of the Acknowledgement of Additional Petitioner form or Adjacent Property Owner (Non-petitioner) Consent Form that is included with the petition, as applicable.
- Three (3) copies of the completed petition. *Please copy only the application and this checklist.*
- Filing fee of \$100.00. Make check payable to: City of Chesapeake
- A title certification indicating fee simple ownership of the right-of-way to be vacated. Where the City is not the fee simple owner, the title certification must indicate the City's interest in the right-of-way.
- Thirty (30) copies of a vicinity map and street closure exhibit depicting the precise location and dimensions of the area to be vacated, reduced to 8½" x 11" paper, which includes all parcels of land abutting the subject right-of-way, and all public and private easements, public utility facilities and private franchise facilities located in or upon said right-of-way. The exhibit shall meet the minimum standards promulgated by the Virginia State Library Board for plats, as interpreted and applied by the Department of Public Works (see attached).
- ADVERTISING COST.** In addition to the filing fee, the applicant is responsible for all newspaper advertising costs for public hearing notifications. **The applicant or agent will be billed separately for these costs.** The average advertising cost is \$100 for the Planning Commission Public Hearing and the average is between \$400 to \$1,000 for the City Council meeting. The project will require a minimum of four (4) advertisements. Any additional advertising costs incurred due to continuances will also be the responsibility of the applicant. Planning Commission advertisement fees will be billed by the City of Chesapeake. City Council advertisement fees will be billed by the Virginia Pilot.
- This completed Street Closure Petition Checklist.

THE LIBRARY OF VIRGINIA STANDARDS FOR PLATS (137.6 REV:91)

Sec. 1. Statement of Applicability:

These standards shall apply to all plats and maps submitted for recordation in the circuit courts of the Commonwealth.

Sec. 2. Recording Medium:

Documents size shall be between 8 1/2 x 11 and 18 x 24 inches, and the scale shall be appropriate to the size of the paper. Original plats shall be inscribed on either translucent or opaque paper, polyester or linen. The background quality for opaque paper shall be uniformly white, smooth in finish, unglazed, and free of visible watermarks or background logos. Only the original or first generation unreduced black or blue line copy of the original plat drawing, which meets the quality inscription standards noted below and has the stamp and original signature of the preparer, shall be submitted for recordation. NOTE: [A plat prepared prior to 1986 which is being entered as reference can be recorded if the current landowner's notarized signature appears on the plat. Changes or alterations made to any original plat must be accompanied by the stamp and signature of the preparer who did the changes/alterations. Any plats exempted from these regulations under the Code of Virginia can be recorded with the notarized signature of the original preparer.]

Sec. 3. Quality Inscription Standards:

Color of original inscription shall be black or blue and be solid, uniform, dense, sharp, and unglazed. Signatures shall be in dark blue or black ink. Lettering shall be no less than 1/10 inch or 2.54 mm. in height. Lettering and line weight shall be no less than .013 inches or .3302 mm. Letter and line spacing for control pencil drawings shall be no less than .050 inches and for ink drawings no less than .040 inches. Drawing substance must be either wet ink or control pencil but not a combination thereof. Good drafting practices shall be followed when eliminating ghost lines and when doing erasures, and all shading and screening shall be eliminated over written data. Inscriptions shall meet standards established herein, and Engineering Drawing and Related Documentation Practices – Line Conventions and Lettering (ANSI Y14.2M-1987), Technical Drawing - Lettering - Part I: Currently Used Characters (ISO 3098/1-1974) and Technical Drawings - Sizes and Layout of Drawing Sheets ISO 5457-1980 shall be consulted as guidelines.

Sec. 4. Format for Copies:

Margins shall be at least 1/4 inch on all sides, and inscriptions are to be made on only one side of the paper. All drawings shall have centering marks on each side, adjacent and outside the margins. Match lines or grid tics delineating 8 1/2 x 11 inch sections shall be inscribed on all plats larger than 8 1/2 x 11 inches, to create the least number of grid blocks possible and be located adjacent and inside the margins. Continuation sheets of multi-sheet drawings shall be the same size as the first sheet.

**THE LIBRARY OF VIRGINIA STANDARDS FOR PLATS
(137.6 REV:91)**

Sec. 5. Recording Standards:

Recordation inscriptions shall be by clerk's printed certificate, stamping, typing or handwriting and shall conform to the quality inscription standards noted above.

Sec. 6. Exclusion:

A first generation copy of an original plat drawing dated prior to July 1, 1986 shall be admitted to record subject to the requirements in the Note in section 2 above.

Sec. 7. Note:

Where a plat is submitted as part of an instrument, these plat standards shall apply to such plat.

STREET CLOSURE PURCHASE AGREEMENT

ST.C-_____ - _____ Street Closure

(Pursuant to Virginia Code Sections 15.2-2006 and Chesapeake Code Section 66-14 and 66-15)

NOTE TO PETITIONER: The street closure petition will not be scheduled for City Council consideration until a purchase agreement has been executed and submitted to the Planning Department.

THIS AGREEMENT, made this _____ day of _____, 20____
by and between _____

_____ party/parties of the first part, and the CITY OF CHESAPEAKE, VIRGINIA, a municipal corporation, party of the second part.

WHEREAS, the party/parties of the first part has/have petitioned the City of Chesapeake to close a certain street, alley, easement, or other public way as described as follows:

And

WHEREAS, it has been determined by the City that the fair market value of the property is in the amount of \$_____.00;

NOW, THEREFORE, the aforesaid party/parties does/do hereby agree as follows:

1. The party/parties of the first part agrees/agree to pay the City of Chesapeake through the Planning Department the sum of \$_____.00, as determined by the City, within ten (10) calendar days of the final approval of the closure of the subject street, alley, easement, or public way by the Chesapeake City Council. Failure to remit this fee in a timely manner may render the street closure null and void.
2. The party of the second part agrees to record the Chesapeake Circuit Court Clerk's Office the duly adopted ordinance of the Chesapeake City Council upon timely receipt of the aforesaid payment, which will form basis for the title to the subject property in favor of the party/parties of the first part.
3. The party/parties of the first part agrees/agree to abide by any other conditions imposed by City Council in the vacation of the right-of-way.

STREET CLOSURE PURCHASE AGREEMENT

ST.C-07-_____ - _____ Street Closure

Party of the First Part

Party of the First Part

Party of the First Part

Party of the First Part

Party of the First Part

STATE OF VIRGINIA

CITY OF CHESAPEAKE

Subscribed and sworn to before me this _____ day of _____ 20____,

by _____

NOTARY PUBLIC

My commission expires: _____

Approved as to form:

Grady Palmer
Assistant City Attorney