AN ORDINANCE TO VACATE TAX PARCEL NO. 158-3-18B FROM "YOUNG DRIVE SUBDIVISION" PLAT (PLAT BOOK 17, PAGE 103) ON TOWNSEND DRIVE IN THE TYLER MAGISTERIAL DISTRICT OF WASHINGTON COUNTY, VIRGINIA

WHEREAS, a subdivision of land in the Tyler Magisterial District (F-11 Election District) of the County of Washington, Virginia, was made by recordation of a plat titled, "Young Drive Subdivision" recorded February 21, 1978, in the land records of the Clerk of Court of Washington County, Virginia (Land Records), in Plat Book 17, Page 103 (the Plat);

WHEREAS, by deed recorded in the Land Records on January 20, 1995, and indexed as Deed Book 908, Page 418 (the Deed), Roy C. Townsend and Juanita Townsend acquired a parcel of land as more specifically described in the Deed and on the Plat, and which is identified as Parcel No. 158-3-18B in the County tax records;

WHEREAS, Mr. Townsend is deceased, and Ms. Townsend has applied for approval to vacate Parcel No. 158-3-18B to allow a single division for the purpose of conveyance of a portion to Dawson B. Townsend and to maintain ownership of the remainder;

WHEREAS, the zoning designation for TAX PARCEL NO. 158-3-18B in is Residential, General, (R-2), and public water is available to the parcel;

WHEREAS, R-2 zoning requires a minimum lot area of 30,000 square feet where public water is available and eighty (80) feet of road frontage;

WHEREAS, the Board of Supervisors of Washington County, Virginia, after public notice and public hearing, pursuant to Virginia Code § 15.2-2272(2) (1950, as amended), does hereby find that vacation of TAX PARCEL NO. 158-3-18B from the Plat for purpose to allow division of TAX PARCEL NO. 158-3-18B, as described herein, would not harm the public interest or public safety.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Washington County, Virginia, that the Board does hereby adopt the following ordinance pursuant to Virginia Code § 15.2-2272(2):

1. TAX PARCEL NO. 158-3-18B of the "YOUNG DRIVE SUBDIVISION" Plat, which was recorded February 21, 1978, in the land records of the Clerk of the Circuit Court of Washington County, Virginia (Land Records), in Plat Book 17, Page 103 (the Plat) is hereby vacated from said subdivision plat pursuant to Virginia Code § 15.2-2272(2) for the purpose to allow division of Parcel No. 158-3-18B; and
2. Pursuant to Virginia Code § 15.2-2276, after the effective date of this ordinance, the Clerk of the Circuit Court of Washington County, Virginia is directed to mark Parcel No. 158-3-18B as "Vacated" on the above-referenced Plat and to record a certified copy of this ordinance in the Land Records, indexed to Plat Book 17, Page 103, pursuant to Virginia Code § 15.2-2272(2); and
3. That should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Washington County Code; and
4. That this ordinance shall become effective thirty (30) days after its adoption unless an appeal pursuant to Virginia Code § 15.2-2272(2) is filed within that time period, in which case, this ordinance shall become effective as directed by a court of competent jurisdiction.