

**ORDINANCE NO. 2023-0X**

**Vacating a Portion of the Clark Avenue 70-foot Wide VDOT Right-of-Way for Lot 1 where the house is situated, of the Town of Max Meadows Subdivision located in the Fort Chiswell Magisterial District of Wythe County, Virginia**

WHEREAS, James Bilbrey heirs, land owner of lot 1 of the Town of Max Meadows subdivision, has applied to discontinue and vacate a portion of the 70-foot VDOT right-of-way for lot 1, where the house is situated, in the Town of Max Meadows subdivision located in the Fort Chiswell Magisterial District of Wythe County, Virginia; and

WHEREAS, public notice has been given that the Board of Supervisors of Wythe County would consider such request pursuant to Section 15.2-2006 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors held a public hearing and considered such application on December 27, 2023, pursuant to such notice; and

WHEREAS, the Board was of the opinion that the vacation would not result in any inconvenience and was in the interest of public welfare;

NOW, THEREFORE, be it ordained that the portion of the Clark Avenue 70-Foot right-of-way shown on the plat attached to this ordinance as Exhibit A, which is made a part of this ordinance by this reference, is hereby DISCONTINUED AND VACATED, subject to the conditions that the heirs of Mr. Bilbrey’s Estate pay for the right of way abandonment and advertisement and complete, at their expense, a revised plat to be reviewed and recorded by County Staff showing the new Clark Avenue right-of-way and Mr. Bilbrey’s heirs revised property lines consistent with this ordinance; and.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance be recorded as deeds are recorded and indexed, in the name of the County of Wythe, in the Clerk’s Office of the Circuit Court of Wythe County, Virginia.

This ordinance was duly considered following a required public hearing held on December 27, 2023, and was adopted by the Board of Supervisors of Wythe County, Virginia, at its regular meeting held on December 27, 2023, the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Brian W. Vaught				
Ryan M. Lawson				
Rolland R. Cook				
James D. Smith				
Jesse R. Burnett				
B.G. “Gene” Horney, Jr.				
Stacy A. Terry				

I certify that this is a true and correct copy taken from the December 27, 2023, minutes of the Wythe County Board of Supervisors meeting.

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Martha G. Collins, Clerk