AN ORDINANCE VACATING A 20-FOOT BY 65-FOOT WATERLINE EASEMENT LOCATED AT 100 NEW RIVER ROAD (TAX PARCEL 435 – ((A)) – 41) IN THE TOWN OF CHRISTIANSBURG, VIRGINIA HERETO ADOPTED APRIL 3, 2012

WHEREAS, PR Financing Limited Partnership has requested the Council of the Town of Christiansburg to vacate a 20-foot by 65-foot waterline easement located at 100 New River Road (tax parcel 435 – ((A)) – 41) in the Town of Christiansburg; and

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (March 7, 2012 and March 14, 2012) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg, and further that written notice of the request of Council was mailed to property owners who could possibly be affected by the action of Council on March 8, 2012; and,

WHEREAS, a public hearing of Town Council was held March 20, 2012;

AND, it having been determined by the Council of the Town of Christiansburg, Virginia that the public necessity, convenience, and general welfare requires such vacation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Christiansburg that the said easement is hereby vacated this the 3rd day of April 2012.

The waterline easement hereby vacated was dedicated by deed dated May 20, 1988 recorded in Deed Book 612, Page 798 with reference made to "Plat of Phase I New River Valley Mall" prepared by Anderson and Associates, Inc. indicated as Job No. 6237 dated December 23, 1987 and revised March 29, 1988 (Plat Book 14, Page 162, Slide 468, Instrument No. 198800004234P).

The waterline easement hereby vacated is shown on a drawing entitled "Belk Store Expansion Vacated Waterline Easement Sketch" prepared by Gay and Neel, Inc. indicated as Job No. 2293.0 dated March 19, 2012.

Approval hereof by Town Council shall not be construed as affecting vested rights of any party.

This Ordinance shall take effect upon adoption. Upon a call for an aye and nay vote on the foregoing ordinance, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

Member	Aye	Nay	Abstain	Absent
Mayor Richard G. Ballengee*				
D. Michael Barber				
Cord Hall				
Steve Huppert				
Henry Showalter				
Bradford J. Stipes				
James W. "Jim" Vanhoozier				

* Votes only in the event of a tie vote by Council.

Richard G. Ballengee, Mayor

A True Copy Test:

Michele M. Stipes, Clerk of Council