



# Gilbert Street Mixed-Use

## Right-of-way Vacation Application

### Blacksburg, Virginia

Prepared for:  
Virginia Tech Foundation, Inc.  
University Gateway Center  
902 Prices Fork Road  
Suite 130 (MC 0490)  
Blacksburg, Virginia 24061

Original Application Submission - August 1, 2019  
For Record – November 22, 2019



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**FIGURES**

A PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION – THE TOWN OF BLACKSBURG AND TURNER STREET PROJECT, LLC PROPERTIES – TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA”, dated June 13, 2013

B RIGHT-OF-WAY VACATION EXHIBIT – VIRGINIA TECH FOUNDATION – GILBERT STREET MIXED-USE dated November 22, 2019

Revised 6/17

Office Use Only

Ordinance #: \_\_\_\_\_  
Date Received \_\_\_\_\_

**REQUEST FOR VACATION OF AN ALLEY OR UNBUILT RIGHT-OF-WAY**  
**TOWN OF BLACKSBURG, VIRGINIA**

This application and accompanying information must be submitted to the Town Attorney and approved before the vacation request can be referred to the Planning Commission and Town Council for consideration.

C S Shopping Center, LLC

<u>Name of Applicant(s)</u>	
Property Address: 203 Barger Street	
<u>Applicant's Current Address:</u> c/o Virginia Tech Real Estate Foundation	(540) 231-6374
902 Prices Fork Road, Suite 130	Phone
Blacksburg, Virginia 24061	
	Fax
	cwoodring@vtf.org
	e-mail

Please list any additional parties included in this application:  
None.

What legal interest does the Town have in the property? Please provide relevant documentation.

Please see attached.

Location of right-of-way to be vacated: (survey of property or legal description of boundary)

Please see attached.

In exchange for requested vacation, Applicant will dedicate an equal area of land. Please see attached.

Tax Parcel Number(s) of Property:

Please see attached.

Square Footage of area to be vacated: Please see attached.

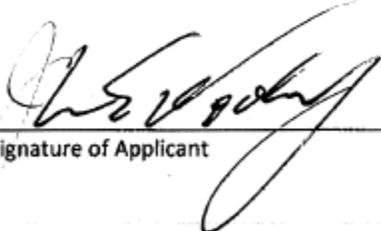
If there is more than one applicant, how is property to be divided?

N/A

1. I/We own property abutting the above described alley or unbuilt right of way.
2. If applicable, attach proof of notification of all property owners abutting the alley or unbuilt right of way to give them the opportunity to join in the vacation as described in Town Code § 21-114(A) (2).
3. I/We agree that the value of the alley or unbuilt right of way is N/A based on Town Code 21-114(b).
4. I/We agree to pay to the Town of Blacksburg the above stated price if the alley or unbuilt right of way is vacated. The vacation is void if the payment is not made within one year.
5. I/We agree to accept a quitclaim deed to the property and understand that the Town of Blacksburg makes no warranties of title for the property.

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Please include an application fee of \$100.00 to be applied to the cost of advertising, the cost of first class and certified mail postage to all adjacent properties and expenses incidental to reviewing, publishing, and processing this application. Please make your check or money order payable to the Town of Blacksburg.



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Signature of Applicant

7/30/2019  
Date

## **2.0 EXPLANATION OF RIGHT-OF-WAY VACATION**

### **2.1 What legal interest does the Town have in the property?**

Refer to plat attached hereto as Figure A entitled, "PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION – THE TOWN OF BLACKSBURG AND TURNER STREET PROJECT, LLC PROPERTIES – TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA", dated June 13, 2013, made by Draper Aden Associates (the "Plat") wherein a portion of the subject property identified as "Parcel 'B'" on the attached Plat was combined with adjoining Parcel TM 226-A-140 owned by the Town of Blacksburg and another portion of the subject property identified as "Parcel 'C'" on the attached Plat was dedicated as public right-of-way and became a portion of the existing Gilbert Street right-of-way.

### **2.2 Location of right-of-way to be vacated**

The location of the right-of-way to be vacated is identified as "EXISTING RIGHT-OF-WAY TO BE VACATED AND DEDICATED TO VTF (4,085 SF)" as shown on the plat attached hereto as Figure B entitled, "BOUNDARY LINE ADJUSTMENT EXHIBIT – VTF Gilbert Street Project – Blacksburg, VA" dated June 21, 2019, made by Draper Aden Associates (the "BLA Exhibit").

- Tax Map Parcel Number(s) of the Property: 226-A-140
- Square Footage of Area to be Vacated: 4,085

### **2.3 If there is more than one applicant, how is property to be divided?**

C S Shopping Center, LLC is the sole applicant.

### **2.4 What is the intended use of the property?**

The Applicant proposes to construct the Gilbert Street Mixed-Use Building on its adjacent properties. The proposed Gilbert Street Mixed-Use Building, consisting of approximately 250,000 square feet of gross floor area, will replace two existing buildings located at 211 Prices Fork Road and 400 Turner Street with an iconic, mixed-use building designed to LEED Silver standards and located at the entrance to downtown serving as a flagship for retail, restaurant and office commercial buildings in Downtown Blacksburg. The design of the building, proximity to Turner Street and Gilbert Street for pedestrian access and first floor retail and restaurant with outdoor patio areas, will foster a predominately pedestrian environment, focusing on both bicycle and pedestrian users.

In exchange for the proposed vacation, the Applicant proposes to dedicate to the Town of Blacksburg an equal square footage of property identified as "AREA TO BE DEDICATED TO TOWN OF BLACKSBURG (4,085 SF)" as shown on the BLA Exhibit. The area to be dedicated to the Town is adjacent to St. Luke and Odd Fellows Hall. The

dedicated area will (i) enlarge and improve the green space around the historic site; (ii) provide increased and enhanced street frontage along Prices Fork Road thereby providing increased visibility and exposure of Odd Fellows Hall to vehicles and pedestrians passing by; and (iii) assist in re-configuring the existing site to a more traditional site configuration as the current configuration exists as a result of various land exchanges, right-of-way vacations and other assemblages. By entering into a Memorandum of Agreement with the Town and the Blacksburg Museum and Cultural Foundation (the "BMCF"), the Applicant has agreed to bear the cost and obligation of landscaping the greenspace around Odd Fellows hall to a standard that is consistent with historic preservation sites but will allow for open spaces for gatherings. The Applicant has also agreed to work with the BMCF to allow it to use part of the Applicant's greenspace adjacent to Odd Fellows Hall for additional gathering space for events hosted by BMCF.

**NOTES:**

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. ACCORDING TO FEMA COMMUNITY PANEL No. 51121C0131C, DATED SEPT. 25, 2009 THE SUBJECT PROPERTIES LIE WITHIN FLOOD ZONE "X". (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.)
3. PROPERTIES SHOWN HEREON ARE THE SAME PROPERTIES ACQUIRED BY TURNER STREET PROJECT, LLC: TM 226-(A)-135E IN INSTR. No. 2012001456, TM 226-(A)-143 IN INSTR. No. 2013000593, AND THE TOWN OF BLACKSBURG (0.063 ACRE PORTION OF BARGER STREET VARIABLE RIGHT-OF-WAY).
4. PARCEL "A" SHOWN HEREON (A 0.063 ACRE PORTION OF BARGER STREET VARIABLE RIGHT-OF-WAY) IS TO BE COMBINED WITH ADJOINING PARCEL TM 226-(A)-143 AND IS TO BE CONSIDERED ONE TAX PARCEL OF 0.257 ACRE.
5. PARCEL "B" SHOWN HEREON (TM 226-(A)-135E) 0.043 ACRE PARCEL IS TO BE COMBINED WITH ADJOINING PARCEL TM 226-(A)-40 AND IS TO BE CONSIDERED AS ONE TAX PARCEL OF 0.183 ACRE.
6. PARCEL "C" SHOWN HEREON IS TO BE DEDICATED AS PUBLIC RIGHT-OF-WAY AND BECOME A PORTION OF THE EXISTING GILBERT STREET RIGHT-OF-WAY.
7. COURSES A-M COMPILED FROM RECORD INFORMATION.

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	115.00'	23.51'	11°42'45"	23.47'	N86°52'25"E
C2	152.00'	86.06'	32°26'23"	84.91'	S87°21'01"W
C3	152.00'	137.82'	14°19'15"	137.72'	S64°00'11"W
C4	6.40'	3.89'	34°2'06"	3.79'	S67°51'34"E

LINE	BEARING	DISTANCE
L1	S52°46'21"E	22.31'
L2	N59°36'04"E	16.14'
L3	N85°29'29"E	11.14'
L4	N23°21'12"E	14.36'
L5	S61°47'47"E	11.00'
L6	N28°12'13"E	12.61'
L7	S27°09'05"E	7.50'
L8	S33°20'56"W	19.87'
L9	S36°46'15"E	13.04'
L10	S50°37'01"E	10.64'
L11	N43°21'12"E	2.27'



**APPROVAL AND ACCEPTANCE**

THE HEREON SHOWN "PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION" DATED JUNE 13, 2013 HAS BEEN SUBMITTED TO AND APPROVED FOR RECORDATION BY THE TOWN OF BLACKSBURG, VIRGINIA.

Town Planner: *[Signature]* DATE: 4/28/14  
 Town Engineer: *[Signature]* DATE: 4/28/14  
 SUB 14-0001/ROW 14-0001/ORD #1717

**OWNERS STATEMENT**

THIS IS TO CERTIFY THAT THE PROPERTIES EMBRACED WITHIN THIS "PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION" IS PRESENTLY OWNED BY TURNER STREET PROJECT, LLC, AND THE TOWN OF BLACKSBURG AND THE "PROPERTY EXCHANGE" DATED JUNE 13, 2013, AS SHOWN IS WITH ITS FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

Turner Street Project, LLC: *[Signature]* DATE: 4/22/14  
 Town of Blacksburg: *[Signature]* DATE: 4/29/14

**NOTARY STATEMENT**

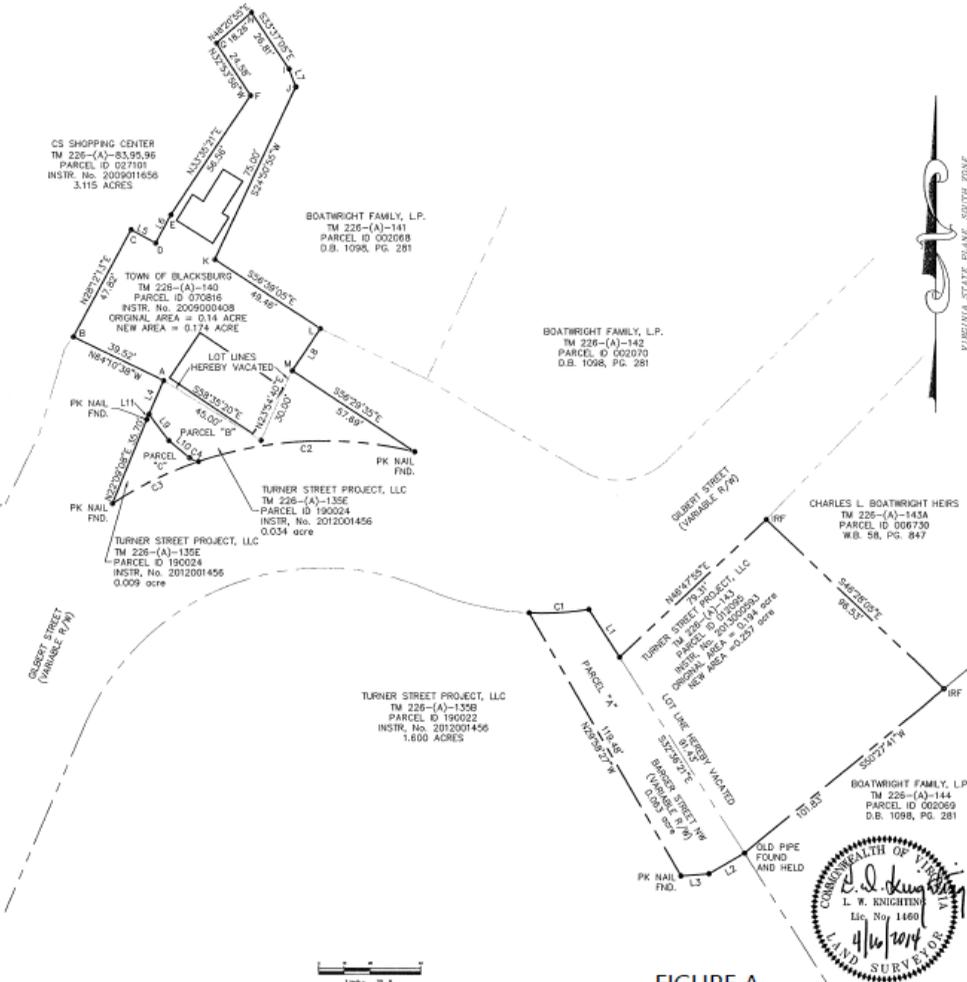
STATE OF VIRGINIA, COUNTY OF MONTGOMERY, TO WIT:  
 I, *Rebecca A. Torres*, a Notary Public in and for the State and County aforesaid, do hereby certify that a representative of Turner Street Project, LLC, whose name is signed to the foregoing writings, has appeared before me and acknowledged the same.  
 My Commission Expires: 11/30/2015  
 My Commission Expires: 11/30/2015  
 My Commission Expires: 11/30/2015  
 My Commission Expires: 11/30/2015

**NOTARY STATEMENT**

STATE OF VIRGINIA, COUNTY OF MONTGOMERY, TO WIT:  
 I, *Rebekah G. Corso*, a Notary Public in and for the State and County aforesaid, do hereby certify that a representative of the Town of Blacksburg, whose name is signed to the foregoing writings, has appeared before me and acknowledged the same.  
 My Commission Expires: 4/30/2017  
 My Commission Expires: 4/30/2017  
 My Commission Expires: 4/30/2017

**SOURCE OF TITLE**

THIS IS TO CERTIFY THAT THE HEREON SHOWN "PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION" CONSTITUTES THE SAME PROPERTIES ACQUIRED BY TURNER STREET PROJECT, LLC, BY DEED WHICH DEEDS ARE RECORDED IN INSTRUMENT No. 2012001456, AND INSTRUMENT No. 2013000593, AND THE TOWN OF BLACKSBURG, IN THE CLERK'S OFFICE, CIRCUIT COURT OF MONTGOMERY COUNTY, VIRGINIA.  
 Loren W. Knighting, L.S. 1446  
 DATE: 4/16/2014



**Draper Aden Associates**  
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PLAT OF PROPERTY EXCHANGE AND LOT LINE VACATION  
 THE TOWN OF BLACKSBURG AND  
 TURNER STREET PROJECT, LLC PROPERTIES  
 TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA

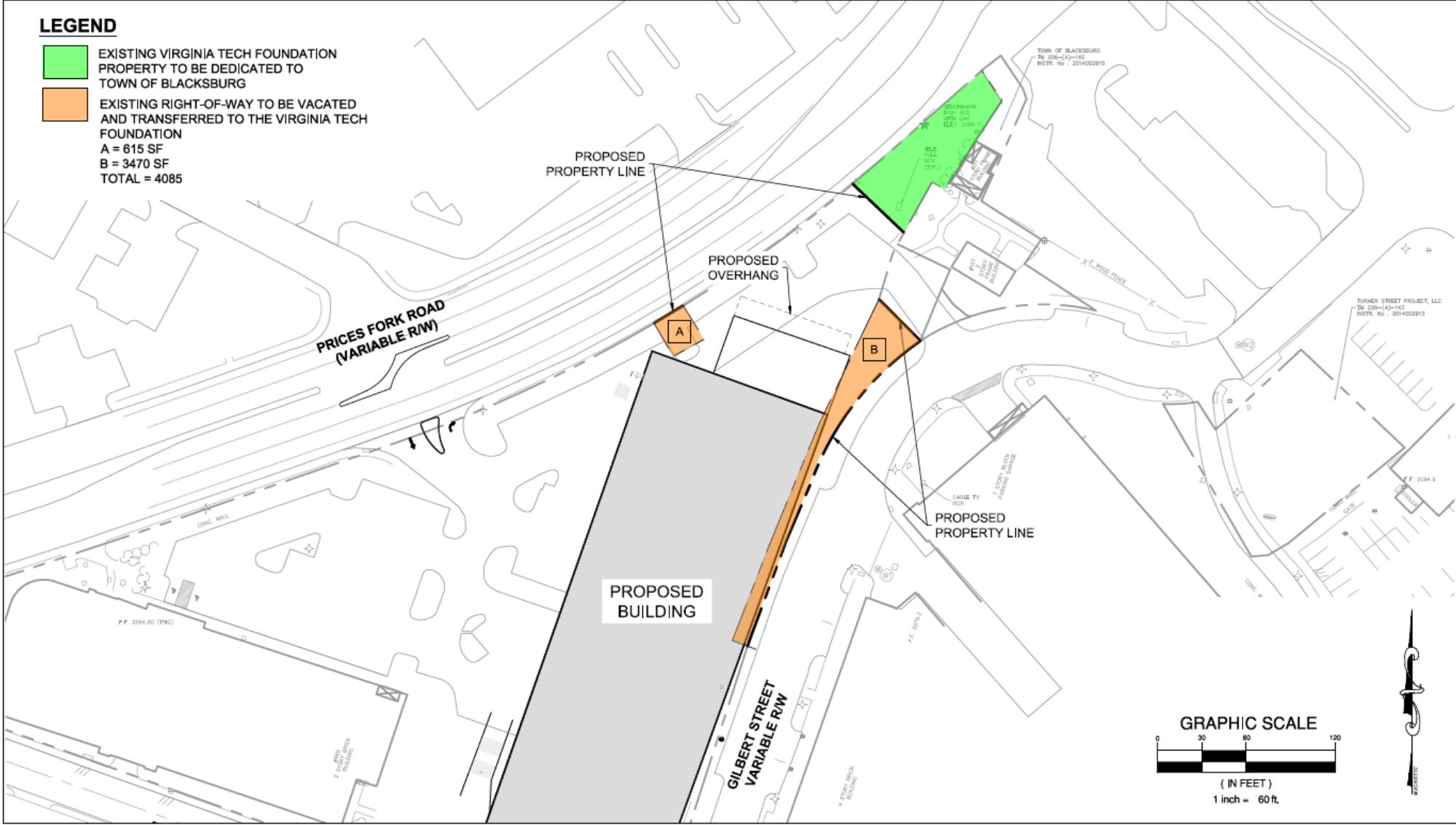
**REVISIONS**

2-28-14	CREATE PARCEL "C"
04-16-14	Address comments

DESIGNED BY: N/A  
 DRAWN BY: JFF  
 CHECKED BY: LWRK  
 SCALE: 1" = 30'  
 DATE: 06-13-13  
 PROJECT NUMBER:  
 B09169B-01A  
 SHEET  
 1 OF 1



FIGURE A



**VIRGINIA TECH FOUNDATION - GILBERT STREET MIXED-USE**

DRAWING NUMBER: **Exhibit B**      DRAWING NAME: **Right-of-way Vacation Exhibit**



DATE: **22 NOVEMBER 2019**