

ORDINANCE NO. 469 OF THE CITY OF BUCKHANNON, AN ORDINANCE
VACATING THREE (3) CERTAIN ALLEYS SITUATED WITHIN THE CORPORATE
LIMITS OF THE CITY OF BUCKHANNON

WHEREAS, by Ordinance No. 463, the City of Buckhannon authorized the exchange of certain properties between the City and West Virginia Wesleyan College, Inc., a West Virginia non-profit corporation; and,

WHEREAS, in addition to the exchange of properties as contemplated in said Ordinance, which has been fully enacted and has taken effect as of June 15, 2023, the City agreed to vacate three certain alleys which abut property owned by West Virginia Wesleyan College; and,

WHEREAS, it is now ripe for the Council of the City of Buckhannon to consider vacating said alleys; and,

WHEREAS, pursuant to the statutory provisions of Chapter 8, Article 12, Section 5(1) of the West Virginia Code, as amended, the City is specifically authorized and empowered to vacate, discontinue and close streets, avenues, roads, alleys, ways, and sidewalks; and,

WHEREAS, when a public street, way, or alley is closed, discontinued, or vacated, title thereto is vested in the adjoining property owners in equal portions divided by the center line thereof; and,

WHEREAS, the Council of the City of Buckhannon desires in all respects to comply with the statutes of the State of West Virginia and particularly with the immediately hereinbefore referenced state statutes insofar as the closing of alleys is concerned.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I - FINDINGS OF COUNCIL: The Council of the City of Buckhannon hereby makes the following findings:

(1) The Council has previously adopted Ordinance No. 463, which provides – in part – for the vacating of all or part of three alleys within the corporate limits of the City of Buckhannon, which abut properties currently owned by West Virginia Wesleyan College;

(2) The subject alleys are described in Ordinance No. 463 as follows:

a) Silverbells Lane, from its origination point at the railroad tracks south of the walk trail to a point 178 feet south of its intersection with Braxton Street.

b) Snowgoose Lane, from its origination point at the walk trail to a point 178 feet south of its intersection with Braxton Street.

c) Stewart Lane

ARTICLE II – DISCONTINUANCE, CLOSING, AND VACATION OF ALLEYS:

The Council of the City of Buckhannon, pursuant to its authority under West Virginia Code Chapter 8, Article 12, Section 5(1), does hereby vacate, discontinue, and close the following roads, alleys, and ways situate and located within the corporate limits of the City of Buckhannon:

a) Silverbells Lane, from its origination point at the railroad tracks south of the walk trail to a point 178 feet south of its intersection with Braxton Street.

b) Snowgoose Lane, from its origination point at the walk trail to a point 178 feet south of its intersection with Braxton Street.

c) Stewart Lane

ARTICLE III - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., March 8, 2025


FIRST READING: January 16, 2025

SECOND READING, PASSAGE AND ADOPTION: February 6, 2025


Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 469 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on February 6, 2025.


Randall H. Sanders, City Recorder