

ORDINANCE NO. 2912

AN ORDINANCE approving and authorizing the sale of that portion of the south side of Franklin Street located between the east side of Potomac Street and the west side of South Union Street vacated pursuant to Ordinance No. 2751 to Cummings Investment Associates, Inc., and to provide for the reservation of certain easements by the City of Alexandria, Virginia.

WHEREAS, during the vacation proceedings the planning commission recommended the vacation and the sale of the area vacated pursuant to Ordinance No. 2751 on the following conditions:

1. That the City of Alexandria reserve a sanitary sewer easement within the area being vacated;
2. That the applicant pay \$10.00 per square foot for the vacated area;
3. That the vacated area be incorporated into the adjacent lot and not developed as a separate parcel;
4. That the vacation be effective as of the recording of the new easements and payment of the agreed amount; and

WHEREAS, the city council in strict accordance with § 15.1-364, Code of Virginia (1950), as amended, and § 2.03(a) of the Charter of the City of Alexandria, having found that the portion of the south side of Franklin Street located between the east side of Potomac Street and the west side of South Union Street in the City of Alexandria was not needed for public use and that it was in the public interest to vacate the same, adopted the recommendations of the planning commission and duly adopted Ordinance No. 2751 on December 14, 1982; and

WHEREAS, the ordinance failed to provide for the sale of the property within the vacated area to Cummings Investment Associates, Inc. pursuant to the authority contained in § 15.1-366 of the Code of Virginia (1950), as amended, and in the manner provided for in § 15.1-307 of the Code of Virginia (1950), as amended; and

WHEREAS, the city council is of the opinion that the City of Alexandria no longer needs this property, and that its disposition for the full sum of \$20,250.00 is in all respects in the public interest; and

WHEREAS, Cummings Investment Associates, Inc. desires to buy the property vacated pursuant to Ordinance No. 2751; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the property vacated pursuant to Ordinance No. 2751, and more particularly described as follows, to Cummings Investment Associates, Inc., be and the same hereby is approved:

Beginning at a point marking the northeast corner of Lot 502 of the subdivision of parcel A, the property of Cummings Investment Associates, Inc., as the same appears duly dedicated, platted and recorded among the land records of the City of Alexandria, Virginia, in Deed Book 521 at page 568, which is also the southwest corner of Franklin and South Union Streets; thence with the south line of Franklin Street North 80° 49' 00" West, 125.00 feet to the east side of Potomac Street; thence through Franklin Street North 09° 00' 30" East, 7.0 feet; thence North 54° 20' 30" East, 14.18 feet; thence South 80° 49' 00" East, 105.00 feet; thence South 35° 39' 30" East, 14.10 feet; thence South 09° 30' 00" West, 7.0 feet to the point of beginning and containing 2,025 square feet of land.

Reserving, however, unto the City of Alexandria, a sanitary sewer easement as shown on that Vacation Plat dated January 27, 1982, recorded among the land records of the City of Alexandria.

Section 2. That the city manager be and he hereby is authorized to execute a deed on behalf of the City of Alexandria conveying the above-described property to Cummings Investment Associates, Inc.

Section 3. That the city manager be and he hereby is authorized to deliver said deed to Cummings Investment Associates, Inc. upon receipt of the sum of \$20,250.00.

Section 4. That the city manager be and he hereby is authorized on behalf of the City of Alexandria to do all things necessary and desirable to carry out the sale and conveyance approved and authorized by this ordinance.

Section 5. That the city clerk be and she hereby is authorized to attest the execution of said deed and other necessary documents and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall be deemed to be passed on the date of its final passage, but shall not be effective until there is payment to the City of Alexandria in the full sum of \$20,250.00 and until the following have been recorded among the land records of the City of Alexandria: a certified copy of Ordinance No. 2751; that Vacation Plat showing dedication of sanitary sewer easement, dated January 27, 1982; and a certified copy of this ordinance. Such recordation shall be indexed in the name of the City of Alexandria, but shall be done by the applicant at its expense.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: March 21, 1984