

ORDINANCE NO. 3007

AN ORDINANCE authorizing the owner of the premises located at 209 North Royal Street, and her successors in title, to maintain an existing encroachment consisting of a balcony, steps and the front two feet of the house into the public right-of-way of Royal Street in the City of Alexandria, Virginia.

WHEREAS, Wania M. Reynolds is the owner of the 209 North Royal Street in the City of Alexandria, Virginia; and

WHEREAS, Wania M. Reynolds desires to maintain an existing balcony, steps and the front two feet of her house which encroach into the public right-of-way of 209 North Royal Street; and

WHEREAS, the existing encroachment consists of a balcony, front steps and the front two feet of her house that encroach 5.3 feet into the right-of-way of 209 North Royal Street, and is 24 feet in length; and

WHEREAS, the public right-of-way at that point has not been significantly impaired by this encroachment; and

WHEREAS, the said encroachment has been approved by the Planning Commission of the City of Alexandria, Virginia, and it is determined that this encroachment is not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Wania M. Reynolds, and her successors in title, be and the same hereby are authorized to maintain the above-described encroachment consisting of a balcony, front steps and the front two feet of her house which encroach into the public right-of-way of 209 North Royal Street approximately 5.3 feet, and is 24 feet in length, until such encroachment is removed or destroyed, provided this authority shall not be construed to relieve such owner of liability for any negligence on her part on account of such encroachment and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to maintain the encroachment shall be subject to the maintaining by the owner of the encroachment of public liability and property damage insurance indemnifying the City of Alexandria, such policy to be presented to the city attorney for approval.

Section 3. That the maintenance and use of said encroachment, pursuant to the authority hereby granted, shall be considered an agreement by the owner and her successors and assigns to save harmless the City of Alexandria from any

liability by reason of the use and maintenance of the said encroachment.

Section 4. 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 become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: January 12, 1985