

Ordinance No. 1233

AN ORDINANCE asking for bids to be submitted for the leasing of a portion of Hooff's Run from the City of Alexandria and the erection of a culvert thereover.

WHEREAS, the City of Alexandria, Virginia is the owner of that portion of Hooff's Run located on the south side of Duke Street in the City of Alexandria, Virginia, more particularly described as follows:

Beginning at a point on the south side of Duke Street, said point of beginning being also the intersection of said south side of Duke Street with the common boundary between the lands of the City of Alexandria, Virginia and Santullo; thence running along said common boundary S. 22° 00' 36" W, 196 feet to an angle point; thence running through the land of the City of Alexandria, Virginia as described in Deed Book 93, Page 469 of the land records of the City of Alexandria, Virginia, N 80° 29' 24" W, 67.60 feet to a point on the common boundary between the lands of the City of Alexandria, Virginia and Herby's Incorporated; thence running along said common boundary N 22° 00' 36" E, 196 feet to a point on the south side of Duke Street; thence running along the south side of Duke Street S 80° 29' 24" E, 67.60 feet to the point of beginning, containing 12,936 square feet.

WHEREAS, there are some title questions concerning the above described portion of Hooff's Run which should be cleared; and

WHEREAS, the City does not need the use of that portion of the Run at present but will sometime in the future use a culvert over the Run for vehicular traffic; and

WHEREAS, the City Council is of the opinion that it would be in the best public interest to lease that portion of the Run to someone who would build a culvert suitable for vehicular traffic that could be used by the City when the City deems such use necessary; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That it is proposed that there shall be granted, in the manner prescribed by law, a lease to use a portion of Hooff's Run, located in the City of Alexandria and owned by the City of Alexandria, for the purposes and upon and subject to the terms, conditions, provisions and limitations embodied in this ordinance and the following draft of an ordinance.

ORDINANCE NO.

AN ORDINANCE granting a lease to, to use a portion of Hooff's Run in the City and to erect a culvert thereon.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, subject to the terms of an appropriate lease with the City, the general provisions of which are hereinafter provided and subject to the terms of the invitation to bidders, be given the right to lease, for the purpose of parking motor vehicles on a culvert to be erected thereon, the following described portion of Hooff's Run, belonging to and located in the City of Alexandria, Virginia, to-wit:

Beginning at a point on the south side of Duke Street, said point of beginning being also the intersection of said south side of Duke Street with the common boundary between the lands of the City of Alexandria, Virginia and

Santullo; thence running along said common boundary S 22° 00' 36" W, 196 feet to an angle point; thence running through the land of the City of Alexandria, Virginia as described in Deed Book 93, Page 469 of the land records of the City of Alexandria, Virginia, N 80° 29' 24" W, 67.60 feet to a point on the common boundary between the lands of the City of Alexandria, Virginia and Herby's Incorporated; thence running along said common boundary N 22° 00' 36" E, 196 feet to a point on the south side of Duke Street; thence running along the south side of Duke Street S 80° 29' 24" E, 67.60 feet to the point of beginning, containing 12,936 square feet.

Section 2. That in addition to those provisions usually found in leases, there shall be provisions accomplishing the following: Lessee shall at his expense forthwith erect a culvert over the Run, according to City plans and specifications, sufficient to carry vehicular traffic; the City may cancel the lease at any time upon ninety (90) days' notice; upon cancellation of the lease by the City the cost of the culvert shall be prorated on a straight line depreciation basis, with a maximum life of thirty (30) years; the premises shall be used only for the parking of motor vehicles; lessee will not block or divert flow of water in the Run; lessee will indemnify and save the City harmless from any claim for death or injury to persons or property on or on account of the premises or any activity connected therewith; lessee shall at his expense obtain a clear title for the City for the premises.

Section 3. That this ordinance shall be published in a newspaper of general circulation 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 Clerk of the Council 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.

Section II. That as soon as this ordinance has been finally passed, the City Clerk shall cause to be advertised once a week for four successive weeks in a newspaper published in the City of Alexandria, the full text of the ordinance contained in Section 1 of this ordinance, and in addition thereto shall by such advertisement invite bids for the lease proposed to be granted by said ordinance by publishing with the ordinance a notice which shall be in substantially the following form:

NOTICE OF SALE

Sealed bids will be received by the City Council of the City of Alexandria, Virginia for the right to lease the portion of Hlooff's Run in the City of Alexandria, Virginia, being more particularly described as:

Beginning at a point on the south side of Duke Street, said point of beginning being also the intersection of said south side of Duke Street with the common boundary between the lands of the City of Alexandria, Virginia and Santullo; thence running along said common boundary S 22° 00' 36" W, 196 feet to an angle point; thence running through the land of the City of Alexandria, Virginia as described in Deed Book 93, Page 469 of the land records of the City of Alexandria, Virginia, N. 80° 29' 24" W, 67.60 feet to a point on the common boundary between the lands of the City of Alexandria, Virginia and Herby's Incorporated;

thence running along said common boundary N. 22° 00' 36" E, 196 feet to a point on the south side of Duke Street; thence running along the south side of Duke Street S 80° 29' 24" E, 67.60 feet to the point of beginning, containing 12,936 square feet.

A plat showing the property may be examined at the office of the Director of Public Works in the City Hall, Alexandria, Virginia.

The lease cannot exceed a period of thirty (30) years. The successful bidder shall at his expense obtain a clear title for the above described portion of Hooff's Run. The successful bidder shall at his expense forthwith erect a culvert over the Run, according to City plans and specifications, that can carry vehicular traffic. The City may cancel the lease at any time upon ninety (90) days' notice, in which case the cost of the culvert would be prorated on a straight line depreciation basis with a maximum life period of thirty (30) years. The successful bidder shall have the right to use the culvert erected for the parking of motor vehicles for the duration of the lease. Lessee shall not block or divert the flow of water in the Run; lessee will indemnify and save the City harmless from all claims.

Bids must be submitted in writing and delivered to the presiding officer of the City Council of the City of Alexandria, Virginia, in open session of said Council in the Council Chamber, City Hall Building, City of Alexandria, Virginia, on Tuesday evening, the 8th of October, 1963. Meetings start at approximately 7:30 o'clock P. M., and all bids will be received from the time Council convenes on the evening of October 8, 1963 until this item has been called on the Council docket and the bidding declared closed, at which time bids will be publicly opened, read and considered in the manner prescribed by law. The right to waive any informality in the bidding and the right to reject any and all bids is reserved.

The successful bidder shall be required to reimburse the City of Alexandria for the costs of advertising for this lease.

A deposit of Two Thousand Dollars (\$2,000.00), in the form of a certified check made payable to the City of Alexandria, must accompany each bid. Checks of unsuccessful bidders will be promptly returned. Successful bidder must execute a formal lease with the City on or before November 1, 1963, or the deposit will be forfeited to the City as liquidated damages for default, and the City will be under no obligation as to the property.

Other details for bidders may be obtained from the Director of Public Works in the City Hall.

The proposed ordinance is as follows:

(Insert full text of proposed lease ordinance in publication, as set forth in Section I of this ordinance.)

Section III. That upon approval of this ordinance by the Mayor it shall be published in a newspaper of general circulation 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 Clerk of the Council 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.

FRANK E. MANN
Mayor

Final Passage: September 10, 1963