

# Ordinance No. 1300

**AN ORDINANCE** authorizing the owner of premises numbered 119-121 North Washington Street, and its successors in title, to maintain an encroachment in, upon and over the public right of way of North Washington Street, one of the public streets in the City of Alexandria, Virginia.

WHEREAS, First Federal Savings and Loan Association of Alexandria is the owner of premises known as 119-121 North Washington Street in the City of Alexandria, Virginia; and

WHEREAS, the owner proposes to encroach into the right of way of said street by installing a free-standing clock on a fifteen inch (15") square base in the said right of way at a point forty-one and one-half inches (41½") east of the east curb line of North Washington Street and equidistant from the extension of the north and south boundary lines of the lot at 119-121 North Washington Street; and

WHEREAS, it is determined that the said encroachment is not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That First Federal Savings and Loan Association of Alexandria, and its successors in title, be and it hereby is authorized to construct and maintain the above described encroachment of a free-standing clock on a fifteen inch (15") square base in the said right of way at a point forty-one and one-half inches (41½") east of the east curb line of North Washington Street and equidistant from the extension of the north and south boundary lines of the lot at 119-121 North Washington Street, until the said encroachment is removed or destroyed, provided this authority shall not be construed to relieve such owner of any negligence on its part on account of such encroachment, and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to construct and maintain this 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 forthwith to the City Attorney for approval.

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

Section 4. That the privilege hereby granted to construct and maintain the encroachment, as aforesaid, shall be terminated and extinguished whenever the City of Alexandria shall need that portion of the public right of way for street widening or for any other public purpose and shall, by written notification, demand from the owner of the subject property the removal of such encroachment, which said removal shall be completed promptly and without cost to the City of Alexandria.

Section 5. 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.

FRANK E. MANN

Final Passage: January 12, 1965 Mayor