

Ordinance No. 1361

AN ORDINANCE authorizing the owner of premises numbered 301 and 301½ South Washington Street, and its successors in title, to maintain an encroachment in, upon and over the public right of way of South Washington Street, one of the public streets in the City of Alexandria, Virginia.

WHEREAS, Peoples Savings and Loan Association of Alexandria, Virginia, Inc., a Virginia Corporation, is the owner of premises known as 301 and 301½ South 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 approximately thirty-five feet (35') south of the south curb line of Duke Street and approximately two and one-half feet (2½') west of the west curb line of South 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 Peoples Savings and Loan Association of Alexandria, Virginia, Inc., a Virginia Corporation, and its successors in title, be and they hereby are authorized to construct and maintain the above described encroachment of a free-standing clock approximately thirty-five feet (35') south of the south curb line of Duke Street and approximately two and one-half feet (2½') west of the west curb line of South Washington Street until the said encroachment is removed, destroyed, or terminated by the City as hereinafter provided in Section 4, provided this authority shall not be construed to relieve such owners of any negligence on their 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.

Final Passage, Nov. 9, 1965

FRANK E. MANN
Mayor