

AN ORDINANCE authorizing the owner and his successors in title to maintain an encroachment in, upon and over a public sidewalk located adjacent to premises numbered 319-321 Cameron Street, said sidewalk being a portion of the public right of way.

WHEREAS, GROVER N. LAWSON is the owner of premises numbered 319-321 Cameron Street in the City of Alexandria, Virginia; and

WHEREAS, there now exists stone and concrete steps, curb and grating in and upon the public right of way of the north side of Cameron Street, encroaching into the right of way of Cameron Street a distance of 3 feet 9 inches; and

WHEREAS, the owner of said premises wishes to remove said existing encroachment and to construct a basement entrance and stairway, and install a new glass skylight and grille in front of said premises, as fully depicted upon plans filed on record in the office of the Board of Architectural Review of the City of Alexandria, Virginia; and

WHEREAS, construction will encroach into Cameron Street in front of premises numbered 319-321 for a depth of approximately 3 feet 9 inches and for a width of approximately 20 feet 10 inches (the width beginning at a point approximately 55 feet easterly from the northwest face of the curb at the northeast intersection of Cameron and North Royal Streets); the encroachment to include a gate at the head of said stairway fastened to open inward toward the stairway; 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 Grover N. Lawson, and his successors in title, be and they hereby are authorized to construct and maintain the above described encroachment in, upon and over the public sidewalk on the north side of Cameron Street along the south side of his building, known as 319-321 Cameron Street in the City of Alexandria, Virginia, until such encroachment is removed or destroyed, provided this authority shall not be construed to relieve such owner of any negligence on his part on account of such encroachment, and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to install and maintain the encroachment shall be subject to the maintaining by the owner of the building abutting said encroachment 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 installation and use of the said encroachment, pursuant to the authority hereby granted, shall be considered an agreement by the owner and his successors and assigns to save harmless the City of Alexandria from any liability by reason of the installation, use and maintenance of the said encroachment.

Section 4. That the privilege hereby granted to install and maintain the encroachment as hereinabove described shall be terminated whenever the City of Alexandria shall desire to use that portion of the public right of way for any purpose whatsoever, and shall, by written notification, demand from the owner the removal of such encroachment, which said removal shall be completed promptly, within no more than thirty (30) days from the date of such notice, without cost to the City of Alexandria.

Section 5. That nothing in this ordinance shall be construed to relieve the owner or his successors in title from being subject to the requirements of any department, agency, instrumentality or other law of the City.

Section 6. 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.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: DECEMBER 17, 1968