

ORDINANCE NO. 2178

AN ORDINANCE approving, authorizing and directing the sale of certain property owned by the City of Alexandria, Virginia, and located on the south side of East Bellefonte Avenue and with an address of 417 East Bellefonte Avenue in the City of Alexandria.

WHEREAS, the City of Alexandria, Virginia, owns property in the city, located at 417 East Bellefonte Avenue, Lot 64, River Terrace Subdivision; and

WHEREAS, the city council is of the opinion that the city no longer needs the property and it would be in the best public interest to sell the property; and

WHEREAS, final negotiations with Sheltered Homes of Alexandria, a non-profit organization, have been completed; and

WHEREAS, the city manager recommends the sale of the property to Sheltered Homes of Alexandria for \$103,150.00; and

WHEREAS, Sheltered Homes of Alexandria wishes to buy the property for \$103,150.00; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the hereinbelow described property to Sheltered Homes of Alexandria, a non-profit organization, be and the same hereby is approved:

All that parcel of land with all improvements and appurtenances thereunto belonging and identified as Lot 64, River Terrace Subdivision, Alexandria, Virginia, and more particularly described as follows: beginning at the northwest corner of Lot 50, River Terrace Subdivision, located on the south side of East Bellefonte Avenue; thence departing from the side of East Bellefonte Avenue and running with Lot 50 and then with a twelve foot alley S 0° 10' 50" E, 255.00 feet to the north side of Duncan Avenue; thence with Duncan Avenue S 89° 35' 00" W, 115.00 feet to the land of G & W Enterprises; thence departing from Duncan Avenue and running with G & W Enterprises N 0° 10' 55" W, 255.00 feet to the south side of East Bellefonte Avenue; thence running with East Bellefonte Avenue N 89° 35' 00" E, 115.00 feet to the point beginning, containing an area of 29,325 square feet of land.

Section 2. That the city manager be and hereby is authorized and directed to sign a deed on behalf of the City of Alexandria, a municipal corporation of Virginia, conveying the above-described property to Sheltered Homes of Alexandria, a non-profit organization.

Section 3. That said deed shall be a General Warranty

Deed, expressly subject to any restrictions, covenants, easements and conditions in the deeds and instruments of record forming the chain of title to the property.

Section 4. Sheltered Homes of Alexandria takes the property in "as is" condition.

Section 5. The City of Alexandria will give possession of all of the property at settlement.

Section 6. Any loss, damage or injury to the property by fire or other casualty prior to delivery of the deed by the City of Alexandria and acceptance thereof by Sheltered Homes of Alexandria shall be at the risk of the City of Alexandria.

Section 7. Trustees in any deed of trust are to be named by the party secured thereby.

Section 8. The City of Alexandria will pay for any title examination, title insurance, survey, preparation of note and deed of trust, conveyance tax, recording costs of deed and deed of trust, settlement fees, and notary fees that may be required for settlement.

Section 9. Should any liens and indebtedness, for example, a prior deed of trust or delinquent taxes or assessments, except those, if any, assumed by Sheltered Homes of Alexandria exist against said property at the time of settlement hereunder, the City of Alexandria shall make satisfactory provision at settlement for the payment and release of the same as soon as it may be practicably accomplished.

Section 10. The City of Alexandria understands and agrees that any cash or other proceeds due the City of Alexandria at settlement will not actually be paid or delivered to the City of Alexandria until all checks from Sheltered Homes of Alexandria have cleared payment; the proceeds from new financing, if any, by Sheltered Homes of Alexandria have been received from Sheltered Homes of Alexandria's lender; and the title examination of the said property has been brought down to the time of the recording of the deed, showing title to be free and clear of liens and encumbrances except those agreed to herein, all of which will require approximately ten days after the date of settlement.

Section 11. This ordinance shall bind Sheltered Homes of Alexandria and the City of Alexandria and their respective successors and assigns. It shall survive delivery and acceptance of the deed, but may not be assigned by either party without the written consent of the other party.

Section 12. The city manager be and hereby is authorized and directed to deliver said deed to Sheltered Homes of Alexandria upon receipt of \$103,150.00 and compliance with other provisions of this ordinance.

Section 13. The city manager be and hereby is authorized and directed, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the sale approved, authorized and directed by this ordinance.

Section 14. The city clerk be and hereby is authorized and directed to attest the execution of said deed of conveyance and affix thereon the official seal of the City of Alexandria, Virginia.

Section 15. 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.

FRANK E. MANN  
Mayor

FINAL PASSAGE: May 24, 1977