

ORDINANCE NO. 2645

AN ORDINANCE authorizing the owner of lots 2, 3, 4, 5 and 8 situated at the 300 block of South Alfred Street, lot 14 situated at the corner of South Alfred and Wolfe Streets, lots 15, 16, 17, 18, 21, 22 and 23 situated on the 800 block of Wolfe Street, and lot 27 situated at the 300 block of South Columbus Street to maintain the existing encroachments onto the public rights-of-way in the City of Alexandria, Virginia.

WHEREAS, the Alexandria Redevelopment and Housing Authority (ARHA) is the owner of the lots situated at the east side of the 300 block of South Alfred Street, the north side of the 800 block of Wolfe Street and the west side of the 300 block of South Columbus Street in the City of Alexandria, Virginia; and

WHEREAS, ARHA desires to maintain the portions of the existing structures which encroach onto the east side of the 300 block of South Alfred Street, the north side of the 800 block of Wolfe Street and the west side of the 300 block of South Columbus Street; and

WHEREAS, the sidewalk area at that point is sufficiently wide for pedestrian traffic; and

WHEREAS, the said encroachments have been approved by the Planning Commission of the City of Alexandria, Virginia, and it is determined that the encroachments are not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That ARHA, and its successors in title, be and hereby is authorized to maintain the portions of the existing structures as encroachments situated on the east side of the 300 block of South Alfred Street, the north side of the 800 block of Wolfe Street and the west side of the 300 block of South Columbus Street, until such encroachments are removed or destroyed; provided, this authority shall not be construed to relieve such owner of any negligence on its part on account of such encroachments and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to construct the encroachments shall be subject to the maintaining by the owner of the encroachments of public liability and property damage insurance indemnifying the City of Alexandria, such policy to be presented to the city attorney for approval.

Section 3. That the maintenance and use of said encroachments, pursuant to the authority hereby granted, shall be considered an agreement by the owner and its successors and

assigns to save harmless the City of Alexandria from any liability by reason of the use and maintenance of said encroachments.

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

Section 5. 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.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: February 9, 1982