

ORDINANCE NO. 2744

AN ORDINANCE approving, authorizing and directing the sale of property owned by the City of Alexandria, Virginia, located at 224 North Fayette Street in the City of Alexandria, Virginia, and being currently occupied by The American Legion Post No. 129.

WHEREAS, the City of Alexandria, Virginia, owns the land located at 224 North Fayette Street in the City of Alexandria, Virginia; and

WHEREAS, the Planning Commission of the City of Alexandria has considered the sale of the above-described land; and

WHEREAS, the city manager has recommended the sale of said land for \$76,860.00 subject to certain terms and conditions hereinafter set forth; and

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

WHEREAS, The American Legion Post No. 129 wishes to buy said property at the price, terms and conditions recommended; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the hereinbelow described property to The American Legion Post No. 129, a Virginia corporation, be and the same hereby is approved:

Beginning at a rifle barrel set located South 09° 30' 00" West, 113.58 feet from a rifle barrel set at the intersection of the south side of Queen Street and the west side of North Fayette Street; thence with the west side of North Fayette Street South 09° 30' 00" West, 63.00 feet to a rifle barrel set at the northeasterly corner of the land of T. D. Fraley and Sons, Inc., Tax Parcel 64.03-03-21; thence departing Fayette Street and running with the northerly line of Fraley North 80° 41' 00" West, 123.42 feet to a rifle barrel set at the northwesterly corner of Fraley and the southeasterly corner of the land of Yvonne F. Weight and William C. Gifford; thence with the easterly line of Weight and Gifford North 09° 30' 00" East, 63.00 feet to a rifle barrel set at the

southwesterly corner of Tax Parcel 64.03-03-19, the land of the City of Alexandria, Virginia; thence departing the land of Weight and Gifford and running through the land of the City of Alexandria South 80° 41' 00" East, 123.42 feet to the point of beginning and containing 7,775 square feet.

Section 2. That the city manager be and he 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 The American Legion Post No. 129, a Virginia corporation.

Section 3. That said deed shall be a General Warranty Deed expressly subject to any encumbrances and to any and all easements, rights-of-way and agreements of record insofar as they may be lawfully applicable to the property hereby conveyed.

Section 4. That furthermore said deed shall contain covenants to the effect that the City of Alexandria shall have the right of first refusal whenever The American Legion Post No. 129 attempts to sell said property and shall have six (6) months' time within which to exercise such right.

Section 5. That all costs of conveyancing and settlement, including but not limited to examination of title, preparation of deed and other documents, notary fees and recording charges, shall be paid by The American Legion Post No. 129.

Section 6. That the city clerk be and she 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 7. That the city manager be and he hereby is authorized and directed to deliver said deed to The American Legion Post No. 129 upon receipt of \$76,860.00 and compliance with the other provisions of this ordinance.

Section 8. The American Legion Post shall pay the said \$76,860.00 as follows: \$19,215.00 on the signing of the contract to purchase; \$160.12 a month for a total of 60 such monthly payments commencing on the first day of the month after the month following the execution of the contract to purchase; and a final payment of \$48,037.80 due one month after the sixtieth payment of \$160.12 becomes due; provided, however, that The American Legion Post shall have the privilege at any time of paying any sum or sums in addition to the aforesaid monthly payments and such additional sum or sums shall be applied against the final payment of \$48,037.80 and shall have the further privilege of paying the entire balance due at any time.

Section 9. That the city manager be and he hereby is authorized and directed, on behalf of the City of Alexandria, a municipal corporation of Virginia, to do all other things necessary and desirable to carry out the sale approved, authorized and directed by this ordinance.

Section 10. 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: November 23, 1982