

ORDINANCE NO. 2880

AN ORDINANCE approving and authorizing the sale of that portion of South Columbus Street located between Church Street and Interstate #495 vacated pursuant to Ordinance No. 2798 to Church Street Associates, a Virginia general partnership, and to provide for the reservation of certain easements by the City of Alexandria, Virginia.

WHEREAS, by letter dated August 27, 1982, a copy of which is attached hereto, J. G. Ripley, State Urban Engineer, Department of Highways and Transportation, Commonwealth of Virginia, advised Dayton L. Cook, Director of Transportation and Environmental Services of the City of Alexandria, Virginia, that the Commonwealth of Virginia would relocate the right-of-way and limited access line of Interstate #495 as the same relates to the property vacated pursuant to Ordinance No. 2798; which right-of-way and limited access line was established by the Commonwealth of Virginia, Department of Highways and Transportation and the City of Alexandria in 1958, and which right-of-way and limited access line has been relocated rendering that portion of South Columbus Street vacated pursuant to Ordinance No. 2798 no longer necessary for the state highway system;

WHEREAS, during the vacation proceedings the planning commission recommended the vacation and the sale of the area vacated pursuant to Ordinance No. 2798 on the following conditions:

1. That the City of Alexandria reserve a sanitary, storm and water easement over existing and/or proposed lines and areas being vacated.
2. Relocate the limited access fence to new limits agreed to by the state by letter of August 27, 1982.
3. Pay \$7.50 per square foot before November 1, 1983, and/or \$8.25 per square foot before July 1, 1984, for the vacated area.
4. Pay for relocation of existing C&P and Vepco lines and replacement of the water line with new pipes.
5. That the vacated area be incorporated into the adjacent lot and not developed as a separate parcel.
6. That the vacation be effective as of the recording of the new easements and completion of the utility adjustments and payment of the agreed amount;

WHEREAS, the city council in strict accordance with § 15.1-364, Code of Virginia (1950), as amended, and § 2.03(a) of the Charter of the City of Alexandria, having found that the portion of South Columbus Street located between Church Street

and Interstate #495 was not needed for public use and that it was in the public interest to vacate the same, adopted the recommendations of the planning commission and duly adopted Ordinance No. 2798 on May 14, 1983;

WHEREAS, the ordinance failed to provide for the sale of the property within the vacated area, to Church Street Associates, a Virginia general partnership, pursuant to the authority contained in § 15.1-366 of the Code of Virginia, and in the manner provided for in § 15.1-307 of the Code of Virginia (1950), as amended;

WHEREAS, the city council is of the opinion that the City of Alexandria no longer needs this property, and that its disposition for the full sum of \$70,290.00 is in all respects in the public interest; and

WHEREAS, Church Street Associates, a Virginia general partnership, desires to buy the property vacated pursuant to Ordinance No. 2798; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the property vacated pursuant to Ordinance No. 2798, and more particularly described as follows, to Church Street Associates, a Virginia general partnership, be and the same hereby is approved.

Beginning at a point in the southerly right-of-way line of Church Street, point of beginning being the intersection of the southerly right-of-way line of Church Street with the easterly right-of-way line of South Columbus Street; thence following the easterly right-of-way line of south Columbus Street, South 09° 30' 00" West, 141.79 feet to a point in the line of the limited access and right-of-way line of Interstate Route #495; thence following the limited access and right-of-way line of Interstate Route #495 North 81° 11' 27" West, 66.00 feet; thence North 09° 30' 00" East, 142.22 feet to the intersection of the westerly right-of-way line of South Columbus Street with the southerly right-of-way line of Church Street; thence following the southerly right-of-way line of Church Street South 80° 49' 00" East, 66.00 feet to the point of beginning and containing approximately 9,372 square feet of land.

Reserving, however, unto the City of Alexandria, a sanitary sewer easement, a temporary storm sewer easement and a permanent storm sewer easement as shown on that Plat Showing

Consolidation and Dedication of Various Easements on the Property of Church Street Associates, dated October 6, 1983, to be recorded among the land records of the City of Alexandria.

Section 2. That the city manager be and he hereby is authorized to execute a deed on behalf of the City of Alexandria conveying the above-described property to Church Street Associates, a Virginia general partnership.

Section 3. That the city manager be and he hereby is authorized to deliver said deed to Church Street Associates, a Virginia general partnership, upon receipt of the sum of \$70,290.00.

Section 4. That the city manager be and he hereby is authorized on behalf of the City of Alexandria to do all things necessary and desirable to carry out the sale and conveyance approved and authorized by this ordinance.

Section 5. That the city clerk be and she hereby is authorized to attest the execution of said deed and other necessary documents and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. 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 be deemed to be passed on the date of its final passage, but shall not be effective until there is payment to the City of Alexandria in the full sum of \$70,290.00 and until the following have been recorded among the land records of the City of Alexandria: a certified copy of Ordinance No. 2798; that Plat Showing Consolidation and Dedication of Various Easements on the Property of Church Street Associates, dated October 6, 1983; and a certified copy of this ordinance. Such recordation shall be indexed in the name of the City of Alexandria, but shall be done by the applicant at its expense.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: November 12, 1983