

ORDINANCE NO. 3116

AN ORDINANCE to vacate a portion of the public right-of-way of South Dove Street and to accept the payment of the fair market value of the vacated land from Mark Louis D'Arezzo, applicant.

WHEREAS, the said vacation has been approved by the planning commission at one of its regular meetings; and

WHEREAS, procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, Virginia, have been followed; and

WHEREAS, viewers were duly appointed by the Council of the City of Alexandria, Virginia, and have made their report; and

WHEREAS, during the vacation proceedings the planning commission recommended the vacation, subject to all applicable codes and ordinances and subject to the applicant purchasing the vacated property at fair market value and to his granting of appropriate sewer and utility easements; and

WHEREAS, the city council is of the opinion that \$18,148.00 represents the fair market value of the property to be vacated; and

WHEREAS, Mark Louis D'Arezzo, applicant, is the owner of land that abuts said property and wishes to purchase the vacated property for the value and subject to the conditions aforesaid, pursuant to section 15.1-366, Code of Virginia (1950), as amended; and

WHEREAS, in consideration of the report of said viewers recommending the said vacation, and of other evidence relative thereto, it is the opinion of the Council of the City of Alexandria, Virginia, that the portion of the public right-of-way of South Dove Street, hereinabove mentioned and hereinafter described, is not needed for public use and that it is in the public interest to vacate the same for the value and subject to the conditions aforesaid to Mark Louis D'Arezzo, applicant; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the hereinafter described portion of the public right-of-way of South Dove Street in the City of Alexandria, Virginia, be and the same hereby is vacated and abandoned:

Beginning at a point on the west line of South Dove Street, said point being the point of curvature of a curve to the left with an

arc of 116.93 feet, and having a radius of 75.00 feet to a point on the north line of the property now in the name of the Richmond, Fredericksburg and Potomac Railroad; thence westward with this line North 86° 34' 52" West, 258.20 feet to a point on the east line of Telegraph Road, Route 611 (variable width); thence North with this line North 31° 59' 30" East 34.16 feet to a point on the south line of the property now in the name of Mark L. D'Arezzo; thence eastward with this line South 86° 34' 52" East, 143.20 feet to a point; thence North 31° 38' 08" East, 50.08 feet to the point of beginning and containing approximately 6,980 square feet.

Section 2. That the vacation herein provided for is made upon the express conditions that it be subject to all applicable codes and ordinances, that the applicant shall pay to the city the fair market price for the property, which is deemed to be \$18,148.00, and that the applicant grant appropriate sewer and utility easements over and through portions of the vacated area.

Section 3. That the city manager be and she hereby is authorized to execute an agreement to accept the sum of \$18,148.00, and the grant of the appropriate easements in payment for the vacated property.

Section 4. That the city manager be and she hereby is authorized on behalf of the City of Alexandria, Virginia, to do all things necessary and desirable to carry out the said vacation of public right-of-way, subject to the conditions aforesaid.

Section 5. That the city clerk be and she hereby is authorized and directed to attest the execution of the agreement 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 not later than five days following introduction together with a notice containing the time and place of 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 the date a certified copy is recorded as deeds are recorded. Such recordation shall

be indexed in the name of the City of Alexandria, but shall be done by the applicant, at his own expense.

JAMES P. MORAN, JR.
Mayor

Final Passage: March 22, 1986