

ORDINANCE NO. 3243

AN ORDINANCE to vacate three sections of city right-of-way known as Mill Road and Cameron Mill Race, located at 2411 through 2425 Mill Road in the City of Alexandria, Virginia, and in exchange, to accept a dedication of land abutting Mill Road near the Telegraph Road overpass for street right-of-way purposes.

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 that the vacation be made in exchange for adjacent land to be dedicated to the city for street right-of-way purposes and that the vacation not become effective until the adjacent land has been dedicated; 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 three sections of city right-of-way known as Mill Road and Cameron Mill Race and located at 2411 through 2425 Mill Road in the City of Alexandria, Virginia, hereinabove mentioned and hereinafter described, are not needed for public use and that it is in the public interest to vacate the same; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the hereinafter described three sections of city right-of-way known as Mill Road and Cameron Mill Race, located at 2411 through 2425 Mill Road in the City of Alexandria, Virginia, be and the same hereby are vacated and abandoned:

Part 1

Beginning at a point lying in the north right-of-way line of the existing improved Mill Road (60 feet wide), said point marking the southeast corner of the land of Telegraph Mill Road Associates Partnership, Inc. whose coordinates in the Virginia State Grid System-North Zone are North 417,251.90 and

East 2,406,804.10 feet; thence with the east line of said land North 10° 41' 02" West, 46.70 feet to a point marking the southwest corner of Tax Map Parcel 72.00-02-04 of the land of W.M.A.T.A.; thence with the southerly lines of said land North 83° 54' 09" East, 128.79 feet to a point and South 73° 49' 45" East, 199.54 feet to a point in the west line of Tax Map Parcel 72.00-02-05 of the lands of W.M.A.T.A.; thence with said land South 03° 25' 44" West, 14.74 feet to a point lying in the aforementioned line of Mill Road; thence with Mill Road North 86° 23' 24" West, 240.04 feet to a point, North 73° 49' 45" East, 30.83 feet to a point, South 83° 26' 15" West, 37.96 feet to a point, North 86° 23' 24" West, 4.13 feet to a point of curvature and with the arc of a curve to the left whose radius is 283.08 feet and whose chord bearing and chord are South 86° 25' 58" West, 70.73 feet for an arc distance of 70.92 feet to the point of beginning and containing 12,918 square feet.

#### Part 2

Beginning at a point in the northerly right-of-way line of the existing improved Mill Road (60 feet wide), said point lying the following courses and distances from the aforementioned point of beginning for Part 1 above: with the arc of a curve to the right whose radius is 283.08 feet and whose chord bearing and chord are North 86° 25' 58" East, 70.23 feet for an arc distance of 70.92 feet to a point of tangency and South 86° 23' 24" East, 4.13 feet to the true point of beginning this part; thence running with the southerly line of Old Mill Road to be vacated in Part 1 above, North 83° 26' 15" East, 37.96 feet to a point and South 73° 49' 45" East, 30.83 feet to a point lying in the northerly line of new Mill Road; thence with said line North 86° 23' 24" West, 67.46 feet to the true point of beginning for Part 2 and containing 226 square feet.

#### Part 3

Beginning at a point lying in the northerly right-of-way line of Mill Road (60 feet wide) contiguous with the south line of the land of Telegraph Mill Road Associates Partnership, Inc. and lying 33.57 feet along the arc of a

curve to the left from the aforementioned point of beginning for Part 1 above, to the true point of beginning: thence departing new Mill Road and running with the north line of new Mill Road and the arc of a curve to the left whose radius is 283.08 feet and whose chord bearing and chord are South 70° 52' 59" West, 15.68 feet for an arc distance of 15.69 feet to a point in the south line of the land of Telegraph Mill Road Associates Partnership, Inc.; thence running with said line being also the south line of Old Mill Road, North 32° 38' 15" East, 4.40 feet to a point and North 83° 26' 15" East, 12.53 feet to the true point of beginning for Part 3 and containing 20 square feet.

Section 2. That the hereinafter described portion of the land currently owned by Telegraph-Mill Road Associates Partnership, Inc. ("grantor") is hereby accepted as dedicated to the City of Alexandria, Virginia ("grantee"), for street right-of-way purposes, provided that the grantor shall have the right to continue to use and occupy the dedicated land for up to but no more than two years from the date of final passage of this ordinance. The grantor and the grantee agree that, if the grantee desires the use of this dedicated land prior to the expiration of the two-year period and the grantor agrees to such earlier use, the grantee shall pay for the demolition of the building currently located on the land. The grantor and the grantee further agree that, if the grantee's use of the dedicated land begins after the expiration of the two-year period, the grantor shall pay for the demolition of the building.

Beginning at a point in the north right-of-way line of Mill Road (60 feet wide) said point lying also in the southerly line of the land of Telegraph Mill Road Associates Partnership, Inc.; thence running with said line of Mill Road North 86° 59' 45" West, 79.46 feet to a point of curvature, with the arc of a curve to the right whose radius is 50.00 feet and whose chord bearing and chord are North 84° 20' 26" West, 4.63 feet to a point of fillet return to Telegraph Road (variable width); thence running with the easterly lines of Telegraph Road the following courses and distances: North 40° 32' 27" West, 15.29 feet to a point, North 03° 30' 07" West, 28.39 feet to a point of curvature, with the arc of a curve to the left whose radius is 126.74 feet and whose chord bearing and chord are North 08° 22' 47" West, 21.55 feet for an arc distance of 21.58 feet to a point, North 01° 43' 55" East,

29.48 feet to a point and North 15° 25' 14" East, 5.17 feet to a point; thence departing said Telegraph Road and running through the aforementioned land of Telegraph Mill Road Associates Partnership, Inc., the following courses and distances: with the arc of a curve to the right whose radius is 270.00 feet and whose chord bearing and chord are South 40° 24' 51" East, 55.06 feet for an arc distance of 55.15 feet to a point of reverse curvature and with the arc of a curve to the left whose radius is 210.00 feet and whose chord bearing and chord are South 46° 08' 51" East, 84.33 feet for an arc distance of 84.91 feet to the point of beginning and containing 4,105 square feet.

Section 3. 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 requests. 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. The effective date of this ordinance shall be the date on which it is recorded by and at the expense of Telegraph Mill Road Associates Partnership, Inc. among the land records of the City of Alexandria, Virginia, provided, however, prior to the recording of this ordinance there must first have been recorded a Deed of Dedication by which the land described in Section 2 is transferred to the city, and provided further that if this ordinance has not been recorded within 60 days of the date of final passage it shall be and become null and void.

JAMES P. MORAN, JR.  
Mayor

Final Passage: October 19, 1987