

ORDINANCE NO. 3293

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at the northwest corner of the intersection of Duke Street and West Taylor Run Parkway, in the City of Alexandria, Virginia, containing approximately 5,204 square feet.

WHEREAS, the City of Alexandria owns certain real property located at the northwest corner of the intersection of Duke Street and West Taylor Run Parkway, hereinafter described, containing approximately 5,204 square feet; and

WHEREAS, the planning commission has approved the sale of this property pursuant to § 9.06 of the city charter; and

WHEREAS, this property has been duly advertised for sale, proposals have been received and evaluated, and a preferred proposal, submitted by Dale Weed and Paul Kincheloe, Trustees, has been selected by city council; and

WHEREAS, the consideration to the City for the sale of the property to Dale Weed and Paul Kincheloe, Trustees, is the sum of \$7,500.00, to be paid in cash at settlement; and

WHEREAS, Dale Weed and Paul Kincheloe, Trustees, desire to purchase the property for the sum of \$7,500.00; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the hereinbelow described real property, containing approximately 5,204 square feet, to Dale Weed and Paul Kincheloe, Trustees (hereinafter collectively the "Buyer"), subject to the terms and conditions set out in section 2 below, shall be and hereby is approved and authorized:

Beginning at the easternmost corner of the land of Kincheloe and Weed, Trustees, that fronts on the north side of Duke Street, thence departing from the side of Duke Street and running with the land of Kincheloe and Weed, Trustees, North 06° 59' 27" East, 71.76 feet, to a Virginia Department of Highways and Transportation monument; thence south 80° 22' 33" East, 111.99 feet to the west side of West Taylor Run Parkway, located North 80° 22' 33" West, 5.01 feet, from a Virginia Department of Highways and Transportation monument at the southernmost corner of the land of Kincheloe and Weed, Trustees, that fronts on the west side of West Taylor Run

Parkway; thence running with the side of the street, 23.17 feet along the arc of a curve to the right, having a radius of 21.27 feet and a chord bearing and distance of South 38° 11' 38" West, 22.04 feet; thence South 69° 23' 53" West, 9.74 feet; thence South 20° 36' 07" East, 4.47 feet; thence South 69° 23' 53" West, 26.03 feet; thence 76.05 feet along the arc of a curve to the right, having a radius of 332.06 feet and a chord bearing and distance of South 75° 57' 32" West, 75.88 feet, to the point of beginning and containing 5,204 square feet.

Section 2. That the sale of the real property described above in section 1 shall be and hereby is subject to the following terms and conditions, all of which shall be recited in a covenant running with the property which shall be admitted to the land records of the City of Alexandria prior to the recordation of this ordinance:

(1) Buyer shall maintain the real property as open space, to be occupied only by a sign stating the street address and the name of the building situated on abutting property owned by the Buyer;

(2) Buyer shall tastefully landscape the real property; and

(3) Buyer shall take all necessary steps within 60 days following the final passage of this ordinance, to consolidate the real property into the abutting property of the Buyer, resulting in a single tax parcel for assessment purposes and consents to the real property thereafter being assessed on the same basis and at the same value per square foot as the remainder of the property in the tax parcel.

Section 3. That the city manager shall be and hereby is authorized to do all things necessary and desirable, on behalf of the City of Alexandria, to carry out the sale and conveyance approved and authorized by this ordinance, including but not limited to the execution of a deed and other appropriate documents.

Section 4. That the city clerk shall be and hereby is authorized and directed to attest to the execution by the city manager of any documents executed pursuant to the authority provided by section 3 above and to affix thereon the official seal of the city.

Section 5. That the city manager shall be and hereby is authorized to deliver the deed and other documents executed pursuant to the authority provided by section 3 above to the

Buyer upon receipt, at settlement, of cash or a certified check in the amount of \$7,500.00.

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 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. This ordinance shall not be or become effective until both the covenant required by section 2 above has been approved and executed by the City of Alexandria and has been recorded among the land records of the City of Alexandria and thereafter this ordinance has been recorded among the same records. Failure to so record this ordinance within 90 days of its final passage shall cause this ordinance to be null and void.

JAMES P. MORAN, JR.
Mayor

Final Passage: May 14, 1988