

ORDINANCE NO. 3347

AN ORDINANCE to vacate three alleys within the block bounded by Wythe, North Fayette, Madison and North Henry Streets in the City of Alexandria, Virginia;

WHEREAS, Alexandria II Associates ("Applicant"), which owns property abutting three alleys within the block bounded by Wythe, North Fayette, Madison and North Henry Streets in the City of Alexandria, has applied for the vacation of said alleys; and

WHEREAS, the vacation of these alleys has been approved by the Planning Commission of the City of Alexandria at one of its regular meetings; and

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

WHEREAS, viewers duly appointed by the Council of the City of Alexandria have made their report in conjunction with this vacation; and

WHEREAS, the City's real estate assessor has determined that the fair market value of the alleys to be vacated by this ordinance is \$28,600; and

WHEREAS, pursuant to § 15.1-366 of the Code of Virginia (1950), as amended, the City of Alexandria has required that, as a condition of this vacation, the alleys to be vacated by this ordinance be purchased by the Applicant for \$28,600; and

WHEREAS, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of the Applicant's agreement to comply with the conditions set forth below and the condition that it purchase the alleys to be vacated by this ordinance for \$28,600, the Council of the City of Alexandria has concluded that the alleys are no longer needed for public use and that it is in the public interest that they be vacated; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the hereafter described alleys, designated as Alley A, Alley B, and Alley C, be and the same hereby are vacated:

Alley A

Beginning at a point lying in the northerly right-of-way line of Wythe Street (66.08 feet wide), said point marking the southeast

corner of the land of Alexandria II Associates and being North 80° 39' 00" West, 93.41 feet from the westerly line of North Henry Street (66.16 feet wide); thence with the lines of Alexandria II Associates, North 09° 30' 00" East, 100.00 feet and South 80° 39' 00" East, 10.00 feet to a point marking the northwest corner of the land of Victor T. Tsou et ux. and Il Ko Young et ux.; thence with the westerly line of said land, South 09° 30' 00" West, 100.000 feet to a point lying in the aforementioned line of Wythe Street; thence with said street, North 80° 39' 00" West, 10.00 feet to the point of beginning containing 1,000 square feet or 0.0230 acre, more or less.

Alley B

Beginning at a point in the aforementioned line of Wythe Street, said point lying South 80° 39' 00" East, 83.42 feet from the easterly line of North Fayette Street (66.16 feet wide) and marking a southeast corner of the land of Alexandria II Associates; thence running through said land the following courses and distances: North 09° 30' 00" East, 129.08 feet to a point, South 80° 39' 00" East, 16.59 feet to a point, South 09° 30' 00" West, 29.08 feet to a point, North 80° 39' 00" West, 6.59 feet to a point and South 09° 30' 00" West, 100.00 feet to a point lying in the aforementioned line of Wythe Street; thence with said street, North 80° 39' 00" West, 10.00 feet to the point of beginning containing 1,483 square feet or 0.0340 acre, more or less.

Alley C

Beginning at a point lying in the southerly line of Madison Street (66.08 feet wide), said point lying South 80° 39' 00" East, 83.42 feet from the easterly line of North Fayette Street (66.16 feet wide) and marking a northeast corner of the land of Alexandria II Associates; thence with the said line of Madison Street, South 80° 39' 00" East, 10.00 feet to a point marking the northwest corner of the land of Lucille Armstrong; thence with the westerly and southerly lines of said land, South 09° 30' 00" West, 100.00 feet to a point and South 80° 39' 00" East, 6.59 feet

to a point marking a northwesterly corner of the lands of Alexandria II Associates; thence running through said land the following courses and distances: South 09° 30' 00" West, 24.08 feet to a point, North 80° 39' 00" West, 16.59 feet to a point and North 09° 30' 00" East, 124.08 feet to the point of beginning containing 1,400 square feet or 0.0321 acre, more or less.

Section 2. That this vacation is subject to the Applicant complying with the condition that it purchase the above-described alleys for \$28,600 and with the condition that the vacated areas be consolidated with adjacent lots and not be kept as separate lots

Section 3. That no recordation of this ordinance shall have any force or effect unless and until the treasurer of the city has received the payment of \$28,600 referenced in Section 2 above, and such receipt is noted on the face of the ordinance prior to its recordation.

Section 4. That the city manager be and hereby is authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be and hereby is authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be deemed to be enacted on the date of its final passage, but shall not be effective until payment of \$28,600 has been made to the city by the Applicant and the other condition set forth above in Section 2 has been satisfied, and thereafter a copy of this ordinance has been certified by the city clerk and has been recorded among the city land records as deeds are recorded. Such recordation shall be indexed in both the name of the CITY OF ALEXANDRIA and the name of ALEXANDRIA II ASSOCIATES, and such recordation shall be done by the Applicant at its own expense.

JAMES P. MORAN, JR.
Mayor

Final Passage: December 17, 1988