

ORDINANCE NO. 3349

AN ORDINANCE to vacate a portion of the storm and sanitary sewer easement dedicated to the City of Alexandria on the property at 1703 Dogwood Drive in the City of Alexandria, Virginia.

WHEREAS, Arlington Heights Properties, a Virginia limited partnership ("Applicant"), successor in interest to the original applicants Edward M. Smith, trustee, and Benjamin M. Smith, trustee, which owns the property at 1703 Dogwood Drive in the City of Alexandria, Virginia, has applied for the vacation of a portion of a storm and sanitary sewer easement on the property known as 1703 Dogwood Drive located on the north side of Dogwood Drive between North Quaker Lane and Kenwood Avenue;

WHEREAS, the easement to be vacated by this ordinance was granted to the City of Alexandria and is recorded in Deed Book 582, page 280 among the land records of the City of Alexandria, and is shown on the plat prepared by Holland Engineering and dated September 16, 1987 ("Plat") (attached hereto); and

WHEREAS, the vacation of this easement 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, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of the Applicant's dedication of a new storm and sanitary easement, which is recorded in Deed Book 1238, page 1718 among the land records of the City of Alexandria, the Council of the City of Alexandria has concluded that the portion of the storm and sanitary sewer easement hereafter described is no longer needed for public use and that it is in the public interest that it be vacated; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the portion of the easement granted to the City of Alexandria and recorded in Deed Book 582, page 280 among the land records of the City of Alexandria, which portion is shown on the Plat, is hereby vacated.

Section 2. That the city manager be and she 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 3. That the city clerk be and she 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 4. That this ordinance shall be deemed to be enacted on the date of its final passage, but shall not be effective until a copy of this ordinance has been certified by the city clerk and 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 ARLINGTON HEIGHTS PROPERTIES, and such recordation shall be done by the Applicant at its own expense.

JAMES P. MORAN, JR.  
Mayor

Attachment: Vacation Plat

Final Passage: December 17, 1988

