

ORDINANCE NO. 3497

AN ORDINANCE to vacate a portion of the public right-of-way of Franklin Street adjacent to 513 Franklin Street in the City of Alexandria, Virginia.

WHEREAS, Charles L. Almond ("Applicant"), who owns the property at 513 Franklin Street in the City of Alexandria, Virginia, has applied for the vacation of a portion of the public right-of-way of Franklin Street which abuts his property at 513 Franklin Street; and

WHEREAS, the portion of the street to be vacated by this ordinance is shown on the plat prepared by R.C. Fields, Jr. and Associates and dated October 16, 1990 ("Plat") (attached hereto); and

WHEREAS, the vacation of this portion of Franklin Street 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 portion of the public right-of-way of Franklin Street to be vacated by this ordinance is \$8,000; and

WHEREAS, pursuant to Section 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 portion of Franklin Street to be vacated by this ordinance be purchased by the Applicant for \$8,000; 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 he purchase the portion of Franklin Street to be vacated by this ordinance for \$8,000, the Council of the City of Alexandria has concluded that this portion of Franklin Street 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 hereafter described portion of Franklin Street, as shown on the Plat, be and the same hereby is vacated:

Beginning at the southwest corner of Lot 500, thence running along Lot 500 South 80° 49' East, 40.00 feet; thence departing Lot 500 and running through Franklin Street South 09° 30' West, 17.00 feet; thence running North 80° 49' West, 40.00 feet; thence running North 09° 30' East, 17.00 feet to the point of beginning, and containing an area of 680 square feet of land.

Section 2. That this vacation is subject to all applicable codes and ordinances of the City of Alexandria, is subject to the Applicant complying with the condition that he purchase the above-described portion of Franklin Street for \$8,000, and is subject to the condition that the vacated land be consolidated with the adjacent property at 513 Franklin Street.

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 \$8,000 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 \$8,000 has been made to the city by the Applicant and the conditions set forth above in Section 2 have 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 CHARLES L. ALMOND, and such recordation shall be done by the Applicant at his own expense.

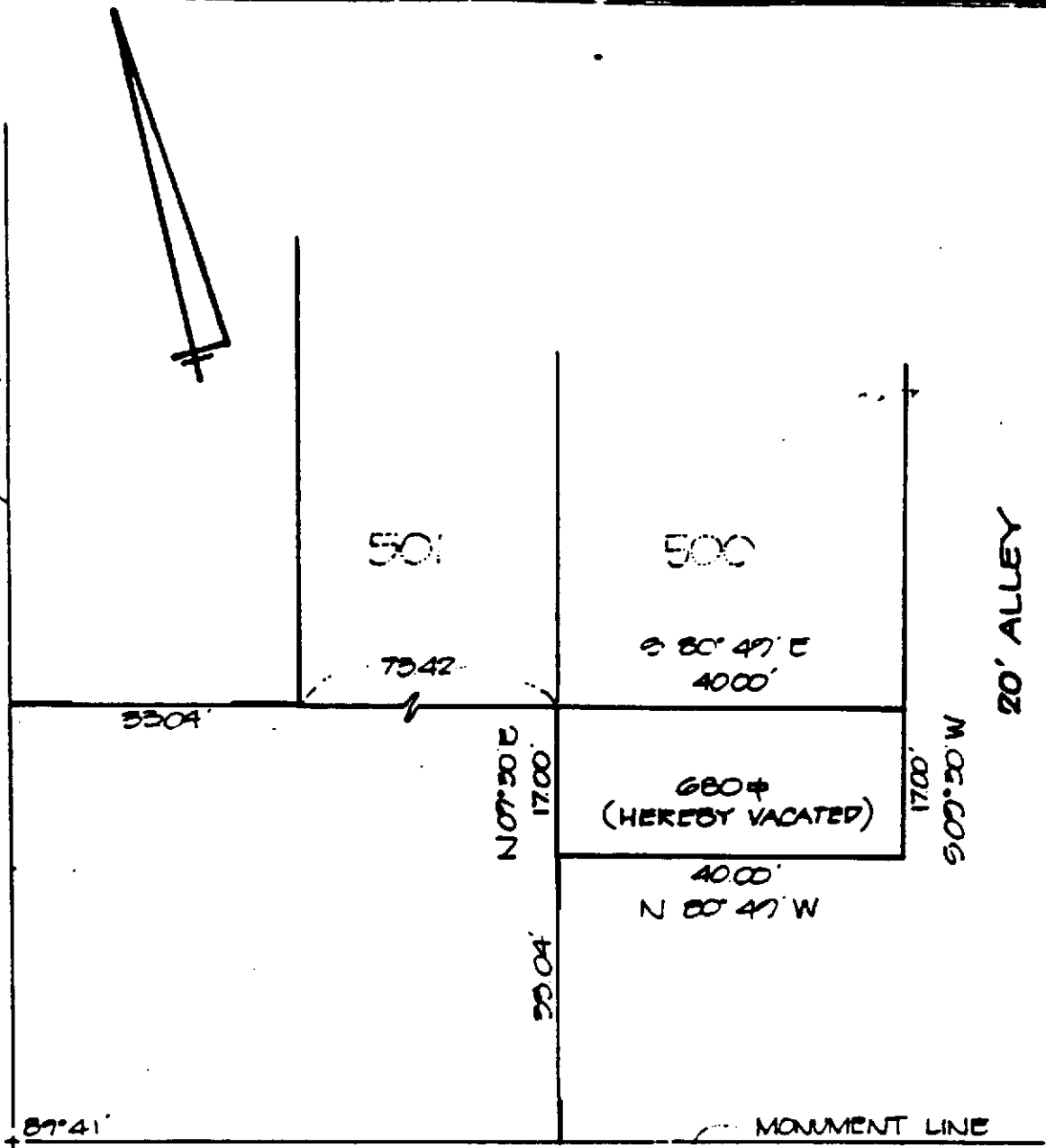
PATRICIA S. TICER
Mayor

Attachment: Vacation Plat

Final Passage: February 23, 1991

S. ST. ASAPH STREET

MONUMENT LINE



FRANKLIN STREET

PLAT
 SHOWING VACATION OF A PORTION OF
FRANKLIN STREET
 CITY OF ALEXANDRIA, VIRGINIA