

ORDINANCE NO. 3506

AN ORDINANCE designating the United States of America as the designee of the City of Alexandria pursuant to the terms of a contract between the city, the CNS Limited Partnership and the United States of America that provides for the conveyance of certain property within the city for the construction of a new United States Courthouse to be occupied by the United States District Court for the Eastern District of Virginia and other federal courts and offices.

WHEREAS, CNS is the developer of certain real property located in the City of Alexandria, known as the Carlyle project;

WHEREAS, the City of Alexandria, the CNS Limited Partnership ("CNS"), a Virginia limited partnership, and the United States of America have entered an Amended and Restated Contract for the Transfer of Real Estate ("Transfer Contract");

WHEREAS, pursuant to the Transfer Contract, CNS is to convey title to a parcel of property located within the Carlyle project to a designee of the city, said property ("Property") consisting of Lot 506 within the Carlyle project as shown on a plat entitled "Plat Showing Consolidation and Resubdivision of the Properties of Duke Street Partnership, L.P., CNS Limited Partnership and Norfolk Southern Railway Company," originally dated December 14, 1989, and most recently amended on February 5, 1991;

WHEREAS, pursuant to the Transfer Contract, the city is to designate the United States of America as its designee for purposes of receiving the conveyance of the Property from CNS, and the city is to so designate the United States of America as its designee by providing to CNS a written notice of the designation;

WHEREAS, pursuant to the Transfer Contract, the United States of America, as the designee of the city, after receiving title to the Property, is required to construct on the Property a new United States Courthouse ("Courthouse") to be occupied by the United States District Court for the Eastern District of Virginia and other federal courts and offices, and to make good faith efforts to adhere to a construction schedule that calls for completion of the Courthouse by mid-1994;

WHEREAS, over the past several years, the city council has taken numerous actions to retain the federal courthouse for the Alexandria Division of the United States District Court for the Eastern District of Virginia in the City of Alexandria, including actions designed to secure a site for the courthouse at no cost to the federal government;

WHEREAS, the city council finds that the designation of the United States as the city's designee under the Transfer Contract and the subsequent construction of the Courthouse on the

Property is fully consistent with the public health and welfare of the residents of the city, and is in the public interest; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the City of Alexandria designates the United States of America as its designee under the Transfer Contract.

Section 2. That the city manager, or her designee, be and hereby is authorized, on behalf of the City of Alexandria, to execute any and all documents necessary or desirable to designate the United States of America as the city's designee under the Transfer Contract, and to do any and all other things necessary or desirable to carry out said designation of the United States of America.

Section 3. That the city clerk be and hereby is authorized and directed to attest the execution of documents by the city manager or her designee pursuant to section 2 of this ordinance and to affix on such executed documents the official seal of the City of Alexandria.

Section 4. That this ordinance shall be effective at the time and on the date of its enactment.

PATRICIA S. TICER
Mayor

Final Passage: April 13, 1991