

ORDINANCE NO. 3531

AN ORDINANCE authorizing the sale of real property owned by the City of Alexandria, located between Dechantel Street and the properties at 1522-1600 King Street, in the City of Alexandria, Virginia, containing approximately 4,141 square feet.

WHEREAS, the City of Alexandria owns certain real property located between Dechantel Street and 1522-1600 King Street, containing approximately 4,141 square feet; and

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

WHEREAS, the consideration to the city for the sale of this is the sum of \$295,000, to be paid in cash or by certified check at settlement; and

WHEREAS, Sidney Kowalczyk and Marshall Mays desire to purchase the property for the total sum of \$295,000, each to acquire a portion of the property and to pay a portion of said sum, as described below; and

WHEREAS, the Burke and Herbert Bank desires and is willing to purchase the portion of the property which Marshall Mays desires to acquire in the event Mr. Mays is unable, for whatever reason, to complete the purchase of that portion of the property; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the real property, containing approximately 4,141 square feet and shown on the attached plat as Parcels A, B and C, inclusive of Areas B-1 and C-1, said plat entitled "Drawing Showing the Land of the City of Alexandria, Virginia," prepared by the city's department of transportation and environmental services and dated May 17, 1991 (the "Plat"), to Sidney Kowalczyk and to Marshall Mays or the Burke and Herbert Bank, in accordance with the terms and conditions set out below, shall be and hereby is approved and authorized.

Section 2. That (i) Parcel A, (ii) Parcel B less and except Area B-1, and (iii) Area C-1, as shown on the Plat, consisting of approximately 2,032 square feet, shall be conveyed to Sidney Kowalczyk for the sum of \$144,757.30, subject to the terms and conditions set out in this ordinance.

Section 3. That (i) Parcel C less and except Area C-1 and (ii) Area B-1, as shown on the Plat, consisting of approximately 2,109 square feet, shall be conveyed to Marshall Mays for the sum of \$150,242.70, subject to the terms and conditions set out in this ordinance; provided, that, in the event Mr. Mays is unable or unwilling, for whatever reason, at

the time of settlement, such time to be determined by the parties, to complete the purchase of Parcel C less and except Area C-1 and/or Area B-1 in accordance with the terms and conditions of this ordinance to the satisfaction of the city, as determined by the city attorney, then all of said parcel and area shall be conveyed to the Burke and Herbert Bank for the sum of \$150,242.70, subject to the terms and conditions set out in this ordinance.

Section 4. That the conveyance of Parcel C less and except Area C-1, and Area B-1 to Marshall Mays or the Burke and Herbert Bank shall be subject to Mr. Mays or the Bank, as the case may be, granting a perpetual and non-revocable easement to Mr. Kowalczyk and to those who succeed to his title to Parcel A or Parcel B less and except Area B-1, or to both Parcel A and Parcel B less and except Area B-1, authorizing unrestricted motor vehicle and pedestrian access over all of Area B-1 to Parcel A and Parcel B less and except Area B-1.

Section 5. That the city manager or her designee shall be and hereby is authorized to do all things necessary and desirable, on behalf of the city, to carry out the sale and conveyance approved and authorized by this ordinance, including but not limited to the execution of deeds, contracts and other appropriate documents.

Section 6. That the city clerk shall be and hereby is authorized and directed to attest to the execution by the city manager or her designee of any documents executed pursuant to the authority provided by Section 5 and to affix thereon the official seal of the city.

Section 7. That the city manager shall be and hereby is authorized to deliver the deeds and other documents executed pursuant to the authority provided by Section 5 to Mr. Kowalczyk upon receipt, at settlement, of cash or a certified check in the amount of \$144,757.30 and to Mr. Mays or the Burke and Herbert Bank, as the case may be, upon receipt, at settlement, of cash or a certified check in the amount of \$150,242.70.

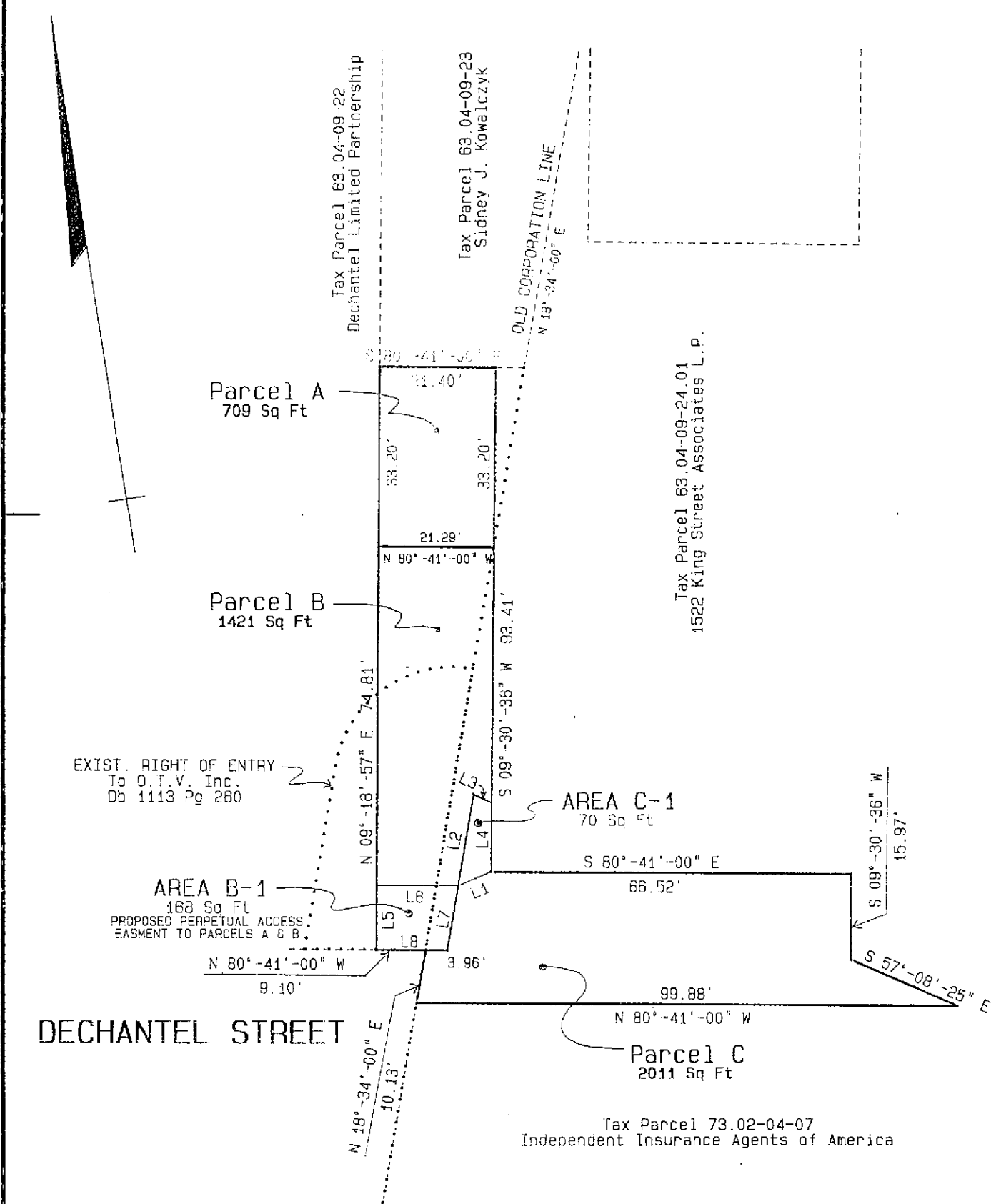
Section 8. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER
Mayor

Attachment: Plat

Final Passage: June 25, 1991

LINE	DISTANCE	BEARING
L1	6.60	S 76°-08'-38" W
L2	17.36	N 18°-34'-00" E
L3	17.04	N 80°-41'-00" W
L4	19.73	S 80°-41'-00" E
L5	19.00	N 09°-18'-57" E
L6	10.01	N 80°-41'-00" W
L7	10.10	S 09°-30'-36" W
L8	10.06	S 57°-08'-25" E
L9	20.80	N 80°-41'-00" W
L10	80.41	S 76°-08'-38" W



Tax Parcel 73.02-04-07
Independent Insurance Agents of America

Parcel A = Tax Parcel 63.04-09-23-01
Kowalczyk to City Db.1116 Pg.1868
less 88 Sq. Ft. City to 1522 King Street
Associates Db.1148 Pg.1994

Parcel B = Tax Parcel 63.04-09-22-02
O.T.V. Inc. to City Db.1113 Pg.260 and
Db.1127 Pg.723 and 37 Sq. Ft. 1522 King
Street Associates to City Db.1148 Pg.1991
less 49 Sq. Ft. City to 1522 King Street
Associates Db.1148 Pg.1994

Parcel C = Tax Parcel 73.02-04-07-01
James R. and Ruth M. Payne to City Db.1128
Pg.1881 and 293 Sq. Ft. 1522 King Street
Associates to City Db.1148 Pg.1991
less 193 Sq. Ft. City to 1522 King Street
Associates Db.1148 Pg.1994

AREA B-1 = 168 Sq Ft portion of Parcel B

AREA C-1 = 70 Sq Ft portion of Parcel C

NOTES:

1. NO TITLE REPORT FURNISHED. PROPERTIES SUBJECT TO EXISTING RESTRICTIONS AND EASEMENTS OF RECORD.
2. THIS DRAWING WAS PREPARED FROM AVAILABLE LAND RECORDS AND DOES NOT REPRESENT A FIELD RUN BOUNDARY SURVEY.
3. TOTAL CITY OWNED LAND AREA SHOWN IS 4141 Sq. Ft.

DRAWING
SHOWING THE LAND OF
THE CITY OF ALEXANDRIA, VIRGINIA

PREPARED BY SURVEY SECTION
DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES
CITY OF ALEXANDRIA, VIRGINIA.

SCALE: 1"= 20' Comps & Dr by: jam DATE: 5/17/91

R/W 2299 RECORDED DB _____ PG _____ LP 91-004