

ORDINANCE NO. 3695

AN ORDINANCE to vacate a portion of the public alley which lies immediately to the rear of the property at 103 West Monroe Avenue in the City of Alexandria, Virginia.

WHEREAS, Mark Horowitz ("Applicant"), who owns the property at 103 West Monroe Avenue in the City of Alexandria, Virginia, has applied for the vacation of a portion of the public alley immediately behind his property; and

WHEREAS, the portion of the public alley to be vacated by this ordinance extends 100 feet in length and 15 feet in width and abuts the properties located at 100 West Mason Avenue and 102 West Mason Avenue; and

WHEREAS, the portion of the public alley to be vacated by this ordinance is shown on the plat prepared by R. C. Fields, Jr. and Associates and dated April 24, 1991 ("Plat") (attached hereto); and

WHEREAS, this vacation 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 alley to be vacated by this ordinance is \$2,200.00; 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 portion of the public alley to be vacated by this ordinance be purchased by the Applicant for \$2,200.00; and

WHEREAS, a 10-foot easement must be reserved for the existing 10-foot sanitary sewer located in the rear portion of the public alley to be vacated by this ordinance; 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 the public alley to be vacated by this ordinance for \$2,200.00, the Council of the City of Alexandria has concluded that the portion of the public alley shown on the Plat 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 hereinafter described 1,500 square foot portion of the public alley at the rear of the property at 103 West Monroe Avenue, and abutting the properties at 100 and 102 West Mason Avenue, as shown on the Plat, be and the same hereby is vacated:

Beginning at an iron pipe found at the north side of a 15 foot alley, and also being the southeast corner of lot 24, block 16, Northwest Alexandria Improvement Company; thence with the west side of Hancock Avenue (50 foot right-of-way) South $01^{\circ} 30' 00''$ E, 15.00 feet to the northwest corner of lot 1; thence departing Hancock Avenue and running with lot 1 and lot 2 and the southerly side of said 15 foot alley South $88^{\circ} 30' 00''$ W, 100.00 feet to the northwest corner of lot 2; thence departing lot 2 and crossing said alley North $01^{\circ} 30' 00''$ W, 15.00 feet to a corner common to lot 22 and 23 at northerly side of said alley; thence with said alley and lots 23 and 24 North $88^{\circ} 30' 00''$ E, 100.00 feet to the point of beginning and containing an area of 1,500 square feet of land.

Section 2. That this vacation is subject to the Applicant complying with the conditions that he purchase the portion of the public alley described in Section 1 for \$2,200.00 and that he consolidate said portion of the alley with his lots at 103 West Monroe Avenue and, prior to recordation of this vacation, provide a plat of consolidation to the department of planning and community development, zoning division.

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 \$2,200.00 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.

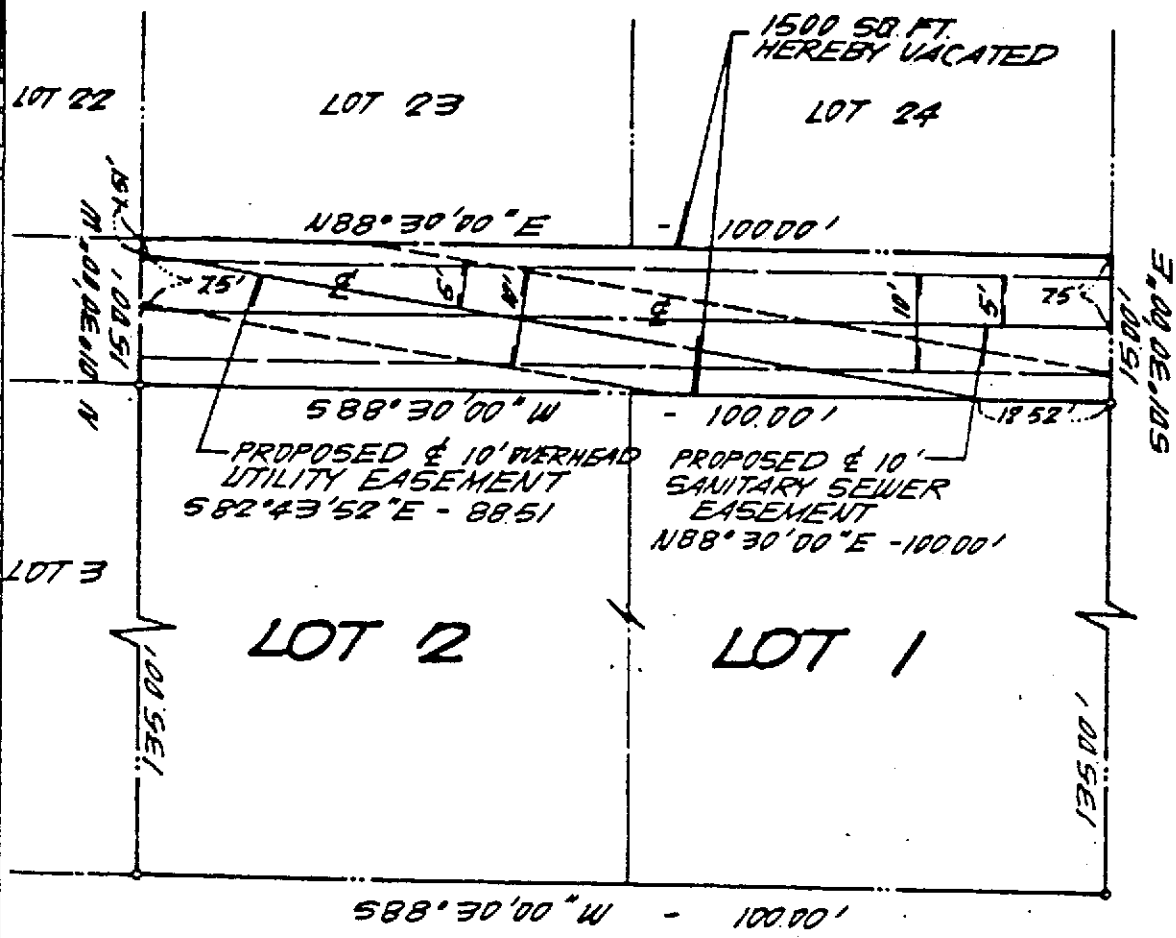
Section 6. That this ordinance shall be deemed to be enacted on the date of its final passage, but shall not be effective until payment of \$2,200.00 has been made to the city by the Applicant and the additional condition set forth above in Section 2 has been satisfied, and thereafter a copy of this ordinance has been certified by the city clerk and has been recorded among the city land records as deeds are recorded. Certification by the clerk shall constitute conclusive evidence that the payment noted above has been made to the city and the additional condition set forth in Section 2 has been satisfied. Recordation of the certified ordinance shall be indexed in both the name of the CITY OF ALEXANDRIA and the name of MARK HOROWITZ, and such recordation shall be done by the Applicant at his own expense.

PATRICIA S. TICER
Mayor

Attachment: Vacation Plat

Final Passage: January 22, 1994

VAC. 93-007



HANCOCK AVENUE
(50' R/W)

WEST MONROE STREET
(50' R/W)

PLAT

SHOWING VACATION OF A PORTION OF A 15 FEET ALLEY
AT THE NORTH SIDE OF LOTS 1 & 2 - BLOCK 16

NORTHWEST ALEXANDRIA
IMPROVEMENT COMPANY
CITY OF ALEXANDRIA VIRGINIA