

ORDINANCE NO. 3703

AN ORDINANCE to vacate a 16 square foot portion of South Union Street which abuts the property at 759 Battery Place in the City of Alexandria, Virginia.

WHEREAS, Cook Inlet Region of Virginia, Inc. ("Applicant") who owns the property at 759 Battery Place in the City of Alexandria, Virginia, has applied for the vacation of a 16 square foot portion of South Union Street which abuts the townhouse dwelling located at 759 Battery Place; and

WHEREAS, the 16 square foot portion of South Union Street to be vacated by this ordinance is shown on the plat prepared by Holland Engineering and dated October 20, 1993 ("Plat") (attached hereto); and

WHEREAS, the vacation of this 16 square foot portion of South Union 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 16 square foot portion of South Union Street to be vacated by this ordinance is \$300; 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 street to be vacated by this ordinance be purchased by the Applicant for \$300; 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 it purchase the 16 square foot portion of South Union Street to be vacated by this ordinance for \$300, the Council of the City of Alexandria has concluded that the 16 square foot portion of South Union 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 16 square foot portion of South Union Street, as shown on the Plat, be and the same hereby is vacated.

Section 2. That this vacation is subject to the Applicant complying with the condition that it purchase the above-described 16 square foot portion of South Union Street for \$300 and with each of the conditions set forth below:

1. The vacated area shall be consolidated with Parcel "A" as shown on the Plat.
2. The applicant shall provide the easements for any utilities, public or private, that may need to cross the vacated area.

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 \$300 referenced in Section 2 above, and the vacated area has been consolidated, as required, by Section 2, and the satisfaction of these conditions 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 \$300 has been made to the city by the Applicant and the condition set forth above in paragraph (1) of 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 conditions set forth in paragraph (1) of 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 COOK INLET REGION OF VIRGINIA, INC., and such recordation shall be done by the Applicant at its own expense.

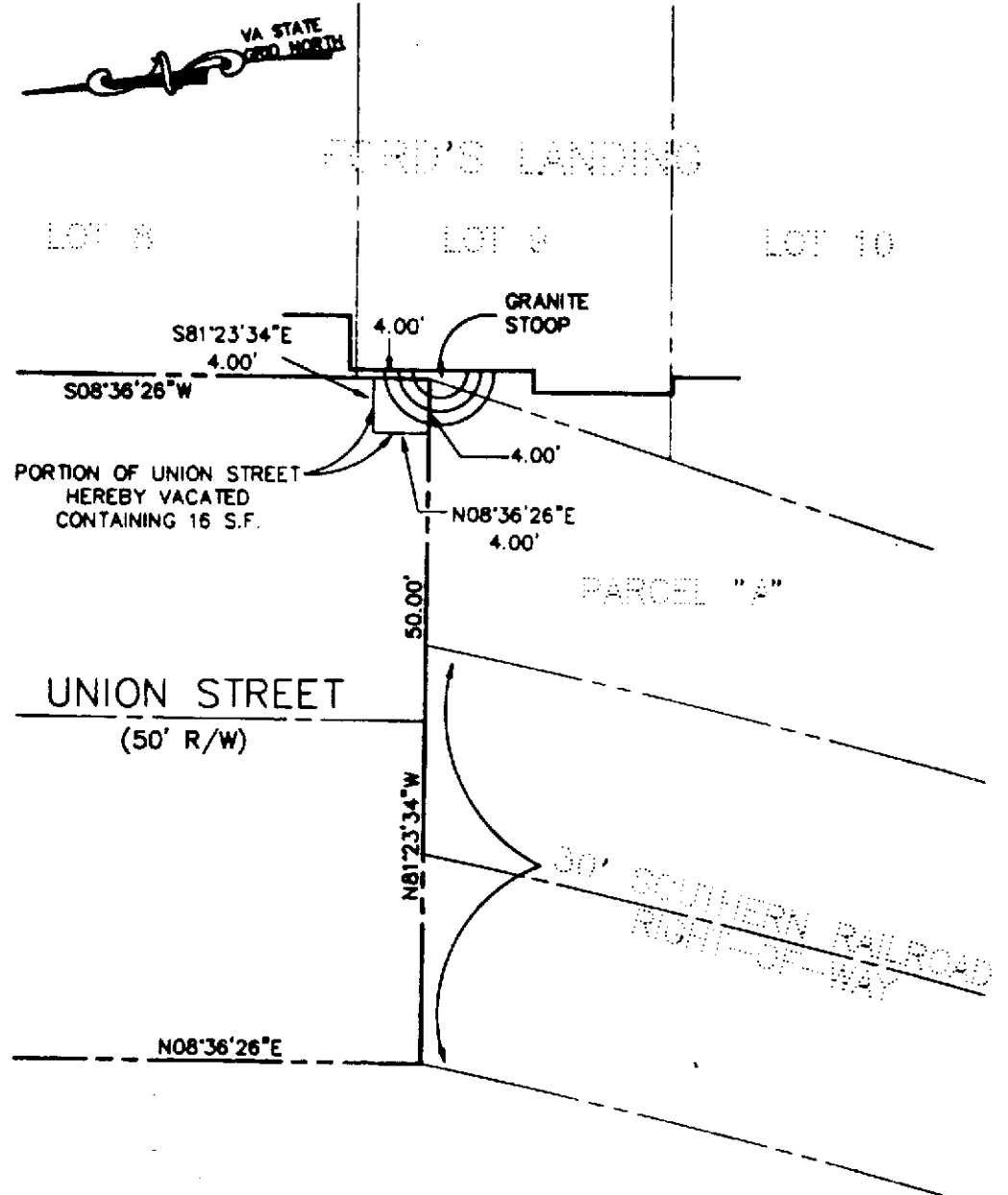
PATRICIA S. TICER
Mayor

Attachment: Vacation Plat

Final Passage: February 12, 1994

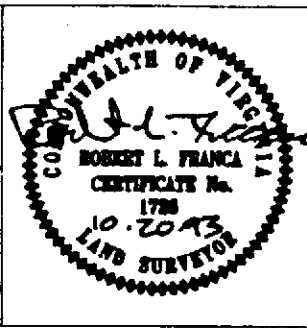
PLAT SHOWING
VACATION
 OF A PORTION OF UNION STREET
 CITY OF ALEXANDRIA, VIRGINIA
 SCALE: 1"=10' DATE: OCTOBER 20, 1993

VAC. 93-009



I HEREBY CERTIFY THAT THE POSITIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO VISIBLE ENCRDACHMENTS.

NO TITLE REPORT FURNISHED
 PROPERTY DELINEATED HEREON IS LOCATED IN FLOOD ZONE "AE" AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY
 I.P.F. = IRON PIPE FOUND.



HOLLAND ENGINEERING
 2111 EISENHOWER AVENUE
 ALEXANDRIA, VIRGINIA 22314
 (703) 548-2188

DRAWN BY: DZ
 CHECKED BY: RF
 F.B./PG: _____
 CASE NAME: _____
 JOB NO.: BLK 103

