

ORDINANCE NO. 3737

AN ORDINANCE to vacate a portion of a public alley adjacent to the north side of the property located at 3315 Carolina Place, in the City of Alexandria.

WHEREAS, Donald M. and Lynne G. Sandler ("Applicants"), who own the property at 3315 Carolina Place in the City of Alexandria, Virginia, have applied for the vacation of a 10-foot-wide, 116.35 foot-long public alley adjacent to the north side of their property at 3315 Carolina Place; and

WHEREAS, the alley to be vacated by this ordinance is shown on the plat prepared by Alexandria Surveys, Inc. and dated December 28, 1993 ("Plat") (attached hereto); and

WHEREAS, the vacation of this alley 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 alley to be vacated by this ordinance is \$3,600; 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 alley to be vacated by this ordinance be purchased by the Applicants for \$3,600; and

WHEREAS, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of the Applicants' agreement to comply with the conditions set forth below and the condition that they purchase the alley to be vacated by this ordinance for \$3,600, the Council of the City of Alexandria has concluded that the alley 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 alley, as shown on the Plat, be and the same hereby is vacated:

Beginning at a point in the southeasterly right-of-way line of Carolina Place, 50 foot right-of-way and the southerly side of a 10-foot alley,

said point being a corner common to Lot 25, Block 4, Section 1, Beverly Hills; thence running with the southeasterly right-of-way of Carolina Place North 14° 25' 23" East 10.04 feet, to a point in the easterly right-of-way line of Lee Circle and on the northerly side of a 10-foot alley, said point being a corner common to Lot 26, Block 4, Section 1, Beverly Hills; thence departing the easterly right-of-way line of Lee Circle and running with the northerly side of the 10-foot alley and the line common to Lot 26, Block 4, Section 1, Beverly Hills South 70° 22' 42" East 118.83 feet, to a point on the westerly side of a 10-foot alley, a corner common to Lot 26, Block 4, Section 1, Beverly Hills; thence running with the westerly side of a 10-foot alley South 19° 35' 24" West 3.95 feet, to a point; thence running with the northwesterly side of a 10-foot alley South 40° 24' 36" West 6.47 feet, to a point on the southerly side of the 10-foot alley, a corner common to Lot 25, Block 4, Section 1, Beverly Hills; thence running with the southerly side of the 10-foot alley and the line common to Lot 25, Block 4, Section 1, Beverly Hills, North 70° 22' 42" West 115.63 feet, to the point of beginning, containing 1,177 square feet.

Section 2. That this vacation is subject to the Applicants complying with the condition that they purchase the above-described alley for \$3,600 and with each of the conditions set forth below:

1. The Applicants shall consolidate that portion of the alley to be vacated with their property and provide a plat of consolidation prior to recordation to the director of planning and community development.
2. The Applicants shall provide easements for all public and/or private utilities within 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 \$3,600 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 she 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 \$3,600 has been made to the city by the Applicants 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. Certification by the clerk shall constitute conclusive evidence that the payment noted above has been made to the city and the other conditions set forth in section 2 have been satisfied. Recordation of the certified ordinance shall be indexed in both the name of the CITY OF ALEXANDRIA and the name of SANDLER, and such recordation shall be done by the Applicants at their own expense.

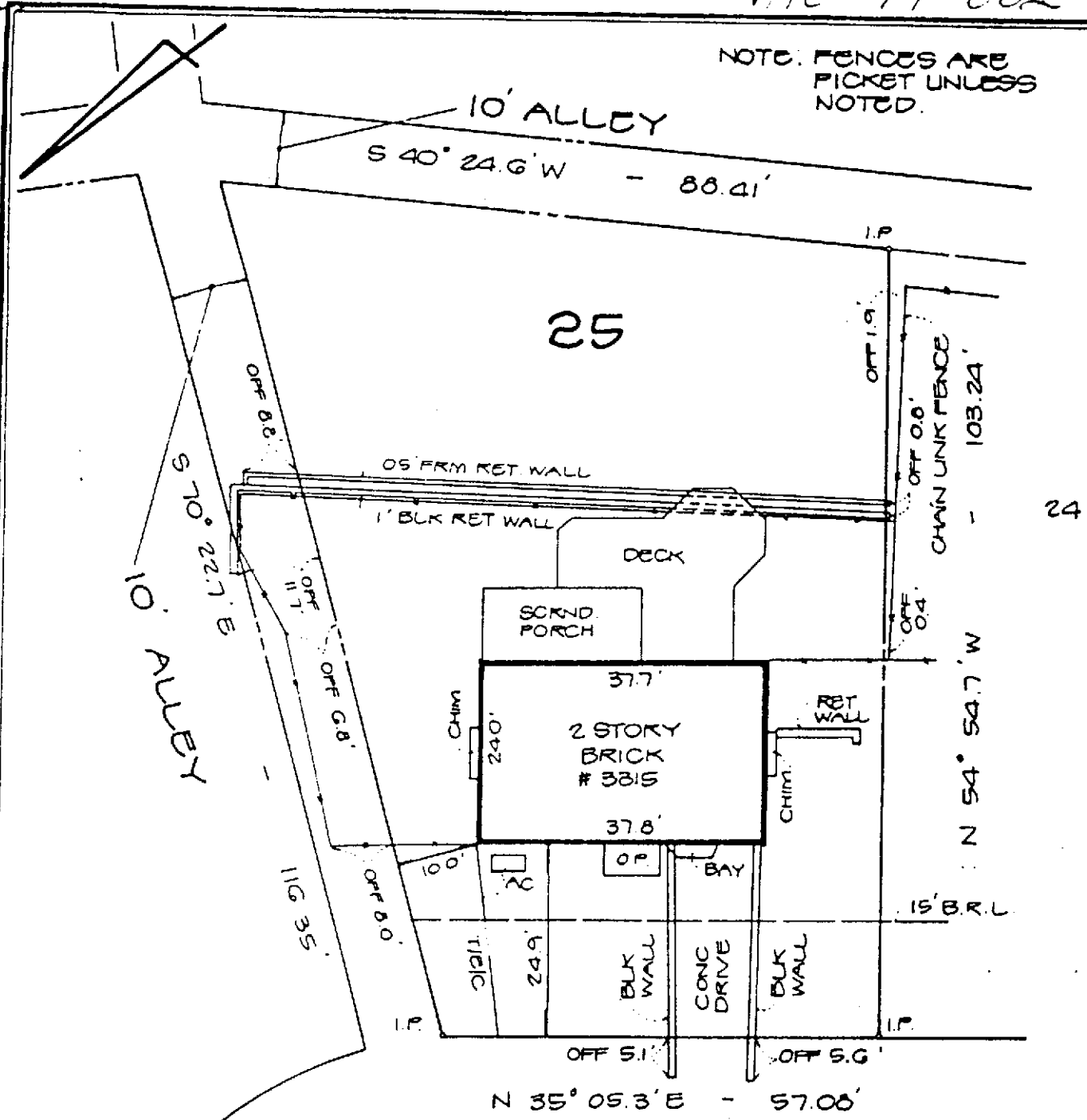
PATRICIA S. TICER
Mayor

Attachment: Vacation Plat

Final Passage: June 18, 1994

VAC 94-002

NOTE: FENCES ARE PICKET UNLESS NOTED.



CAROLINA PLACE
50' R/W

PLAT

SHOWING HOUSE LOCATION ON
LOT 25, BLOCK 4, SECT. 1
BEVERLY HILLS
CITY OF ALEXANDRIA, VIRGINIA
SCALE 1" = 20'
DEC. 20, 1993