

ORDINANCE NO. 3751

AN ORDINANCE to vacate a 2,890 square foot portion of the public street right-of-way of Timberbranch Parkway, 176.47 feet in length by 100.85 feet in depth, adjacent to the residential property located at 426 Timberbranch Parkway, in the City of Alexandria, Virginia.

WHEREAS, Ivan J. and Katherine Porterfield ("Applicants"), who own the property at 426 Timberbranch Parkway in the City of Alexandria, Virginia, have applied for the vacation of a 2,890 square foot portion of Timberbranch Parkway, measuring 176.47 feet in length by 100.85 feet in depth, which abuts their property at 426 Timberbranch Parkway; and

WHEREAS, the portion of the public street right-of-way to be vacated by this ordinance is shown on the plat prepared by Holland Engineering and dated May 11, 1994 ("Plat") (attached hereto); and

WHEREAS, the vacation of this portion of the public street right-of-way 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 street right-of-way to be vacated by this ordinance is \$13,000; 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 portion of the public street right-of-way to be vacated by this ordinance for \$13,000, the Council of the City of Alexandria has concluded that the 2,890 square foot portion of the public street right-of-way of Timberbranch Parkway 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 2,890 square foot portion of the public street right-of-way of Timberbranch Parkway, as designated on the Plat as "To Be Vacated," be and the same hereby is vacated.

Section 2. That this vacation is subject to the Applicants complying with the condition that they purchase the above-described portion of the public street right-of-way of

Timberbranch Parkway for \$13,000 and with each of the conditions set forth below:

- (a) Applicants shall consolidate the portion of the public street to be vacated by this ordinance with their property and provide a plat of consolidation, prior to recordation, to the Department of Planning and Zoning; and
- (b) If Applicants, or any successors to the property at 426 Timberbranch Parkway, elect to subdivide the consolidated property, they shall not seek any variances from any provisions of the City of Alexandria Zoning Ordinance.

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 \$13,000 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 the payment of \$13,000 has been made to the city by the Applicants and the condition set forth above in Section 2(a) 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 condition set forth in Section 2(a) has been satisfied. Recordation of the certified ordinance shall be indexed in both the name of the CITY OF ALEXANDRIA and the name of PORTERFIELD, and such recordation shall be done by the Applicants at their own expense.

PATRICIA S. TICER  
Mayor

Attachment: Vacation Plat

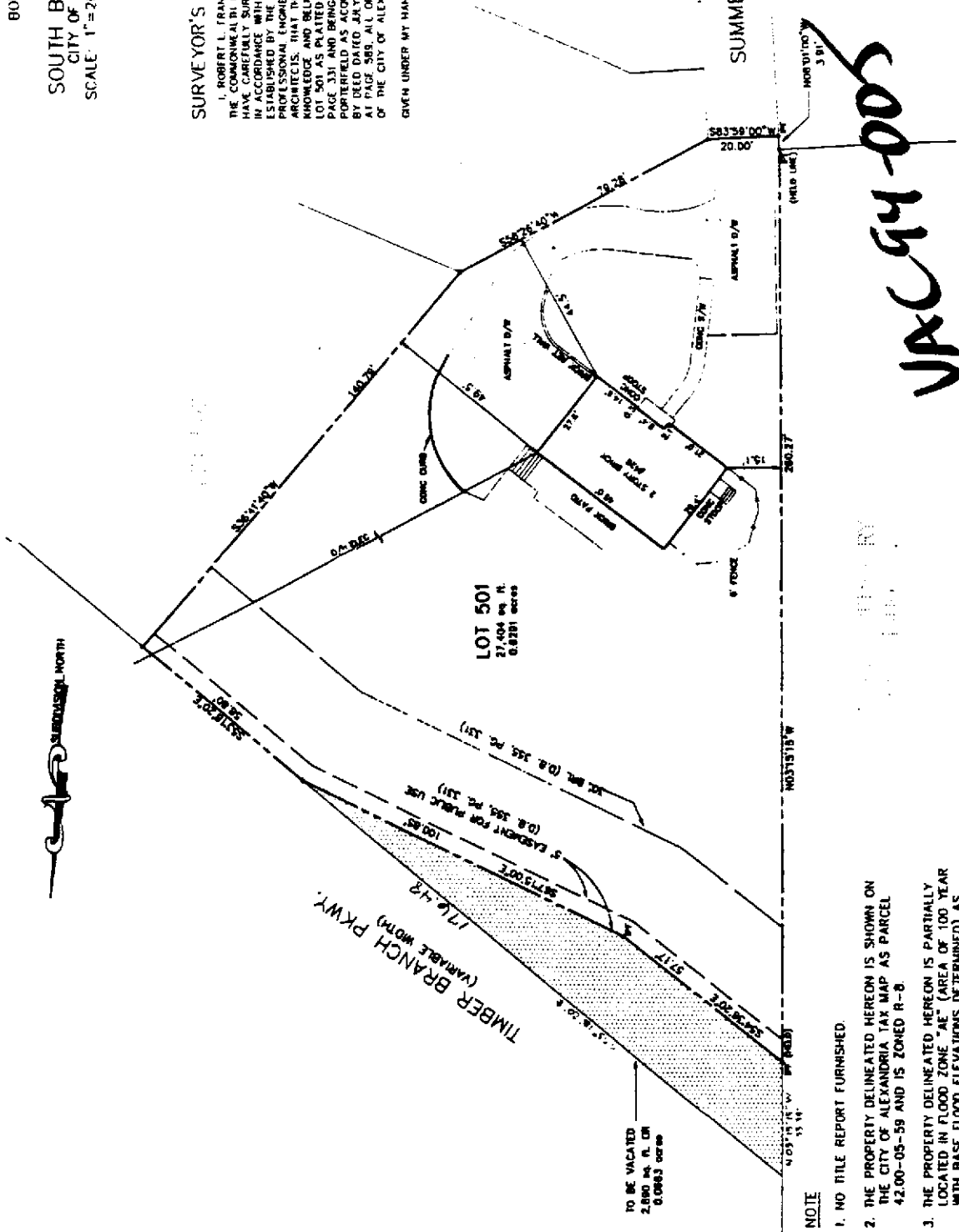
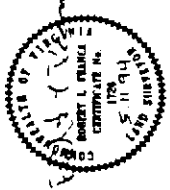
Final Passage: September 17, 1994

BOUNDARY SURVEY  
 LOT 501  
 SOUTH BRADDOCK HEIGHTS  
 CITY OF ALEXANDRIA, VIRGINIA  
 SCALE: 1"=20' DATE: MAY 11, 1994

**SURVEYOR'S CERTIFICATE**

I, ROBERT L. FRANCA, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS. THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THIS IS A BOUNDARY SURVEY OF LOT 501 AS PLATTED AND RECORDED IN DEED BOOK 355 AT PAGE 331 AND BEING THE LAND OF IVAN J. AND KATHERINE PORTERFIELD AS ACQUIRED FROM WILLIAM P. AND MARY D. DALEY BY DEED DATED JULY 20, 1986 AND RECORDED IN DEED BOOK 653 AT PAGE 589, ALL OF WHICH ARE AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA.

GIVEN UNDER MY HAND THIS 11TH DAY OF MAY, 1994



*VAC 94-005*

41  
 6-18-94

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

DRAWN BY: DJ SCALE: 1"=20' SHEET NO. 1 OF 1  
 CHECKED BY: RF DATE: 5-5-94 JOB NO. VA 584-7

**NOTE**

- NO TITLE REPORT FURNISHED.
- THE PROPERTY DELINEATED HEREON IS SHOWN ON THE CITY OF ALEXANDRIA TAX MAP AS PARCEL 42.00-05-59 AND IS ZONED R-8.
- THE PROPERTY DELINEATED HEREON IS PARTIALLY LOCATED IN FLOOD ZONE "AE" (AREA OF 100 YEAR WITH BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON THE FLOOD INSURANCE RATE MAP OF ALEXANDRIA, VIRGINIA PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. PHYSICAL LOCATION OF BASE FLOOD ELEVATION CAN ONLY BE DETERMINED BY A FIELD RUN TOPOGRAPHIC SURVEY.
- BR - BUILDING RESTRICTION LINE  
 IFF - IRON PIPE FOUND

