

ORDINANCE NO. 3763

AN ORDINANCE to vacate a portion of the public street right-of-way of Valley Forge Drive, consisting of a cul-de-sac totalling 8,051 square feet and located at the end of Valley Forge Drive, in the City of Alexandria, Virginia.

WHEREAS, the Unit Owners Association of Hillwood, A Condominium ("Applicant"), which owns property in the 200 and 300 blocks of South Pickett Street in the City of Alexandria has applied for the vacation of a portion of the public street right-of-way of Valley Forge Drive, consisting of a cul-de-sac totalling 8,051 square feet and located at the end of Valley Forge Drive which abuts the Applicant's property; and

WHEREAS, the portion of the Valley Forge Drive public street right-of-way to be vacated by this ordinance was dedicated to the City of Alexandria in 1988, by a Deed of Dedication and Subdivision which is recorded in deed book 1246, at page 1424, among the land records of the City of Alexandria, and is shown on the plat attached hereto as Exhibit A ("Plat"); and

WHEREAS, approval of the vacation of this public street right-of-way was not recommended by the Planning Commission of the City of Alexandria, but such recommendation was overridden by supermajority vote of the Council of the City of Alexandria; 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, 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, the Council of the City of Alexandria has concluded that the Valley Forge Drive public street right-of-way to be vacated by this ordinance 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 public street right-of-way, dedicated to the City of Alexandria in 1988, by a Deed of Dedication and Subdivision which is recorded in deed book 1246, at page 1424, among the land records of the City of Alexandria, and as shown on the Plat, be, and the same hereby is, vacated:

Beginning at an iron pipe found, said pipe being in the southerly line of Valley Forge Drive (66' right-of-way) and being a common corner to a tract now or formerly owned by Levin Construction Corporation (deed book 1115, page 586); thence running through the tract, South 46° 10' 01" East 1.19' to a point; thence 17.17' along the arc of a circle curving to the left, having a radius of 25.00', the chord bearing being South 26° 29' 38" West 16.83' to a point; thence 225.75' along the arc of a circle curving to the right, having a radius of 50.00', the chord bearing being North 43° 49' 59" West 77.33' to a point; thence 17.17' along the arc of a circle curving to the left, having a radius of 25.00', the chord bearing being North 65° 50' 23" East 16.83' to a point; thence North 46° 10' 01" East 1.19' to an iron pipe found on the northerly right-of-way of Valley Forge Drive; thence South 43° 49' 59" East 66.00' to the point of beginning, containing 8,051 square feet or 0.1848 acres.

Section 2. That the vacation of the public street right-of-way described in Section 1 is subject to compliance with the conditions set forth below, each of which shall be satisfied in order for this vacation to become effective:

1. Applicant shall consolidate the property being vacated by this ordinance with the property now owned by it, and shall provide a deed of such consolidation to the director of planning and zoning for his approval.
2. Applicant shall provide to the City of Alexandria a sanitary sewer easement for that part of the existing sanitary sewer that lies within the public street right-of-way being vacated by this ordinance, to the satisfaction of director of transportation and environmental services.
3. Applicant shall provide to the City of Alexandria a 24-foot wide emergency vehicle easement and a refuse collection easement connecting the existing easements of record located on the property now owned by Applicant with the Valley Forge Drive public street right-of-way, both to the satisfaction of the director of transportation and environmental services and the city fire marshal.
4. Applicant shall reserve appropriate easements for all public and private utilities located within the portion of the public street right-of-way being vacated by this ordinance.

5. All storm sewers located within the portion of the public street right-of-way being vacated by this ordinance shall, by appropriate conveyance, become the property of Applicant, and thereafter Applicant shall bear full responsibility for the maintenance and functioning of said sewers.
6. The entrance to the portion of the public street right-of-way being vacated by this ordinance shall be clearly delineated by Applicant to indicate that it is a private street, to the satisfaction of the director of transportation and environmental services.

Section 3. That the vacation of the public street right-of-way described in Section 1, once effective, shall remain subject to the following conditions:

1. The portion of the public street right-of-way being vacated by this ordinance shall not be credited toward floor area or density in determining the amount of development which may occur on any of the property now owned by Applicant.
2. Applicant and its successors shall maintain the road surface within the portion of the public street right-of-way being vacated by this ordinance, shall post such right-of-way area with signs indicating no parking at any time, and shall ensure that access to such right-of-way area by the fire department is not obstructed by any structure or other matter that may delay or hinder firefighting operations.

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 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 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 UNIT OWNERS ASSOCIATION OF HILLWOOD, A CONDOMINIUM, and such recordation shall be done by the Applicant at its own expense.

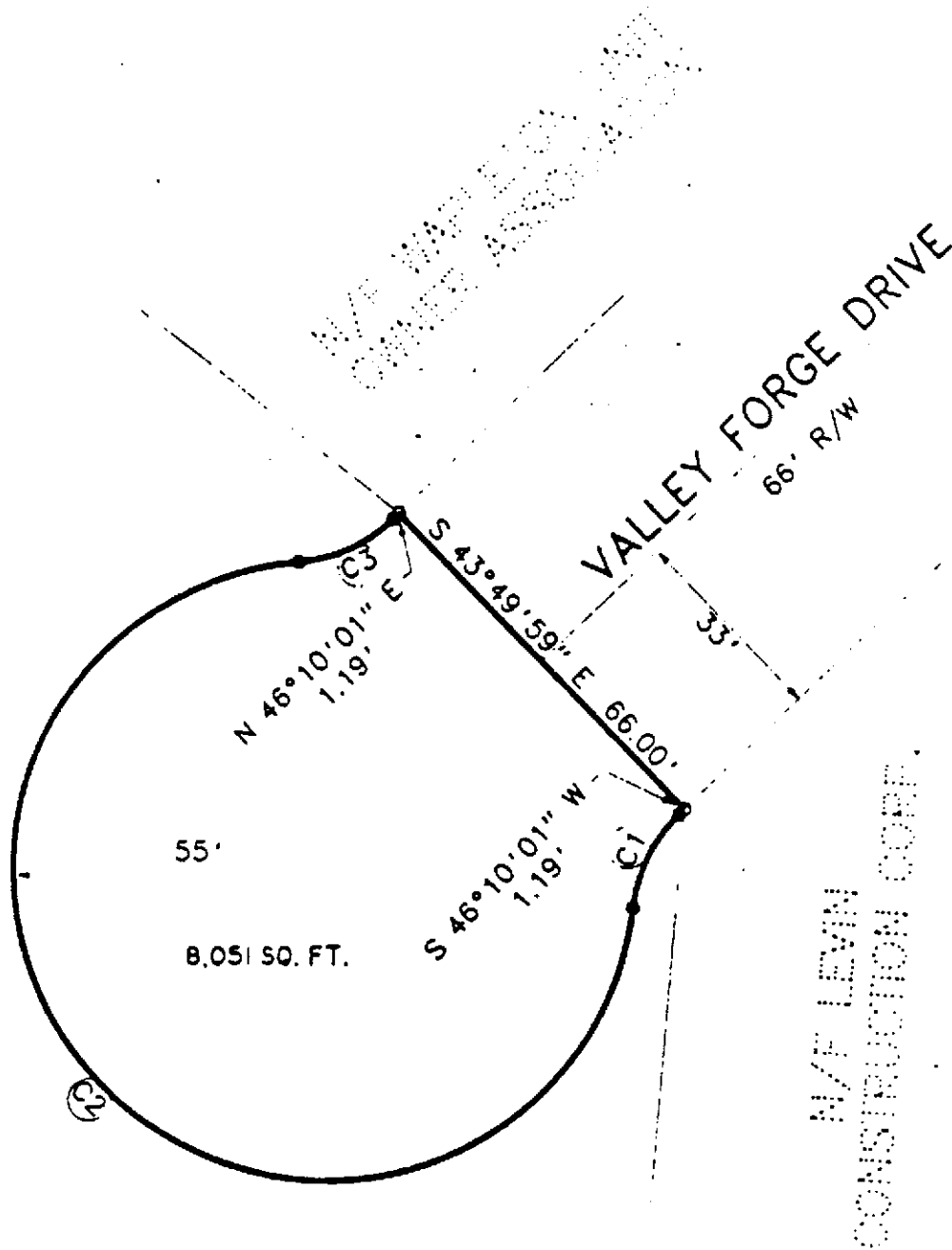
PATRICIA S. TICER
Mayor

Attachment: Vacation Plat

Final Passage: December 17, 1994

CURVE TABLE VAC. 94-009

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C1	D=39°20'45"	25.00	17.17	S 26°29'38" W	16.83	8.94
C2	D=258°41'30"	50.00	225.75	N 43°49'59" W	77.33	
C3	D=39°20'45"	25.00	17.17	N 65°50'23" E	16.83	8.94



N/F PICKET ONE, INC.

NOTES

1. THE PROPERTY SHOWN ON THIS PLAT IS DELINEATED ON ASSESSMENT NO. 58.03-01-01.2
2. NO TITLE REPORT FURNISHED.

N/F LEAN CONSTRUCTION CORP.

"Plat"
(Exhibit A)