

ORDINANCE NO. 3858

AN ORDINANCE to vacate a portion of the public right-of-way at 931 Powhatan Street, consisting of total land area of 4,190 square feet running adjacent to Powhatan Street.

WHEREAS, Lawrence N. Brandt, Inc. ("Applicant"), has applied for the vacation of a portion of the public right-of-way at 931 Powhatan Street, consisting of a total land area of 4,190 square feet, running adjacent to Powhatan Street; and

WHEREAS, the public right-of-way to be vacated by this ordinance is shown on the attached plat of vacation, dated April 4, 1996 (the "Plat") (attached hereto); and

WHEREAS, the vacation of this portion of the public right-of-way at 931 Powhatan 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 public right-of-way to be vacated by this ordinance is \$500.00; 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 public right-of-way to be vacated by this ordinance be purchased by the Applicant for \$500.00; 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 public right-of-way to be vacated by this ordinance for \$500.00, the Council of the City of Alexandria has concluded that the public right-of-way 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 public right-of-way at 931 Powhatan Street, consisting of total land area of 4,190 square feet, 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 public right-of-way for \$500.00 and with each of the conditions set forth below:

1. Easements for all public and/or private utilities, including sanitary sewers, existing within the vacation area are hereby reserved.
2. At the corner of Powhatan and Second Street the entire public sidewalk shall be installed within the public right-of-way.
3. The area along North Washington Street shown on the Plat shall be dedicated to the city for public street purposes.

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 \$500.00 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 \$500.00 has been made to the city by the Applicant and the conditions set forth above in paragraph 3 of 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 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 LAWRENCE N. BRANDT, INC., and such recordation shall be done by the Applicant at his own expense.

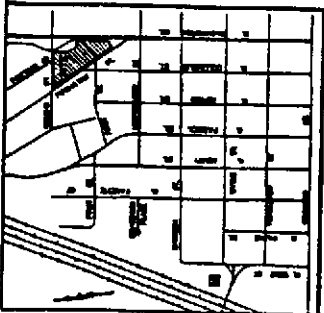
KERRY J. DONLEY
Mayor

Attachment: Vacation Plat

Final Passage: April 13, 1996

GENERAL NOTES

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON THE CITY OF ALEXANDRIA TAX ASSESSMENT MAP AS PARCEL 8400-04-01 AND IS ZONED O2M(40).
2. THE PROPERTY DELINEATED HEREON IS LOCATED IN FLOOD ZONE "X" (OUTSIDE THE 500 YR. FLOOD PLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP OF ALEXANDRIA PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
3. NO TITLE REPORT WAS PROVIDED.
4. NO PORTION OF SUBJECT PROPERTY LIES WITHIN A RESOURCE PROTECTION AREA.
5. EASEMENTS WILL BE NEEDED FOR ALL PUBLIC AND/OR PRIVATE UTILITIES INCLUDING SANITARY SEWER, CEMENT WITHIN THE PROPOSED VACATION AREA, IN ADDITION TO EASEMENTS REQUIRED FOR PUBLIC SEWER AND/OR PUBLIC ACCESS.



VICINITY MAP
(NO SCALE)

N. WASHINGTON STREET
(100' WIDE 1993)

AREA TO BE VACATED
BY CITY OF ALEXANDRIA
1.000' WIDE

AREA TO BE VACATED
BY CITY OF ALEXANDRIA
4.000' WIDE

SECOND STREET
(100' WIDE 1993)

POWHATAN STREET
(VARIABLE WIDTH)

NO. 1100, P.O. 3747
ALEXANDRIA, VA 22304
HOLLAND ENGINEERING
2111 EISENHOWER AVENUE
ALEXANDRIA, VA 22314
(703) 548-2188

APPLICANT

LAWRENCE N. BRIANOT, INC.
3201 NEW MEXICO AVE., SUITE 220
WASHINGTON, D.C. 20016
(202) 363-1100

BENCHMARK

CHUCKLED AT RIGHT FRONT CORNER OF
CATCHCASH AT 5102 N. ABRAMSON DRIVE
ELEVATION= 55.73

PLAT SHOWING
VACATION
OF A PORTION OF
POWHATAN STREET
CITY OF ALEXANDRIA, VIRGINIA
DATE NOVEMBER 26, 1998 SCALE 1"=20'

HOLLAND ENGINEERING

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



DRAWN BY: JTO	SCALE: 1"=20'	SHEET NO. 1	TOTAL NO. 1	JOB NO. 84-008
CHECKED BY: MEF	DATE: 1-1-98			