

ORDINANCE NO. 3984

AN ORDINANCE to vacate a portion of the public street right-of-way, consisting of total land area of 74 square feet, at 2310-2318 Mill Road, in the City of Alexandria.

WHEREAS, Old Town Development Company, L.L.C. ("Applicant"), has applied for the vacation of a portion of the public street right-of-way at 2310-2318 Mill Road, consisting of a total land area of 74 square feet, at the northwest corner of Mill Road and Eisenhower Avenue; and

WHEREAS, the public right-of-way to be vacated by this ordinance is shown on the plat, dated June 26, 1997, and prepared by Holland Engineering (the "Plat") (attached hereto); and

WHEREAS, the vacation of this public 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, 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 public right-of-way is no longer needed for public use and that it is in the public interest that it be vacated; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the public right-of-way at 2310-2318 Mill Road, consisting of total land area of 74 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 each of the conditions set forth below:

1. That Applicant provide the city with a plat of consolidation, joining the area being vacated by this ordinance with the adjacent parcel of private property.

2. That all easements for public and/or private utilities, including sanitary sewers, existing within the area being vacated by this ordinance are reserved.

Section 3. 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 4. 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 5. 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 OLD TOWN DEVELOPMENT COMPANY, L.L.C., and such recordation shall be done by the Applicant at its own expense.

KERRY J. DONLEY
Mayor

Attachment: Vacation Plat

Introduction:	3/10/98
First Reading:	3/10/98
Publication:	3/11/98; 3/12/98
Public Hearing:	3/14/98
Second Reading:	3/14/98
Final Passage:	3/14/98