

ORDINANCE NO. 4072

AN ORDINANCE to vacate the public street rights-of-way of East Campus Drive and West Campus Drive, located on the Northern Virginia Community College Campus, in the City of Alexandria, Virginia.

WHEREAS, the City of Alexandria, Department of Transportation & Environmental Services ("Applicant"), wishes to vacate East Campus Drive and West Campus Drive, which are located on the Northern Virginia Community College Campus (ANVCC@) between North Beauregard Street and Dawes Avenue and between Fillmore Avenue and Dawes Avenue, respectively, in the City of Alexandria Virginia; and

WHEREAS, the two rights-of-way to be vacated by this ordinance were dedicated to the City of Alexandria in 1975 by the Commonwealth of Virginia, State Board for Community Colleges, and recorded in Deed Book 827, page 208 among the land records of the City of Alexandria, and are shown on the plat prepared by R.E. Wiley, City of Alexandria Department of Transportation and Environmental Services and dated July 19, 1975 (APlat@) (attached hereto); and

WHEREAS, the vacation of these rights-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 NVCC=s agreement to comply with the conditions set forth below, the Council of the City of Alexandria has concluded that the rights-of-way are no longer needed for public use and that it is in the public interest that they be vacated; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That East Campus Drive and West Campus Drive, the rights-of-way granted to the City of Alexandria in 1975 by the Commonwealth of Virginia, State Board for Community Colleges, and which are recorded in Deed Book 827, page 208 among the land records of the City of Alexandria and shown on the Plat, be, and the same hereby are, vacated.

Section 2. That this vacation be, and hereby is, subject to the conditions set forth below:

1. NVCC shall reserve easements for all public utilities to the satisfaction of the Director of Transportation & Environmental Services.
2. NVCC shall dedicate an emergency vehicle easement over the existing West Campus Drive and the relocated East Campus Drive to the satisfaction of the fire marshal.
3. NVCC shall provide an easement, satisfactory to the City Attorney in form and substance, to allow public ingress and egress over the existing or relocated streets within the campus.

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 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. Recordation of the certified ordinance shall be indexed in both the name of the CITY OF ALEXANDRIA and the name of COMMONWEALTH OF VIRGINIA, STATE BOARD FOR COMMUNITY COLLEGES.

KERRY J. DONLEY

Mayor

Attachment: Vacation Plat

Introduction: 9/14/99  
First Reading: 9/14/99  
Publication: 9/15/99; 9/16/99  
Public Hearing: 9/18/99  
Second Reading 9/18/99  
Final Passage: 9/18/99