

ORDINANCE NO. 4085

AN ORDINANCE to vacate a portion of the public right-of-way of Hooff's Run, located adjacent to the western edge of the parcel of real property at 1456 Duke Street, in the City of Alexandria, Virginia.

WHEREAS, Duke-Jamieson L.L.C. (Applicant), which owns the parcel of a real property at 1456 Duke Street in the City of Alexandria, Virginia, has applied for the vacation of an irregularly shaped portion of the Hooff's Run public right-of-way that is located along the western edge of the parcel; and

WHEREAS, the portion of the Hooff's Run public right-of-way sought to be vacated is shown on the plat, prepared by R.C. Fields, Jr., and Associates, P.C., and dated August 16, 1999, ("Plat") (attached hereto); 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, pursuant to ' 15.2-2008 of the Code of Virginia (1950), as amended, the City of Alexandria has required that, as a condition of this vacation, said portion of the public right-of-way to be vacated by this ordinance be purchased by the Applicant for the fair market value, as determined by the city's real estate assessor; and

WHEREAS, in consideration of the report of the viewers 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 said portion of the Hooff's Run 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 irregularly shaped portion of the Hooff's Run public right-of-way, as shown on the Plat and as described below, be, and the same hereby is, vacated:

Beginning at a point on the west side of Lot 501, Joseph Santullo, Jr., et al., Subdivision and located south 22 degrees 00 minutes west, 70.28 feet from Duke Street; thence running with Lot 501.

- (1) South 22 Degrees 00 minutes 00 seconds west, 206.57 feet; thence with lot 501 and then the property of the City of Alexandria
- (2) North 80 degrees 30 minutes 01 seconds west, 19.15 feet; thence through the property of the City of Alexandria
- (3) North 26 degrees 25 minutes 09 seconds east, 190.93 feet; thence

- (4) North 02 degrees 08 minutes 48 seconds west, 19.42 feet, thence
- (5) South 80 degrees 27 minutes 14 seconds east, 12.21 feet to the point of beginning and containing 2276 square feet or 0.0522 acres of land.

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

- (a) Applicant shall pay the fair market value of the area to be vacated, as determined by the Office of Real Estate Assessments.
- (b) Applicant shall consolidate the area to be vacated into the adjacent parcel of real property at 1456 Duke Street, and provide the zoning administrator with a plat of consolidation prior to recordation of this 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 referenced in section 2(a) 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 conditions set forth in section 2 have been satisfied, and thereafter a copy of this ordinance has been certified by the city clerk and recorded among the city land records as deeds are recorded. Certification by the clerk shall constitute conclusive evidence that the payment noted above in section 2(a) has been made to the city and the other 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 DUKE-JAMIESON L.L.C., and such recordation shall be done by the Applicant at its own expense.

KERRY J. DONLEY
Mayor

Attachment: Vacation Plat

Introduction: 11/09/99
First Reading: 11/09/99
Publication: 11/10/99; 11/11/99
Public Hearing: 11/13/99

Second Reading: 11/13/99
Final Passage: 11/13/99