

ORDINANCE NO. 4092

AN ORDINANCE to vacate the public street right-of-way between Slaters Lane and West Abingdon Drive, in the City of Alexandria, Virginia.

WHEREAS, Columbia Realty Venture ("Applicant") wishes to vacate the public street right-of-way between Slaters Lane and West Abingdon Drive, in the City of Alexandria, Virginia; and

WHEREAS, the right-of-way to be vacated by this ordinance is shown on the plat, prepared by Christopher Consultants, Ltd., and dated July 29, 1999 (APlat@) (attached hereto); and

WHEREAS, the vacation of this 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, pursuant to ' 15.2-2008 of the Code of Virginia (1950), as amended, the Council of the City of Alexandria is authorized to require, as a condition of this vacation, that the portion of the public right-of-way being vacated be purchased by the Applicant at its fair market value, as determined by the city's real estate assessor; and

WHEREAS, the Council of the City of Alexandria has determined not to require the payment by Applicant of the fair market value of the area being vacated, in light of Applicant's acceptance of and agreement to comply with the conditions set forth below; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative thereto and of the agreement of Applicant to comply with the conditions set forth below, the Council of the City of Alexandria has concluded that the 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 street right-of-way, as shown on the Plat and described below, be, and the same hereby is, vacated:

Beginning at a point in the southerly right-of-way line of Slaters Lane, said point also being the most westerly corner of the land of W.& O.D. Railroad right-of-way; thence, with the northeasterly line of W.& O.D. Railroad, S 43°4'14" E, a distance of 313.11 feet to a point in the westerly right-of-way line of West Abingdon Drive; thence, with the westerly right-of-way line of West Abingdon Drive, S 05°36'55" W, a

distance of 57.84 feet to a point in the easterly line of the land of Columbia Realty Venture, L.P.; thence, with the northeasterly line of Columbia Realty Venture, L.P., the following three (3) courses:

- (1) with a curve to the left having a central angle of  $48^{\circ}51'45''$ , a radius of 25.00 feet, an arc distance of 21.32 feet and a chord length of 20.68 feet which bears  $N 18^{\circ}48'39'' W$  to a point of tangency;
- (2)  $N 43^{\circ}14'14'' W$ , a distance of 347.14 feet to a point of curvature;
- (3) with a curve to the left having a central angle of  $52^{\circ}17'04''$ , a radius of 25.00 feet, an arc distance of 22.81 feet and a chord length of 22.03 feet which bears  $N 69^{\circ}22'33'' W$  to a point in the southerly right-of-way line of Slaters Lane; thence, with the southerly right-of-way line of Slaters Lane,  $N 84^{\circ}29'07'' E$ , a distance of 56.52 feet to the point of beginning, containing 12,007 square feet or 0.2757 acre, more or less.

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

- (a) Applicant shall, within 60 days of the enactment of this ordinance and at its own expense, (i) remove the paved area previously used for parking that is behind the western side of the building it owns at 1420 West Abingdon Drive, and restore the area with grass and landscaping, to the satisfaction of the director of planning and zoning; (ii) remove the cement pavers that are behind the western side of the building at 1420 West Abingdon Drive, and restore the area with grass and landscaping, to the satisfaction of the director of planning and zoning; and (iii) replace the gate in the fence on the western edge of the property at 1420 West Abingdon Drive with fencing, to the satisfaction of the director of planning and zoning;
- (b) Applicant shall reserve easements within the area to be vacated for all public utilities, to the satisfaction of the director of transportation & environmental services;
- (c) Applicant shall dedicate an emergency vehicle easement over the area to be vacated, to the satisfaction of the fire marshal; and
- (d) Applicant shall consolidate the area to be vacated into the adjacent property at 1420 West Abingdon Drive, and provide the zoning administrator with a plat of consolidation prior to recordation of this ordinance.

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 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 COLUMBIA REALTY VENTURE.

KERRY J. DONLEY  
Mayor

Attachment: Vacation Plat, dated July 29, 1999

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  
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