

ORDINANCE NO. 4279

AN ORDINANCE to vacate the public street right-of-way easement of South Street, in the City of Alexandria, Virginia.

WHEREAS, the Virginia Department of Transportation ("Applicant"), the owner of the property at 1200-1204 South Washington Street in the City of Alexandria, Virginia, has applied for the vacation of the public right-of-way easement of South Street, adjacent to the Applicant=s property; and

WHEREAS, the Planning Commission of the City of Alexandria at one of its regular meetings recommended approval of the vacation such public right-of-way at this location; and

WHEREAS, the Council of the City of Alexandria has approved the recommendation of the Planning Commission; and

WHEREAS, viewers, Judy Lowe, Lee Roy Steele and Bill Brandon have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; 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, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that strip of the public street right-of-way to be vacated 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 easement of South Street between South Washington Street and South Royal Street, as shown on the attached plat be, and the same hereby is, vacated.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject the conditions set forth below:

(1) The Applicant shall prepare and record a plat showing modifications to the existing Emergency Vehicle Easements and dedication of new Emergency Vehicle Easements to the satisfaction of the Director of Code Enforcement.

(2) The Applicant shall maintain emergency access to the Hunting Towers apartment buildings to the satisfaction of the Director of Transportation and Environmental Services.

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 effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to the Applicant. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and the Applicant as grantee, and such recordation shall be done by the grantee at its own expense.

KERRY J. DONLEY  
Mayor

Attachment: Plat of vacation

Introduction: 11/12/02  
First Reading: 11/12/02  
Publication: 11/14/02  
Public Hearing: 11/16/02  
Second Reading: 11/16/02  
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