

ORDINANCE NO. 4900

An Ordinance approving and authorizing 1) the acquisition of property by the City of Alexandria at 204 Strand Street from Anita Mann, Trustee and 208 Strand Street from Jane Caster Sweeney, Trustee; 2) the exchange of undefined potential alley access way rights between City of Alexandria and multiple property owners in the 200 block of Strand Street; and 3) the exchange of property between the City of Alexandria at 0 Prince Street, 200 Strand Street and a portion of 204 Strand Street and associated and extended riparian rights and the Old Dominion Boat Club at 1 King Street, 2 King Street and associated riparian rights, and adjacent property claims.

WHEREAS, the goals of the Waterfront Plan approved by the City of Alexandria (“City”) in Ordinance No 4749 in February 2012, include opening the Waterfront to public access, increasing the amount of open space along the Waterfront, and negotiating with the Old Dominion Boat Club (“ODBC”) to eliminate the parking lot at the foot of King Street;

WHEREAS, the City and the ODBC entered into a Property Acquisition and Exchange Agreement and Settlement Agreement (“ODBC Agreement”) on June 25, 2014 that was subsequently ratified by the ODBC membership and became effective on July 22, 2014. The ODBC Agreement includes the exchange of a portion of 0 Prince Street, 200 Strand Street and 204 Strand Street with associated and extended riparian rights as describe herein, in exchange for 1 King Street, 2 King Street and associated riparian rights, and any claimed rights the ODBC has to portions of Strand Street, King Street Park, Wales Alley Easement and Wales Alley Extended. The ODBC Agreement also includes a provision for the City to pay the ODBC \$5 million as part of the settlement of this matter;

WHEREAS, the City owns the real property located at 0 Prince Street and 200 Strand Street in the City of Alexandria;

WHEREAS, the City has entered into contracts for the purchase and sale of 204 Strand Street and 208 Strand Street (“Strand Properties”) dated June 24, 2014 at a purchase price of \$2,439,500 for each property. Acquisition of the Strand Properties will allow the City to expand Point Lumley Park and to transfer a portion of 204 Strand to the ODBC as part of the ODBC Agreement;

WHEREAS in the Articles of Agreement recorded among the Land Records for the City of Alexandria on May 5, 1800 at Deed Book M, Page 465, the predecessors to the current property owners including 2 Prince Street, LLC at 2 and 10 Prince Street, 204-06 Union, LLC at 206 South Union Street, Marvin P. Young at 6 Prince Street, and Beverly Turner, Jr, James A. Turner, John David Whitestone and Mathew Lindsey Whitestone at 203 Strand Street (“West of Strand Owners”) created a private alley way which extended eastwardly from the east side of Union Street to the “River Potomack” together with certain other rights and obligations. Subsequently, the land was filled in creating what is now known as 0 Prince Street and 200 Strand Street and potentially extending the alley way and other potential rights across those properties (“Gilpin Alley East”);

WHEREAS, the City as the Owner of the Gilpin Alley East area now wants to make it clear that the property rights granted in the Articles of Agreement do not extend beyond current

westernmost boundary of the Strand and therefore, the City would have no rights west of the Strand Street and the Gilpin Alley West Owners would have no rights east of the Strand; and

WHEREAS, the city council in adopting this ordinance expressly finds that the transfers of property described herein is in the public interest and will advance the City's land use goals, now therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the acquisition of the real property described below be, and the same hereby is, approved and authorized:

204 Strand Street, Tax Map Parcel # 075.03-03-15  
208 Strand Street, Tax Map Parcel # 075.03-03-16

Section 2. That the exchange and/or acquisition and disposition of the real property described below be, and the same hereby is, approved and authorized:

To the City of Alexandria:

1 King Street, Tax Map Parcel # 075.01-04-05, excluding the associated riparian rights and the North pier at this time  
2 King Street and associated riparian rights, Tax Map Parcel # 075.01-04-04  
ODBC claimed rights to King Street/King Street Park, Strand Street, Wales Alley and Wales Alley Extended

To the Old Dominion Boat Club:

Lot #600 as created by Subdivision 2014-0007 (consists of portions of 0 Prince Street, Tax Map Parcel # 075.01-03-11, 200 Strand Street, Tax Map Parcel # 075.01-03-12, and 204 Strand Street, Tax Map # 075.03-03-15, as shown on the Subdivision Plat attached hereto as Attachment A)  
Riparian rights associated with new lot #601 as created by Subdivision 2014-0007 (formerly 0 Prince Street, 200 Strand Street, and a portion of 204 Strand Street)  
Riparian rights associated with new lot #603 as created by Subdivision 2014-0007 (formerly a portion of 204 Strand Street and 208 Strand Street)

Section 3. That the exchange and/or acquisition and disposition of the potential undefined and unplatted property rights on the property described below be, and the same hereby is, approved and authorized:

To the City of Alexandria:

Any right, title and interest granted by the Articles of Agreement dated May 5, 1800 recorded in the Land Records for the City of Alexandria at Deed Book M, Page 465 that may be held by adjacent property owners on the property at 0 Prince Street and 200 Strand Street

To the West of the Strand Owners:

Any right, title and interest granted by the Articles of Agreement dated May 5, 1800 recorded in the Land Records for the City of Alexandria at Deed Book M, Page 465 that may be held by adjacent property owners on the property at 2 Prince Street, 6 Prince Street, 10 Prince Street, 206 South Union Street, and 203 Strand Street.

Section 4. That the city manager be and hereby is authorized, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the sale or acquisition of the real property described in Sections 1, 2 and 3, including, but not limited to, the execution and delivery of a purchase agreement, deed and other appropriate documents.

Section 5. That the city clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the city manager pursuant to Section 4, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE  
Mayor

Final Passage: September 13, 2014