

No 72

CITY ORDINANCE

IN THE CIRCUIT COURT OF ARLINGTON COUNTY, VIRGINIA.

To

The Board of Supervisors of Arlington County, Virginia,
 E. C. Turnburke, Chairman,
 W. J. Ingram, and
 Edward Duncan, Constituting
 The Board of Supervisors of Arlington County, Virginia;
 William C. Gloth, Commonwealth's Attorney for Arlington County, Virginia;
 The Board of Supervisors of Fairfax County, Virginia;
 W. F. P. Reid, Chairman,
 Harry V. Leigh,
 George F. Harrison,
 D. W. Buckley,
 Victor C. Donaldson, and
 Norman Stewart, Constituting
 the Board of Supervisors of Fairfax County;
 Wilson M. Farr, Commonwealth's Attorney for Fairfax County, Virginia;

Town of Potomac, a municipal corporation existing under and by virtue of the Acts of Assembly of Virginia

PLEASE TAKE NOTICE that at ten o'clock, A. M., or so soon thereafter as it may be heard, on the 12th day of December, 1927, the City Council of Alexandria, a municipal corporation existing under and by virtue of the Acts of Assembly of Virginia, will by its attorney move the Circuit Court of Arlington County, Virginia, at the Courthouse thereof, or the judges, designated under the provisions of Chapter 120 of the Code of Virginia as amended, who shall hear the case, to make an order authorizing and declaring the annexation to the said City Council of Alexandria,

Virginia, certain territory, the greater part of which lies in Arlington County, Virginia, and includes the Town of Potomac, and the residue of which territory proposed to be annexed lies in Fairfax County, Virginia, which territory is the same described in the ordinance of the Council of said city approved October 18, 1927, entitled "An Ordinance to Extend the Corporate Limits of the City of Alexandria in Pursuance of the Provisions of Chapter 120 of the Code of Virginia as Amended and Particularly of the Provisions of Sections 2956, 2957 and 2958 as Amended by the Provisions of the Act of the General Assembly of Virginia Approved March 22, 1924, Entitled "An Act to Amend and Re-enact Sections 2956 and 2957 of the Code of Virginia and to Amend and Re-enact Section 2958 of the Code of Virginia as Amended by an Act Approved March 10, 1920," a certified copy of which ordinance is hereto attached, served with this notice, and published according to law, and is hereby made a part of this notice.

The said ordinance was passed by the Council of said city by a recorded affirmative vote of all the members elected to the said Council, and sets forth that in pursuance to Chapter 120 of the Code of Virginia as amended, the said city desires to annex the said territory accurately described therein by metes and bounds, and sets forth, further, the necessity for or expediency of annexation, and the terms and conditions upon which it desires to annex said territory, as well as the provisions which are made for its future management and improvements.

Witness the said City Council of Alexandria this 20th day of October, 1927.

CITY COUNCIL OF ALEXANDRIA,

By W. A. SMOOT, Mayor.
CARLIN, CARLIN & HALL,
ALBERT V. BRYAN, p. q.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ALEXANDRIA IN PURSUANCE OF THE PROVISIONS OF CHAPTER 120 OF THE CODE OF VIRGINIA AS AMENDED AND PARTICULARLY OF THE PROVISIONS OF SECTIONS 2956 AND 2957 AND 2958 THEREOF AS AMENDED BY THE PROVISIONS OF THE ACT OF THE GENERAL ASSEMBLY OF VIRGINIA APPROVED MARCH 21, 1924, ENTITLED "AN ACT TO AMEND AND RE-ENACT SECTIONS 2956 AND 2957 OF THE CODE OF VIRGINIA AND TO AMEND AND RE-ENACT SECTION 2958 OF THE CODE OF VIRGINIA AS AMENDED BY AN ACT APPROVED MARCH 10, 1920."

BE IT ORDAINED BY THE COUNCIL OF THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

1. That the City Council of Alexandria hereby declares that it is desirable to annex, in pursuance of Chapter 120 of the Code of Virginia as amended and particularly of the provisions of Sections 2956, 2957 and 2958 thereof as amended by the provisions of the act of the General Assembly of Virginia approved March 21, 1924, entitled "An Act to Amend and Re-enact Sections 2956 and 2957 of the Code of Virginia and to Amend and Re-enact Sections 2958 of the Code of Virginia as Amended by an Act

Approved March 10, 1920," certain territory of Fairfax County, Virginia, and of Arlington County, Virginia, including the Town of Potomac located in said Arlington County, which territory is adjacent to the present corporate limits of the City of Alexandria, and to that end the City Council of Alexandria doth hereby accurately describe the metes and bounds of such territory as follows:

BEGINNING at a point where the mid-channel of Hunting Creek is intersected by the present Corporate Limits of the City of Alexandria, thence with the meanderings of said Hunting Creek and Cameron Run in a westerly direction to the intersection of the center line of Seminary Lane projected southwardly; thence with said center line of said Seminary Lane, north 6° 30' east 1493.0 feet to the south line of Little River Turnpike; thence with the south line of said Little River Turnpike, north 79° 39' west 373.10 feet to the southwardly projection of the center line of Quaker Lane; thence with the center line of said Quaker Lane, north 5° 47' 35" west 2989.20 feet to a point and north 5° 16' 30" east 3805.80 feet to a point in the center line of the Braddock Road; thence with the center line of said Braddock Road, south 84° 18' east 607.30 feet to the intersection of the center line of Seminary Road; thence with the center line of said Seminary Road the following courses and distances; north 5° 07' east 811.50 feet, north 22° 51' east 611.05 feet, north 1° 18' 35" west 1551.40 feet, north 20° 07' 30" east 319.13 feet, north 19° 52' 30" east 385.50 feet, north 37° 40' 30" west 183.32 feet, north 3° 01' 30" east 140.90 feet, north 28° 04' 30" east 165.41 feet, north 6° 03' 30" east 145.83 feet, north 13° 42' 30" west 436.37 feet, north

8° 57' 30" west 1447.08 feet and north 2° 15' east 274.90 feet to the point where said center line of said Seminary Road intersects the south right of way line of the Washington and Old Dominion Railway; thence with said south right of way line, south 77° 35' east 1885.80 feet, more or less, to the center line of the channel of Four Mile Run; thence down the mid-channel line of said Four Mile run following the meanderings thereof as the same passes under the Washington-Virginia Railway, the Washington and Alexandria Road and extending to the intersection of said Run with the Potomac River; thence following along the meanderings of the west shore line of said Potomac River, southwardly to the point where the present Corporate Limits of Alexandria City intersect said shore line; thence departing from said River and following along the north corporation line of said City as the same was fixed prior to March 22nd, 1915, in a direction bearing north 80° 39' west to the northwest corner of said corporate limits; thence continuing said north corporation line north 80° 39' west 4353.86 feet to a corner stone on the north side of the Braddock Road; thence south 30° 11' west 2107.16 feet to a corner stone on the south side of Janney's Lane, 50 feet from the west side of the Leesburg Pike; thence south 1° 22' east 889.07 feet along the western boundary line of George Washington Park subdivision to a corner stone; thence south 24° 38' east 830.86 feet along the George Washington Park subdivision to a corner stone; thence south 4° 36' east 261.98 feet along the western boundary line of George Washington Park subdivision to a corner stone; thence south 5° 09' east 1108.49 feet to a corner stone on

the east side of Roberts Lane and the south side of the Little River Turnpike; thence south 6° 55' 30" east along the east side of Roberts Lane and the projection of the said east side of Roberts Lane 1988 feet, more or less, to the point of beginning. The above described property is shown upon the map attached to this ordinance as the portion included within the red lines drawn on said map, and the said map is made a part of this description and of this ordinance by reference.

2. The City Council of Alexandria doth hereby set forth the necessity for and the expediency of the proposed annexation that is to say:

(1) That the crowded and congested conditions at present prevailing in almost every section of the city may be relieved by adding sufficient territory to the corporate limits of the city not built upon, but adapted to city improvements, so as to afford cheap and desirable locations for the erection of commodious, healthful and beautiful residences.

(2) That the present and prospective systems of public improvements of the city, such as the establishment of grades of streets and alleys, the plans of construction of sewers, culverts, drains, and gas mains, may be designed, adjusted and made so as to avoid the unnecessary annoyance and damage necessarily occurring where property is built upon and developed before such systems are designed, acquired and made.

(3) That a large part of the territory proposed to be annexed is subdivided into building lots and is thickly populated and empties its sewerage by means of private sewers, cesspools, seepage, drainage and otherwise into Hooff's Run

running through the City of Alexandria, and the said city for sanitary and health reasons, and because the said run constitutes a nuisance will be obliged to enclose this stream in a sewer at great expense without means of obtaining any contribution from this territory for the construction, use or maintenance of said sewer, unless the said territory is annexed to this city.

(4) The fact that a part of the territory proposed to be annexed is already built upon, though without any sufficient system of sewers or other improvements, makes it not only expedient, but necessary that some complete system of sewerage be promptly provided for the proper sanitation and improvement of such territory.

(5) That within the territory proposed to be annexed there are numerous locations where the houses and population are more or less dense, which necessitates better police and fire protection and street lights than the counties of Arlington and Fairfax are enabled, with the means at their command, to afford to such communities, and, as a result it endangers the safety of life and property not only without but also within the corporate limits.

(6) That there has been for a number of years past suburban development and subdivisions of property into lots in a number of sections of the territory proposed to be annexed from Arlington County, which lie just outside the City of Alexandria, and in the line of its inevitable growth, and must of necessity become a physical part of the city in the near future; and because of these developments it is highly expedient and essential, if not absolutely necessary, that the sewerage and drainage of this section of Arlington County should

constitute one comprehensive system and be planned on one comprehensive scale, to the end that when the inevitable consolidation of this outlying territory with the City of Alexandria occurs, the people will be saved the loss and waste necessitated by the abandonment and replacement of inadequate sewers, drains and water supply systems, which have been and are being constructed in the development of suburban property, suitable only to each development and not with reference to future consolidation of the entire territory.

(7) Because at this time wide and beautiful avenues, streets and parks may be laid out and graded at an expense for direct and consequential damages that would be small compared with such expenses a few years hence when the territory proposed to be annexed shall have been built up and property values very largely enhanced.

(8) Because in the territory proposed to be annexed there is no adequate and sanitary provision for the collection and disposal of garbage, with the result that not only the health of the people in this territory, but also of the people in the residue of the county and in the City of Alexandria, is jeopardized and endangered.

3. The City Council of Alexandria hereby sets forth the terms and conditions upon which it desires to make the proposed annexation, and proposes for the future management of the annexed property, the following:

(1) The City Council of Alexandria will assume and provide for the reimbursement of the counties of Arlington and Fairfax, respectively of a just proportion of any existing debt of said counties, or any district therein,

and also for the reimbursement to said counties for the value, at the time of said annexation, of such permanent public improvements as may have been made in the territory annexed, both by way of macadamizing public roads and streets, and by way of the construction of concrete roads and streets, and by otherwise permanently improving roads and streets, and by constructing concrete sidewalks on public roads and streets, and by constructing and laying water mains, sewers, garbage disposal systems, fire protection facilities, bridges and any other permanent public improvement, constructed and maintained by the said counties or either of them at the time of annexation, as may be determined by the Court in the proceedings for annexation, the Court in the determination of such value to consider the value of such public improvements to the City of Alexandria as well as to the said counties of Arlington and Fairfax, provided the cost of such public improvements is not embraced in the proportion of the debt of said counties of Fairfax and Arlington or any district therein, which is to be assumed and provided for by said City of Alexandria as aforesaid: and provided, further, that the said City of Alexandria shall receive credit, upon a just basis, to be determined by the Court in said proceedings, for such sums, if any, as the said City may have contributed to said public improvements; and provided, further, that the authorities of the said counties of Fairfax and Arlington or the authorities of any town or township included in the territory described hereinbefore shall not, between the entry of the decree of annexation and the date when the same is to become effective,

make or contract to make any permanent public improvements, to be paid for by the said City of Alexandria, without the consent of the said city and the supervision of its city manager.

Further, the City Council of Alexandria will also make compensation to the said counties of Arlington and Fairfax, respectively, for the value at the time of annexation, of any schoolhouse or other public building of either of said counties located within the annexed territory, and like compensation for any injury to the value or the impairment of the use of the said counties of any schoolhouse therein by reason of the annexation made.

(2) That the tax rate upon the land within the annexed territory shall not be increased beyond the rate assessed by the counties of Arlington and Fairfax, respectively, for their purposes at the time of the annexation under this ordinance for a period of five years after such annexation, except upon the petition of a majority of the voters of such territory presented to the Council of the City Council of Alexandria.

(3) That all revenues derived by the City Council of Alexandria from taxation in said territory during the first period of five years, either on property or from other sources including licenses, shall be wholly expended by the City Council of Alexandria upon streets, sewers, light, water or other public improvements in said territory; provided, however, that at any time within the said five years the Council of the City Council of Alexandria may, by ordinance, set apart a sum equal to twelve per centum of the assessed value, at the time of annexation, of the land annexed, or

of such part thereof as may be determined upon by said Council, which sum so set apart shall be wholly expended in public improvements in and for the benefit of the annexed territory, or part thereof as may be determined as aforesaid and when said sum shall have been so set apart and said public improvements shall have been substantially completed, the land annexed or part thereof, as aforesaid, shall be subject to city tax rate, and the proceeds thereof shall be paid into the city treasury along with all other taxes and licenses in such territory for general purposes, although said five years shall not have elapsed, provided that said sum to be set apart and expended shall be reduced by the sum already expended on said improvements under any other plan of annexation; and provided said sum shall also be reduced by the amount of any debt of any town that may be included in the territory so annexed, and provided, further, that out of the proceeds of sale of the next issue of bonds by the City Council of Alexandria after such annexation the said sum equal to the said twelve per centum of the assessed value at the time of annexation of the land annexed, reduced by the sum hereinbefore mentioned, shall be set apart and expended in said territory as hereinbefore directed, unless said sum has been already so expended.

(4) That all county levies imposed on persons and property within such territory for the current fiscal year in which said annexation is made, shall be paid to the counties of Arlington and Fairfax respectively.

(5) That the taxes assessed, collected and expended during the said period of five years shall be

so assessed, collected and kept that the same may be expended as hereinbefore provided in the territory of the particular ward from which it was so collected until and unless a sum be set apart equal to twelve per centum of the assessed value at the time of annexation of the lands annexed, and when said sum shall have been so set apart, and the public improvement shall have been substantially completed, the land annexed shall be subject to the city tax rate.

(6) That the City Council of Alexandria will, as soon as annexation is accomplished afford police and fire protection and public school facilities to the citizens residing in the annexed territory and will, with all reasonable dispatch, afford and furnish other public facilities and improvements to said citizens as provided by law.

(7) That in the annexed territory no new streets or alleys shall be opened or projected except with the consent and approval of the Council of the City Council of Alexandria.

4. That the City Attorney be, and he is hereby, instructed to institute and prosecute, with as little delay as possible, the necessary legal proceedings in order to annex to the City Council of Alexandria, by proper decree and judgment of the Circuit Court of the County of Arlington, the same being the Circuit Court of the county wherein the greater part of such territory lies, the territory hereinbefore accurately described, upon the terms and conditions hereinbefore set forth.

5. This ordinance shall be in force from and after its passage.

Adopted by the Council of the
City Council of Alexandria, Vir-
ginia, October 18, 1927.

Approved October 18, 1927.

(Signed)

W. ALBERT SMOOT,
Mayor.

I, W. R. P. Taylor, Clerk of the
Council of the City Council of Al-
exandria, Virginia, do certify that
the foregoing is a true copy of
the ordinance which was duly in-
troduced before the said Council
on the 14th day of October, 1927,
and passed by the said Council on
the 18th day of October, 1927, by
a recorded affirmative vote of a
majority of all the members elect-
ed to said Council, the member-
ship of that body at that time
consisting of five members, and
all of said members voting in fa-
vor of said ordinance, and the
said ordinance was approved by
the Mayor of the City Council of
Alexandria on the 18th day of
October, 1927.

Given under my hand this 18th
day of October, 1927.

W. R. P. TAYLOR,
Clerk of Council.



MAP
TO ACCOMPANY
ANNEXATION ORDINANCE
City of
ALEXANDRIA
SCALE
1" = 1000 FEET



POTOMAC RIVER
POTOMAC
ALEXANDRIA