

EXHIBIT NO. 1

25
9-9-03

Introduction and first reading:	9/09/03
Public hearing:	9/13/03
Second reading and enactment:	9/13/03

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to approve and authorize the conveyance of certain real property and permanent easements to the Commonwealth of Virginia, Department of Transportation, for public right-of-way purposes.

Summary

The proposed ordinance approves and authorizes the conveyance to the Commonwealth of Virginia, Department of Transportation, of certain real property and permanent easements for public right-of-way purposes in connection with the Woodrow Wilson Bridge project. The City will receive approximately \$2.7 million for the property.

Sponsor

Staff

Richard Baier, Director of Transportation and Environmental Services
Ignacio B. Pessoa, City Attorney

Authority

§ 2.03(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

EXHIBIT NO. 2

ORDINANCE NO. _____

AN ORDINANCE to approve and authorize the conveyance of certain real property and permanent easements to the Commonwealth of Virginia, Department of Transportation, for public right-of-way purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the conveyance by the City of Alexandria to the Commonwealth of Virginia, Department of Transportation, of certain real property and permanent easements, as more particularly described in the deed attached hereto, which description is incorporated herein fully by reference, for public right-of-way purposes, be, and the same hereby is, approved and authorized.

Section 2. That the city attorney, city manager and city clerk, respectively, be, and the same hereby are, authorized to approve, execute, attest and deliver on behalf of the City, a deed of conveyance in substantial conformity with the deed attached hereto, and to do and perform all other acts necessary or proper to effect the conveyance hereby approved and authorized.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage; provided, however, that no transfer of any interest in the lands subject to this ordinance shall be effective until a deed of conveyance shall have been executed and delivered to the grantee as herein provided, and the execution and delivery of such deed shall be conclusive evidence of compliance with the provisions of this ordinance.

WILLIAM D. EUILLE
Mayor

Attachment: Deed of Conveyance

Introduction: 9/9/03
First Reading: 9/9/03
Publication:
Public Hearing:
Second Reading:
Final Passage:

**PREPARED BY VDOT
UNDER SUPERVISION OF THE
OFFICE OF THE ATTORNEY GENERAL**

Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(4), 58.1-3315, 25-249,
42.1-70 and 17.1-279.D.

THIS DEED, made this ____ day of _____, 200__, by and between the CITY OF ALEXANDRIA, VIRGINIA, a Municipal Corporation, Grantor, and the COMMONWEALTH OF VIRGINIA, acting by and through its Department of Transportation, Grantee;

WITNESSETH: THAT WHEREAS, the Council of the City of Alexandria, Virginia, at its meeting on _____, duly authorized the conveyance to the Commonwealth of Virginia, Department of Transportation, of certain lands.

NOW, THEREFORE, for and in consideration of the sum of \$2,712,193.00, paid by the Grantee to the Grantor, receipt of which is hereby acknowledged, the Grantor hereby grants and convey unto the Grantee with special warranty the following described land, all of which lies in the City of Alexandria Virginia:

Parcel 018

Being as shown on Sheets 3(2) and 4(2) of the plans for Route 95, State Highway Project 0095-96A-106, RW201, and beginning on the Northeast (left) side of the Inner Loop Local baseline from the lands now or formerly belonging to Carlyle Development Corporation opposite approximate Station 361+84 to the lands now or formerly belonging to Hooff Fagelson Tract, LLC opposite approximate Station 371+39 and containing 0.5201 acre (22,656 square feet), more or less, land, together with the permanent right and easement to use the additional area shown as being required for the proper construction and maintenance of Ramps K & L from opposite approximate Ramp K/L baseline Station 326+91 to opposite approximate Ramp L baseline Station 336+29 and containing 3.0191 acres (131,512 square feet), more or less, and being a part of the same land acquired by the landowner from William F. Banks, Trustee, by deed dated July 22, 1981, and recorded in Deed Book 1028, Page 459; in the office of the Clerk of the Circuit Court of said City.

Parcel 026

Being as shown on Sheets 19(2) and 20(2) of the plans for Route I-95, State Highway Project 0095-96A-106, RW201, and beginning on the West (left) side of the Route 1 baseline from a point in the

lands of the landowner opposite approximate Station 146 + 14.37 to the lands of the Commonwealth of Virginia, being the South right of line for Franklin Street, opposite approximate Station 152 + 22.25 and containing 0.2462 acre (10,724 square feet), more or less, land, together with the permanent right and easement to use the additional areas shown as being required for the proper construction and maintenance of sound walls from opposite approximate Ramp H baseline Station 152 + 36.90 to opposite approximate Station 152 + 75 and from opposite approximate Route 1 baseline Station 145 + 93.01 to opposite approximate Station 152 + 21.89 containing 0.0763 acre (3,324 square feet), more or less, together with the temporary right and easement to use the additional area shown as being required for the proper construction of Route 1 and containing 0.1970 acre (8,581 square feet), more or less. Said temporary easement will terminate at such time as the construction of the aforesaid project is completed, and being a part of the same land acquired by the landowner from Vaughn B. Connelly and M. Louise Connelly, by deed dated September 15, 1947, and recorded in Deed Book 252, Page 450; in the office of the Clerk of the Circuit Court of said City.

Parcel 265

Being as shown on Sheet 19(2) of the plans for Route 95, State Highway Project 0095-96A-106,RW201 and beginning on the North (right) side of the Ramp H Baseline from a point in the lands of the landowner opposite approximate Station 155+66.65 to the lands now or formerly belonging to The City of Alexandria, Virginia Sanitation Authority opposite approximate Station 156+30.18 and containing 0.0037 acre (161 square feet), more or less, land, together with the temporary right and easement to use the additional area shown as being required for the proper construction of Ramp H and containing 0.0175 acre (762 square feet), more or less. Said temporary easement will terminate at such time as the construction of the aforesaid project is completed, and being a part of the same land known as Payne Street shown on a plat in deed dated June 1, 1956, and recorded in Deed Book 449, Page 617; in the office of the Clerk of the Circuit Court of said City.

Parcel 267

Being as shown on Sheet 21(2) of the plans for Route I-95, State Highway Project 0095-96A-106,RW201, and beginning on the Southeast (right) side of the Ramp E baseline from the lands now or formerly belonging to the Waggaman Family Trust, Trustees opposite approximate Station 135 + 11 to the lands now or formerly belonging to Michael D. Kubicek, opposite approximate Station 135 + 86 and containing 0.0178 acre (775 square feet), more or less, land, together with the temporary right and easement to use the additional area shown as being required for the proper construction of Ramps D & E and containing 0.0407 acre (1,773 square feet), more or less. Said temporary easement will terminate at such time as the construction of the aforesaid project is completed, and being a part of the same land that is public right of way for Patrick Street adjacent to Hunting Creek.

For a more particular description of the land herein conveyed, reference is made to photocopies of Sheets No. 3(2), 4(2), 19(2), 20(2), and 21(2) showing outlined in RED the land conveyed in fee simple, in ORANGE the temporary construction easements, in GREEN the permanent wall easements, in LAVENDER the permanent aerial easement, in YELLOW the Dominion Virginia Power easement, in LIGHT BLUE the Virginia American Water Company utility easement, and in PURPLE the sanitary

sewer utility easement, which photocopies are hereto attached as a part of this conveyance and recorded simultaneously herewith in the State Highway Plat Book _____, Page _____.

AND FURTHER WITNESSETH: THAT WHEREAS, all or part of Route 0095 has been designated as a Limited Access Highway in accordance with the provision of Article 4, Chapter 1, Title 33.1 of the 1950 Code of Virginia, as amended;

NOW, THEREFORE, for the aforesaid consideration the Grantor doth also hereby grant and convey unto the Grantee with special warranty any and all easements of access, light or air, incident to the lands of the Grantor abutting upon the Limited Access Highway, and/or upon any of its ramps, loops, or connections at and with intersecting highways, the line or lines along which the easements herein conveyed lie being described as follows:

Parcel 018 From a point lying on the North Proposed Right of Way and Limited Access Line opposite approximate Station 361+84 (Inner Loop Local baseline), the lands now or formerly belonging to Carlyle Development Corporation, thence along said Proposed Right of Way and Limited Access Line to opposite approximate Station 371+39, the lands now or formerly belonging to the Hoff-Fagelson Tract, LLC, and thence opposite approximate Station 155+66.65 (Ramp H baseline), a point in the lands of the landowner, thence along said Proposed Right of Way and Limited Access Line to opposite approximate Station 156+30.18 the lands now or formerly belonging to The City of Alexandria, Virginia Sanitation Authority and shown in BLUE on said photo copy.

Parcel 026 From a point lying on the West Proposed Right of Way and Limited Access Line opposite approximate Station 146 + 14.37 (Route 1 baseline), being a point in the lands of the landowner, thence along said Proposed Right of Way and Limited Access Line to opposite approximate Station 152 + 22.25, the lands now or formerly belonging to the Commonwealth of Virginia, being the South right of way line for Franklin Street, and shown in BLUE on said photo copy.

Parcel 267 From a point lying on the South Proposed Right of Way and Limited Access Line opposite approximate Station 135 + 11 (Ramp E baseline), the lands now or formerly belonging to Waggaman Family Trust, thence along said Proposed Right of Way and Limited Access Line to opposite approximate Station 135 + 86, the lands now or formerly belonging to Michael D. Kubicek, and shown in BLUE on said photo copy.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect its property have been fully explained to its authorized representative.

The Grantor covenants that it has the right to convey the land to the Grantee; that it has done no act to encumber the same; and that it will execute such further assurances of the same as may be requisite.

The Grantor covenants and agrees for itself, its successors and assigns, that the consideration hereinabove mentioned and paid to it shall be in lieu of any and all claims to compensation for land, and for damages, if any, to the remaining lands of the Grantor which may result by reason of the use to which the Grantee will put the land to be conveyed, including such drainage facilities as may be necessary.

WITNESS the following signature and seal:

CITY OF ALEXANDRIA, VIRGINIA, a Municiple Corporation

BY _____ (SEAL)

TITLE: _____