

16
1-13-01

24
~~1-13-01~~

Introduction and first reading:	1/9/01
Public hearing:	1/13/01
Second reading and enactment:	1/13/01

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to vacate a part of the public street and alley right-of-way adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

Summary

The proposed ordinance vacates two outlot parcels, totaling 2,252 square feet, adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

Sponsor

Staff

Eileen Fogarty, Director, Planning and Zoning
Ignacio B. Pessoa, City Attorney

Authority

§ 2.03, Alexandria City Charter
§ 15.2-2008, Code of Virginia (1950), as amended

Estimated Costs of Implementation

None

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

None

16
1-13-01 ~~24~~
1-9-01

ORDINANCE NO. _____

AN ORDINANCE to vacate a part of the public street and alley right-of-way adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

WHEREAS, Edward P. Ford and Lisa Haskins ("Applicants"), the owners of the property at 930 South Saint Asaph Street in the City of Alexandria, Virginia, have applied for the vacation of a portion of the right-of-way of Church Street and a public alley adjacent to Applicants' property, consisting of 2,252 square feet of land, more or less; and

WHEREAS, the areas to be vacated are shown as "Outlot A" and "Outlot B" on the plats prepared by Kenneth W. White and dated August 14, 2000 ("Plats") (attached hereto); and

WHEREAS, the vacation 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, Lee Roy Steele, Chair; Ruby FitzGerald and Cathy Major, have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, and 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 City of Alexandria has required that, as a condition of this vacation, the right-of-way to be vacated by this ordinance be purchased by the Applicants; and

WHEREAS, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of compliance with the conditions set forth in this ordinance, including the payment of \$9,900, the Council of the City of Alexandria has concluded that the public street 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 Outlots A and B shown on the Plats be, and the same hereby are, vacated, provided that the said Outlots A and B shall be purchased by the Applicants or their successors in interest, within 12 months of the effective date of this ordinance, for the sum of \$9,900, and if not so purchased, this vacation and this ordinance shall be void.

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

(1) The Applicants shall submit to the directors of planning and zoning and transportation and environmental services a letter from the owner of the adjoining St. Mary's Catholic Church, relinquishing such owner's rights to acquire the portions of the vacated Outlots abutting the Church property.

(2) The vacated right-of-way shall be consolidated with the existing abutting lot at 930 South Saint Asaph Street, and the plat of consolidation approved by the directors of planning and zoning and transportation and environmental services and recorded among the land records.

(3) Easements to the satisfaction of the director of transportation and environmental services shall be retained by the City or granted by the Applicants for all public and private utilities located within the vacated right-of-way, and for any storm drainage facilities planned or constructed by the City within the vacated right-of-way, and all such easements shall be shown on the plat of consolidation.

(4) In the event evidence of burials (*i.e.*, human remains, coffin wood or coffin hardware) is discovered during construction on the existing lot at 930 South Saint Asaph Street, or on the Outlots during construction, the Applicants and the agents of the Applicants must cease work in the area immediately and call Alexandria Archaeology (703-838-4399). A City Archeologist will come to the site to confirm the presence of burials. If burials are found and need to be moved, as determined by the City Archeologist, the Applicants shall be responsible for exhumation and reinterment and for securing all necessary approvals therefor. The language of this condition must appear on the plot plan and construction drawings, so that on site contractors are aware of the requirements imposed by this condition.

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.

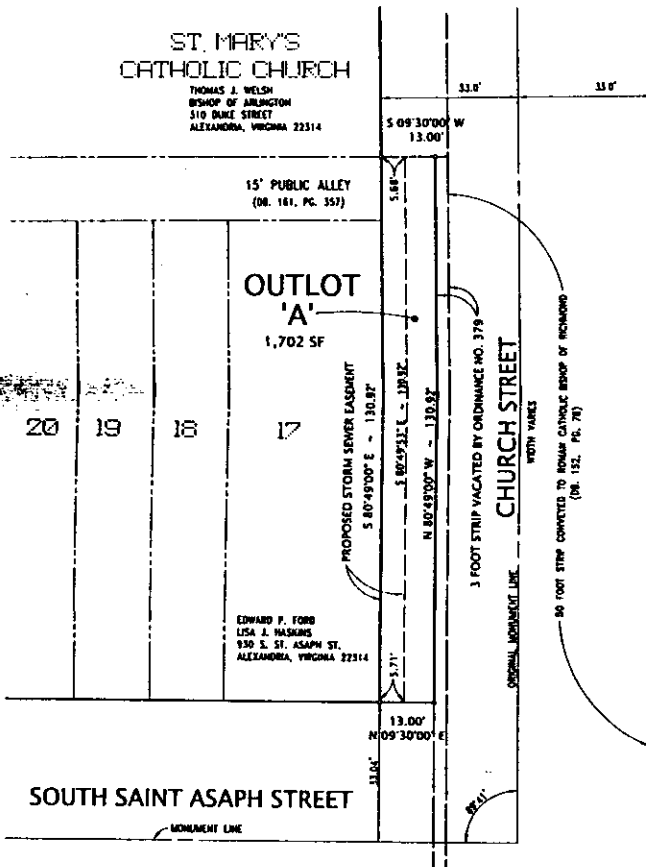
Section 4. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be deemed to be enacted on the date of its final passage, but shall not be effective until a copy of the ordinance has been certified by the city clerk and has been recorded among the city land records as deeds are recorded. Certification by the city clerk shall be conclusive evidence of the Applicants' compliance with the terms of this ordinance, except as to Condition 4 of Section 2. Recondition of the certified ordinance shall be indexed in the name of the CITY OF ALEXANDRIA as grantor, and EDWARD P. FORD AND LISA HASKINS, or their successors in interest, as grantees, and such recondition shall be done by the grantees at their own expense.

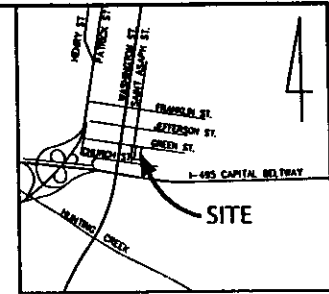
KERRY J. DONLEY
Mayor

[Attachment: Vacation Plats]

Introduction: 1/9/01
First Reading: 1/13/01
Publication: 1/11/01
Public Hearing: 1/13/01
Second Hearing:
Final Passage:



9
11-18-00



VICINITY MAP
SCALE: 1" = 2000'

- NOTES:
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80.04-D4 AND IS ZONED RM.
 2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
 3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

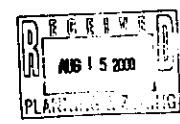
I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF CHURCH STREET AS SHOWN UPON A PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 161 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT.

GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



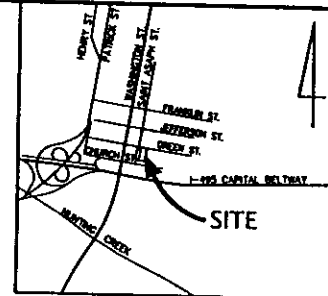
Kenneth W. White
KENNETH W. WHITE L.S.



PLAT
SHOWING THE VACATION OF
A PORTION OF
CHURCH STREET
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306

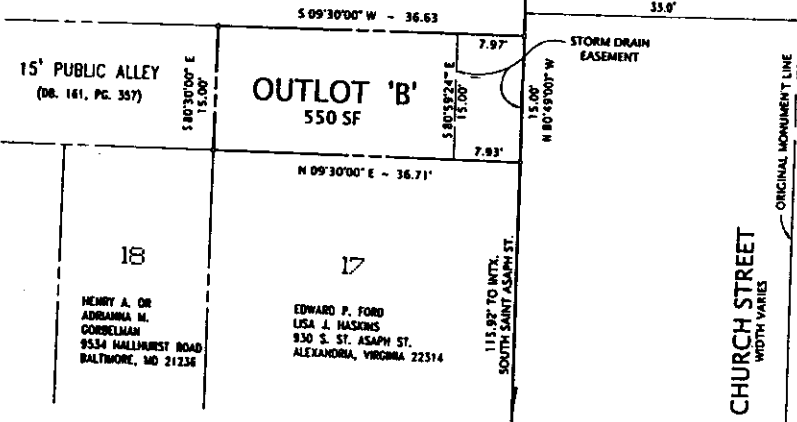
VAC #2000-0007
(vacation of portion of Church St)



VICINITY MAP
SCALE: 1" = 2000'

**ST. MARY'S
CATHOLIC CHURCH**

THOMAS J. WELSH
BISHOP OF ARLINGTON
310 DUKE STREET
ALEXANDRIA, VIRGINIA 22314



NOTES:

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80.04-04 AND IS ZONED RM.
2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF A 15 FOOT ALLEY DEDICATED WITH THE PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 181 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES;

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT.

GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



Kenneth W. White
KENNETH W. WHITE L.S.

VAC #2000-0007

(vacation of portion of St Asaph St)

PLAT
SHOWING THE VACATION OF
A PORTION OF
A 15 FOOT PUBLIC ALLEY
IN

COLONIAL PROPERTIES SUBDIVISION

CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306

SHEET 1 OF 1

00-81-11
b

ORDINANCE NO. 4184

AN ORDINANCE to vacate a part of the public street and alley right-of-way adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

WHEREAS, Edward P. Ford and Lisa Haskins ("Applicants"), the owners of the property at 930 South Saint Asaph Street in the City of Alexandria, Virginia, have applied for the vacation of a portion of the right-of-way of Church Street and a public alley adjacent to Applicants' property, consisting of 2,252 square feet of land, more or less; and

WHEREAS, the areas to be vacated are shown as "Outlot A" and "Outlot B" on the plats prepared by Kenneth W. White and dated August 14, 2000 ("Plats") (attached hereto); and

WHEREAS, the vacation 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, Lee Roy Steele, Chair; Ruby Fitzgerald and Cathy Major, have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, and 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 City of Alexandria has required that, as a condition of this vacation, the right-of-way to be vacated by this ordinance be purchased by the Applicants; and

WHEREAS, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of compliance with the conditions set forth in this ordinance, including the payment of \$9,900, the Council of the City of Alexandria has concluded that the public street right-of-way is no longer needed for public use and that it is in the public interest that it be vacated; therefore,

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Section 1. That Outlots A and B shown on the Plats be, and the same hereby are, vacated, provided that the said Outlots A and B shall be purchased by the Applicants or their successors in interest, within 12 months of the effective date of this ordinance, for the sum of \$9,900, and if not so purchased, this vacation and this ordinance shall be void.

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

(1) The Applicants shall submit to the directors of planning and zoning and transportation and environmental services a letter from the owner of the adjoining St. Mary's Catholic Church, relinquishing such owner's rights to acquire the portions of the vacated Outlots abutting the Church property.

(2) The vacated right-of-way shall be consolidated with the existing abutting lot at 930 South Saint Asaph Street, and the plat of consolidation approved by the directors of planning and zoning and transportation and environmental services and recorded among the land records.

(3) Easements to the satisfaction of the director of transportation and environmental services shall be retained by the City or granted by the Applicants for all public and private utilities located within the vacated right-of-way, and for any storm drainage facilities planned or constructed by the City within the vacated right-of-way, and all such easements shall be shown on the plat of consolidation.

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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.

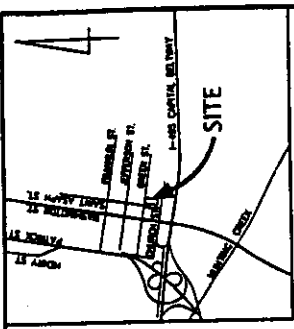
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KERRY J. DONLEY
Mayor

[Attachment: Vacation Plats]

Final Passage: January 13, 2001



VICINITY MAP
SCALE: 1" = 2000'

NOTES:

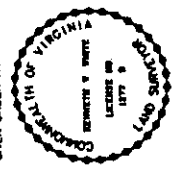
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80-04-04 AND IS ZONED RM.
2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
3. NO BILE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE SITE AS DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SITE IS A PORTION OF CHURCH STREET AS SHOWN UPON A PLAT OF COLONIAL PROPERTIES SURVEYED AND RECORDED IN DEED BOOK 161 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

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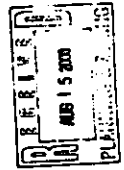
GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



Kenneth W. White
KENNETH W. WHITE..... L.S.

PLAT
SHOWING THE VACATION OF
A PORTION OF
CHURCH STREET
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20'
AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH BRASS HIGHWAY
ALEXANDRIA, VIRGINIA 22308



11-18-00
9

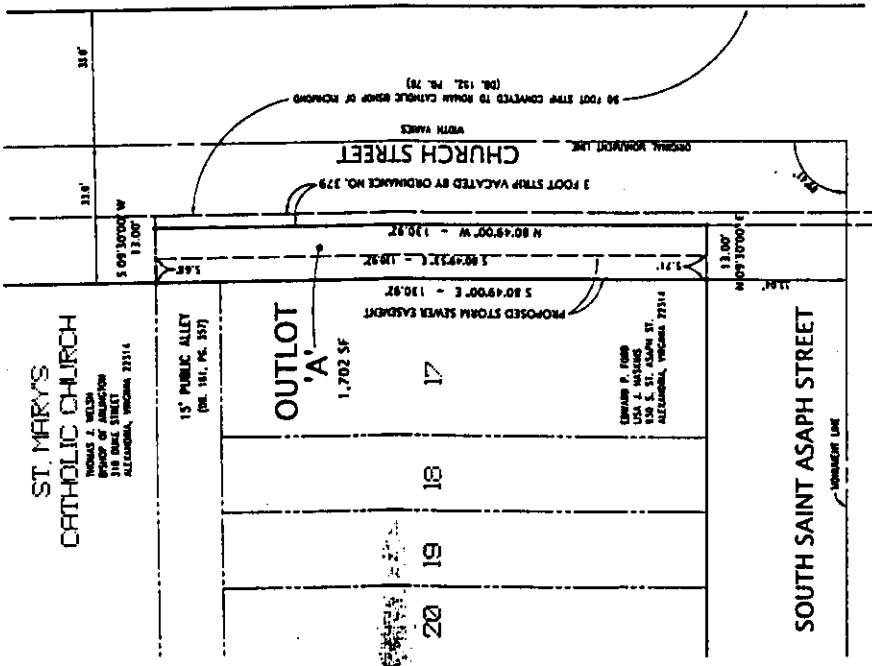
VAC #2000-0007

(vacation of portion of Church St)

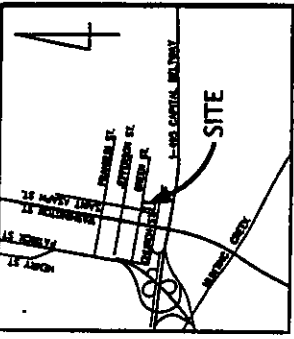
SHEET 1 OF 1

503.00

11-18-00
9



ST. MARY'S CATHOLIC CEMETERY



VICINITY MAP
SCALE: 1" = 2000'

- NOTES:
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80.04-04 AND IS ZONED R4.
 2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
 3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF A 15 FOOT ALLEY DEDICATED WITH THE PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 161 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

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GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



Kenneth W. White
KENNETH W. WHITE..... U.S.

VAC 87000-0007

(vacation of portion of St. Alph St)

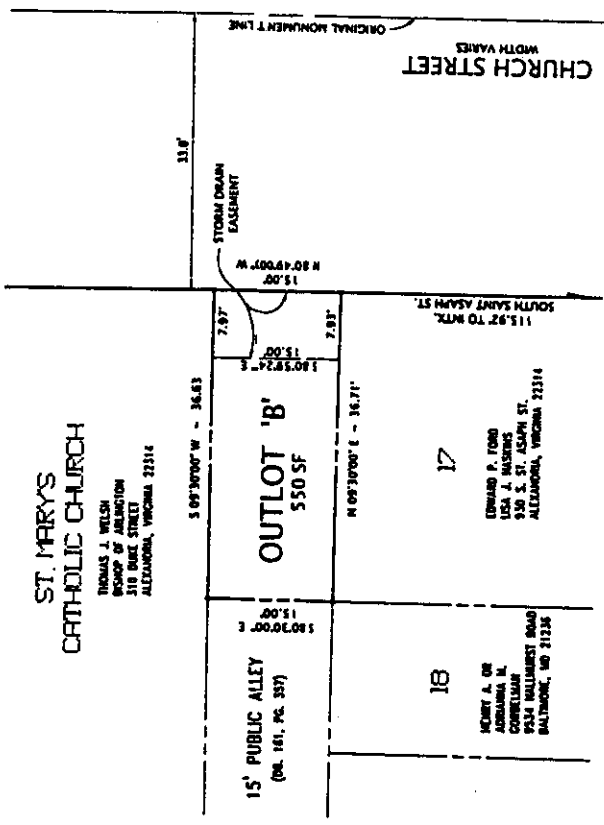
PLAT
SHOWING THE VACATION OF
A PORTION OF
A 15 FOOT PUBLIC ALLEY
IN

COLONIAL PROPERTIES SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10'
AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
8343 SOUTH BURNS HIGHWAY
ALEXANDRIA, VIRGINIA 22308

SHEET 1 OF 1

503-00



ST. MARYS
CATHOLIC CHURCH
THOMAS J. WELSH
BISHOP OF ARLINGTON
310 BUICE STREET
ALEXANDRIA, VIRGINIA 22314

15' PUBLIC ALLEY
(OR. 161, PG. 357)

OUTLOT 'B'
550 SF

17
EDWARD P. TONO
LISA J. HASTINGS
930 S. ST. ASAPH ST.
ALEXANDRIA, VIRGINIA 22314

18
HENRY A. DE
ARMAS
CORBETTA M.
CORBETTA
8532 HOLLIMIST ROAD
BALTIMORE, MD 21218

00-81-11
9

#16 11/3/01

RELEASE OF VACATION ORDINANCE AND PLAT

TO: BEVERLY JETT, CITY CLERK/CLERK OF COUNCIL

FROM: DEPARTMENT OF PLANNING & ZONING

Vacation #4184 for a portion of the right-of-way of Church Street and a public alley adjacent to 930 South Saint Asaph Street was approved by City Council on January 13, 2001 by Ordinance #4184.

The City Clerk is hereby authorized to release a certified copy of the ordinance which constitutes conclusive evidence that all necessary steps have been completed to effect this vacation as indicated below:

1. Planning Commission - Public Hearing

Date: November 9, 2000 Action: Recommend approval.

2. City Council - Public Hearing

Date: November 18, 2000 Action: Approved.

3. City Council - First Reading of Ordinance

Date: January 9, 2001 Action: Introduction and first reading.

4. City Council - Second Reading of Ordinance:

Date: January 13, 2001 Action: Second reading and final passage.

5. Transportation and Environmental Services: (a) All easements, utilities and other requirements as specified have been executed as required by the Department of Transportation and Environmental Services; (b) On MAY 23, 2002 the applicant paid \$ 9,900.⁰⁰ to T&ES to acquire the subject property, as determined by the Office of Real Estate Assessments.

Date: MAY 23, 2002 Approved by: [Signature]

6. Board of Architectural Review: The applicant has complied with all applicable requirements by the Board of Architectural Review.

Date: 3/8/02 Approved by: [Signature]

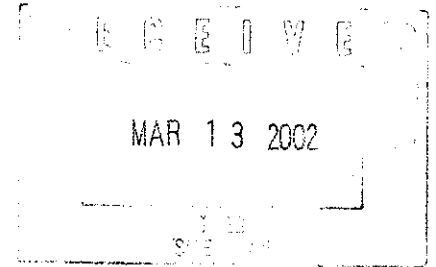
7. City Attorney: On _____, the deed of vacation was reviewed and signed by the City Manager to vacate the subject property.

Date: 4-26-02 Approved by: [Signature]

8. Planning and Zoning: The applicant has complied with all applicable requirements as specified by the Zoning Ordinance.

Date: 5/24/02 Approved by: [Signature]

NOTE: After completion of #1 thru #4 above, return a copy of this form to Planning & Zoning (Linda Ritter) for data entry into Permit*Plan system.



CERTIFICATION

I, Susan K. Seagroves, Deputy City Clerk, do hereby certify that the attached is a true copy of Ordinance No. 4184 which was passed by the Alexandria City Council at its Public Hearing Meeting held on January 13, 2001.

Dated this 24th day of May 2002.

Susan K. Seagroves

Susan K. Seagroves, Deputy City Clerk
City of Alexandria, Virginia

ORDINANCE NO. 4184

AN ORDINANCE to vacate a part of the public street and alley right-of-way adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

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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, Lee Roy Steele, Chair; Ruby Fitzgerald and Cathy Major, have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, and have made their report in conjunction with this vacation; and

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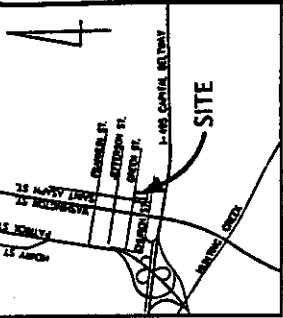
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KERRY J. DONLEY
Mayor

[Attachment: Vacation Plats]

Final Passage: January 13, 2001



VICINITY MAP
SCALE: 1" = 2000'

NOTES:

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80.04-04 AND IS ZONED R1L.
2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF CHURCH STREET AS SHOWN UPON A PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 181 AT PAGE 337 ALONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT. GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



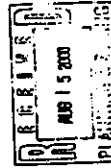
Kenneth W. White
KENNETH W. WHITE
..... U.S.

PLAT
SHOWING THE VACATION OF
A PORTION OF

CHURCH STREET

CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306

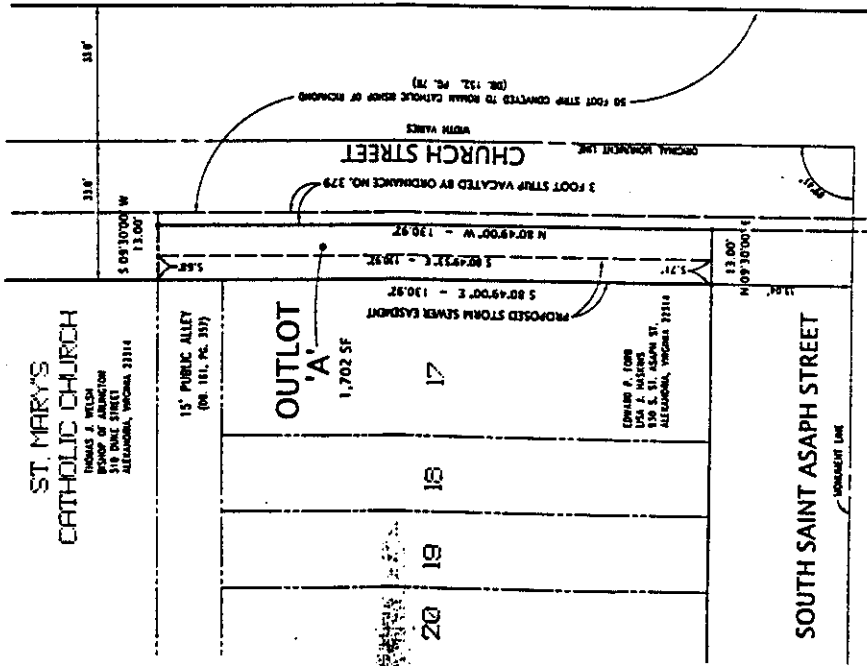


9
11-18-00

SHEET 1 OF 1

503-00

11-18-00
9



ST. MARY'S
CATHOLIC CHURCH
THOMAS A. WELCH
BISHOP OF ALEXANDRIA
519 DUNE STREET
ALEXANDRIA, VIRGINIA 22314

15' PUBLIC ALLEY
(OR. 181, PG. 297)

OUTLOT
'A'
1,702 SF

17
18
19
20

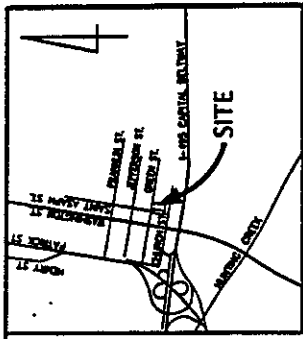
CELESTINE P. JONES
LISA J. HAYDEN
115 S.W. GARDNER ST.
ALEXANDRIA, VIRGINIA 22314

SOUTH SAINT ASAPH STREET

ST. MARY'S
CATHOLIC CHURCH

VAC #2000-0007

(vacation of portion of Church St)



VICINITY MAP
SCALE: 1" = 2000'

- NOTES:
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80-04-04 AND IS ZONED RM.
 2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
 3. NO FILE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DAILY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF A 15 FOOT ALLEY DEDICATED WITH THE PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 181 AT PAGE 337 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT.
GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.



VAC #27000-0007
(vestigation of portion of St. Asaph St)

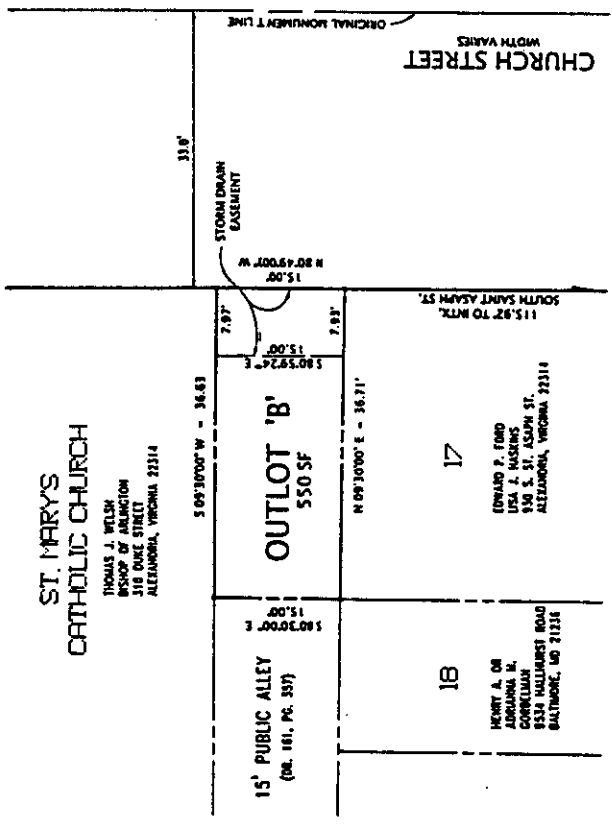
PLAT
SHOWING THE VACATION OF
A PORTION OF
A 15 FOOT PUBLIC ALLEY
IN

COLONIAL PROPERTIES SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
8343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306

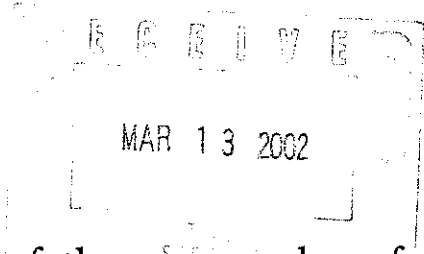
SHEET 1 OF 1

503-00



9
11-12-00

DEED OF VACATION



THIS DEED OF VACATION is made as of the _____ day of _____, 2002 by and between the CITY OF ALEXANDRIA, a municipal corporation of the Commonwealth of Virginia ("City"), Grantor, and EDWARD P. FORD, and LISA J. HASKINS (also known as LISA HASKINS) Husband and Wife, Grantees.

RECITALS:

WHEREAS, Grantees are the owners of Lot 17 of the Colonial Properties Subdivision, Alexandria, Virginia, generally known as 930 S. St. Asaph Street, Alexandria, Virginia 22314.

WHEREAS, upon the application of the Grantees, the City, by Ordinance #4184 on January 13, 2001, vacated a portion of the right-of-way of Church Street and a public alley adjacent to said property of Grantees, a copy of said Ordinance #4184, certified by the City Clerk, being attached hereto and incorporated herein by reference.

WHEREAS, Ordinance #4184 refers to attached plats of vacation dated August 14, 2000, prepared by Kenneth W. White, L.S., showing the areas to be vacated as "Outlot A" and "Outlot B" on said plats.

WHEREAS, pursuant to Ordinance #4184, Outlot "A" and Outlot "B" of the vacated portion were to be conveyed to Grantees herein if and when certain conditions were met, and all said conditions have been met as evidenced by the certification of the City Clerk and as further provided herein.

Return To:
Rich Greenberg Rosenthal & Costle, LLP
1317 King Street
Alexandria, VA 22314
703/836-7441

CONSIDERATION: \$9,900.00

TMR # 080.04-07-35

GRANTEE'S ADDRESS
930 S. St. Asaph Street
Alexandria, VA 22314

WHEREAS, Ordinance #4184 requires that this Deed of Vacation be conditioned upon the execution of a Deed of Consolidation by the Grantees of the vacated parcels with Grantees' adjoining property and recordation of said Deed of Consolidation immediately after this Deed of Vacation.

WHEREAS, a plat of consolidation dated October 11, 2001, has been prepared by George M. O'Quinn, L.S., entitled "Plat showing a consolidation of Lot 17, Colonial Properties Subdivision, and Outlot "A" and Outlot "B" of a vacated portion of Church Street and of a public alley (Ordinance #4184), City of Alexandria, Virginia," a copy of which has been filed with the director of planning and zoning of the City of Alexandria, Virginia, as required by said Ordinance # 4184, and is attached to the Deed of Consolidation recorded immediately after this Deed of Vacation.

WITNESSETH:

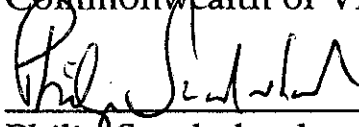
NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00), and of the Recitals which are deemed material and substantive, the City does hereby grant and convey, with General Warranty, unto the Grantees, as tenants by the entireties, all of Outlot "A" and Outlot "B" of the portion of Church Street and of a public alley as vacated by Ordinance #4184, and as more particularly described in attachments A and B hereto both incorporated herein by reference, and as more particularly shown on the plats dated August 14, 2000, prepared by Kenneth W. White, L.S., entitled "Plat showing the vacation of a portion of Church Street in Colonial Properties Subdivision, City of Alexandria, Virginia" and "Plat showing the vacation of a 15 foot public alley in Colonial Properties Subdivision, City of Alexandria, Virginia."

This Deed of Vacation is conditioned upon the execution of a Deed of Consolidation by the Grantees of Outlot "A" and Outlot "B" conveyed herein with Grantees' adjoining property and recordation of said Deed of Consolidation immediately after the recordation of this Deed of Vacation.

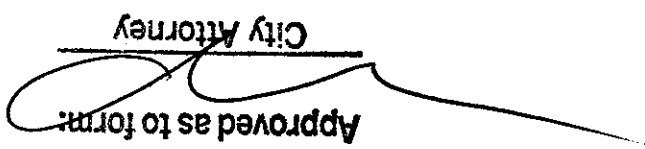
This Deed of Vacation is subject to any easements, reservations and restrictions of records, specifically including, but not limited to the public and private utilities located in the vacated right of way and for any storm drainage facilities planned or constructed within the vacated right-of-way, as such easements are shown on the plats of vacation.

This Deed of Vacation is executed by Philip Sunderland, City Manager, and attested by the City Clerk pursuant to Ordinance #4184.

CITY OF ALEXANDRIA,
a municipal corporation of the
Commonwealth of Virginia



Philip Sunderland
City Manager

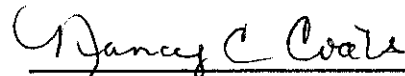
Approved as to form:

City Attorney

Attest:

City Clerk

COMMONWEALTH OF VIRGINIA
CITY OF ALEXANDRIA, to-wit:

This Deed of Vacation was acknowledged before me by Philip Sunderland, City Manager this 6 day of May, 2002.



Notary Public

My Commission expires: 12.31.04.

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY • ALEXANDRIA, VIRGINIA 22306
(703) 660-6615 • FAX (703) 768-7764

August 14, 2000

**DESCRIPTION OF
A PORTION OF
CHURCH STREET
TO BE VACATED
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the northerly right of way line of Church Street and the easterly right of way line of South Saint Asaph Street, said point being a corner common to Lot 17, Colonial Properties Subdivision; thence with the north side of Church Street and Lot 17 S80°49'00"E 130.92 feet to the east side of a 15 foot public alley and a corner common to the St. Mary's Catholic Church property; thence running through Church Street S09°30'00"W 13.00 feet to a point and N80°49'00"W 130.92 feet to a point and N09°30'00"E 13.00 feet to the point of beginning, containing 1,702 square feet or 0.0391 acres of land.

Attachment A
(outlot "A")

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY • ALEXANDRIA, VIRGINIA 22306
(703) 660-6615 • FAX (703) 768-7764

August 14, 2000

**DESCRIPTION OF
A PORTION OF A
15 FOOT PUBLIC ALLEY
TO BE VACATED
BEING A PART OF
COLONIAL PROPERTIES SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the northerly right of way line of Church Street and the westerly side of a 15 foot public alley, said point being a corner common to Lot 17, Colonial Properties Subdivision; thence running with the westerly side of the 15 foot alley and Lot 17 N09°30'00"E 36.71 feet to a corner common to Lot 18; thence running through the 15 foot public alley S80°30'00"E 15.00 feet to a point in the line of Saint Mary's Catholic Church; thence running with the easterly side of the 15 foot public alley and Saint Mary's Catholic Church S09°30'00"W 36.63 feet to a point in the northerly right of way line of Church Street; thence with the northerly right of way line of Church Street N80°49'00"W 15.00 feet to the point of beginning containing 550 square feet or 0.0126 acres.

Attachment B
(Outlot "B")

F O R D H A S K I N S
MAY 15 2002
TREES
SITE PLAN

DEED OF CONSOLIDATION

THIS DEED OF CONSOLIDATION is made as of the _____ day of _____, 2002, by EDWARD P. FORD, and LISA J. HASKINS, Husband and Wife, Grantors and Grantees herein.

RECITALS:

WHEREAS, EDWARD P. FORD, and LISA J. HASKINS are the owners certain land in the City of Alexandria, Virginia, generally known as 930 S. St. Asaph Street, and more particularly described as follows:

Lot 17 of the Colonial Properties Subdivision, Alexandria, Virginia, as the same appears duly dedicated, platted and recorded in Deed Book 161 at Page 357, of the City of Alexandria, Virginia Land Records.

And being the property conveyed unto said owners by Francis T. Slate, by Deed dated September 22, 1997, and recorded September 23, 1997, in Deed Book 1614, Page 0969, among the land records of the City of Alexandria, Virginia.

WHEREAS, the City of Alexandria, Virginia, vacated by Ordinance #4184 all of Outlot "A" and Outlot "B" of the portion of Church Street and of a public alley, and as more particularly described in attachments A and B hereto both incorporated herein by reference, and as more particularly shown on the plats dated August 14, 2000, prepared by Kenneth W. White, L.S., entitled "Plat showing the vacation of a portion of Church Street in Colonial Properties Subdivision, City of Alexandria, Virginia" and "Plat showing the vacation of a 15 foot public alley in Colonial Properties Subdivision, City of Alexandria, Virginia."

Return To:
Rich Greenberg Rosenthal & Costle, LLP
1317 King Street
Alexandria, VA 22314
703/836-7441

CONSIDERATION: \$0.00

TMR # 080.04-07-35

GRANTEE'S ADDRESS
930 S. St. Asaph Street
Alexandria, VA 22314

WHEREAS, the vacated portion were conveyed to Grantors herein if said outlots were consolidated with Grantors' adjacent property at 930 S. St. Asaph Street.

WHEREAS, a plat of consolidation dated October 11, 2001, has been prepared by George M. O'Quinn, L.S., entitled "Plat showing a consolidation of Lot 17, Colonial Properties Subdivision, and Outlot "A" and Outlot "B" of a vacated portion of Church Street and of a public alley (Ordinance #4184), City of Alexandria, Virginia," a copy of which has been filed with the director of planning and zoning of the City of Alexandria, Virginia, as required by said Ordinance # 4184, and is attached hereto and incorporated herein by reference.

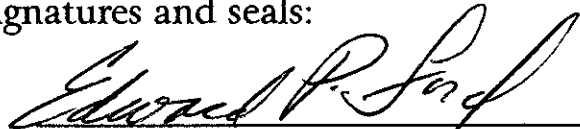
WHEREAS, the Grantors desire to indicate their consent to the consolidation of Lot 17, Colonial Properties Subdivision, and Outlot "A" and Outlot "B" of a vacated portion of Church Street and of a public alley (Ordinance #4184), as shown on said plat of consolidation.


WITNESSETH:

NOW, THEREFORE, for and in consideration of the premises, Grantors do hereby declare that Lot 17, Colonial Properties Subdivision, and Outlot "A" and Outlot "B" of a vacated portion of Church Street and of a public alley (Ordinance #4184), as shown on said plat of consolidation are hereby consolidated into one lot to be known as Lot 517, Colonial Properties Subdivision, as shown on the plat of consolidation.

This consolidation is made with the free consent and in accordance with the desire of the Grantors and in accordance with the statutes of Virginia governing the platting of land, said Plat having been approved by the appropriate officials of the City of Alexandria, Virginia, as evidenced by the signatures of said officials on said Plat.

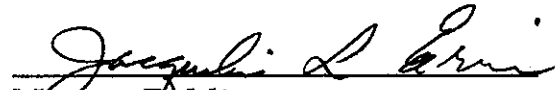
WITNESS the following signatures and seals:


EDWARD P. FORD, Grantor/Grantee


LISA J. HASKINS, Grantor/Grantee

COMMONWEALTH OF VIRGINIA
CITY OF ALEXANDRIA, to-wit:

The foregoing signatures were acknowledged before me by EDWARD P. FORD and LISA J. HASKINS, husband and wife, in the jurisdiction aforesaid this 5th day of March, 2002.


Notary Public

My Commission expires: 1/31/05.

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY • ALEXANDRIA, VIRGINIA 22306
(703) 660-6615 • FAX (703) 768-7764

August 14, 2000

**DESCRIPTION OF
A PORTION OF
CHURCH STREET
TO BE VACATED
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the northerly right of way line of Church Street and the easterly right of way line of South Saint Asaph Street, said point being a corner common to Lot 17, Colonial Properties Subdivision; thence with the north side of Church Street and Lot 17 S80°49'00"E 130.92 feet to the east side of a 15 foot public alley and a corner common to the St. Mary's Catholic Church property; thence running through Church Street S09°30'00"W 13.00 feet to a point and N80°49'00"W 130.92 feet to a point and N09°30'00"E 13.00 feet to the point of beginning, containing 1,702 square feet or 0.0391 acres of land.

Attachment A
(outlot "A")

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY • ALEXANDRIA, VIRGINIA 22306
(703) 660-6615 • FAX (703) 768-7764

August 14, 2000

**DESCRIPTION OF
A PORTION OF A
15 FOOT PUBLIC ALLEY
TO BE VACATED
BEING A PART OF
COLONIAL PROPERTIES SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the northerly right of way line of Church Street and the westerly side of a 15 foot public alley, said point being a corner common to Lot 17, Colonial Properties Subdivision; thence running with the westerly side of the 15 foot alley and Lot 17 N09°30'00"E 36.71 feet to a corner common to Lot 18; thence running through the 15 foot public alley S80°30'00"E 15.00 feet to a point in the line of Saint Mary's Catholic Church; thence running with the easterly side of the 15 foot public alley and Saint Mary's Catholic Church S09°30'00"W 36.63 feet to a point in the northerly right of way line of Church Street; thence with the northerly right of way line of Church Street N80°49'00"W 15.00 feet to the point of beginning containing 550 square feet or 0.0126 acres.

Attachment B
(Outlot "B")

ORDINANCE NO. 4184

AN ORDINANCE to vacate a part of the public street and alley right-of-way adjacent to 930 South Saint Asaph Street, in the City of Alexandria, Virginia.

WHEREAS, Edward P. Ford and Lisa Haskins ("Applicants"), the owners of the property at 930 South Saint Asaph Street in the City of Alexandria, Virginia, have applied for the vacation of a portion of the right-of-way of Church Street and a public alley adjacent to Applicants' property, consisting of 2,252 square feet of land, more or less; and

WHEREAS, the areas to be vacated are shown as "Outlot A" and "Outlot B" on the plats prepared by Kenneth W. White and dated August 14, 2000 ("Plats") (attached hereto); and

WHEREAS, the vacation 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, Lee Roy Steele, Chair; Ruby Fitzgerald and Cathy Major, have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, and 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 City of Alexandria has required that, as a condition of this vacation, the right-of-way to be vacated by this ordinance be purchased by the Applicants; and

WHEREAS, in consideration of the report of the viewers recommending the vacation, of other evidence relative thereto and of compliance with the conditions set forth in this ordinance, including the payment of \$9,900, the Council of the City of Alexandria has concluded that the public street 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 Outlots A and B shown on the Plats be, and the same hereby are, vacated, provided that the said Outlots A and B shall be purchased by the Applicants or their successors in interest, within 12 months of the effective date of this ordinance, for the sum of \$9,900, and if not so purchased, this vacation and this ordinance shall be void.

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

(1) The Applicants shall submit to the directors of planning and zoning and transportation and environmental services a letter from the owner of the adjoining St. Mary's Catholic Church, relinquishing such owner's rights to acquire the portions of the vacated Outlots abutting the Church property.

(2) The vacated right-of-way shall be consolidated with the existing abutting lot at 930 South Saint Asaph Street, and the plat of consolidation approved by the directors of planning and zoning and transportation and environmental services and recorded among the land records.

(3) Easements to the satisfaction of the director of transportation and environmental services shall be retained by the City or granted by the Applicants for all public and private utilities located within the vacated right-of-way, and for any storm drainage facilities planned or constructed by the City within the vacated right-of-way, and all such easements shall be shown on the plat of consolidation.

(4) In the event evidence of burials (*i.e.*, human remains, coffin wood or coffin hardware) is discovered during construction on the existing lot at 930 South Saint Asaph Street, or on the Outlots during construction, the Applicants and the agents of the Applicants must cease work in the area immediately and call Alexandria Archaeology (703-838-4399). A City Archeologist will come to the site to confirm the presence of burials. If burials are found and need to be moved, as determined by the City Archeologist, the Applicants shall be responsible for exhumation and reinterment and for securing all necessary approvals therefor. The language of this condition must appear on the plot plan and construction drawings, so that on site contractors are aware of the requirements imposed by this condition.

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.

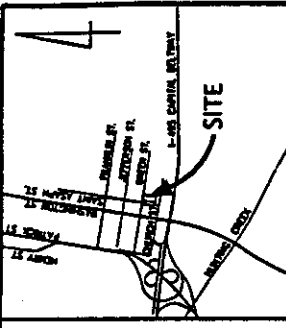
Section 4. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be deemed to be enacted on the date of its final passage, but shall not be effective until a copy of the ordinance has been certified by the city clerk and has been recorded among the city land records as deeds are recorded. Certification by the city clerk shall be conclusive evidence of the Applicants' compliance with the terms of this ordinance, except as to Condition 4 of Section 2. Recondition of the certified ordinance shall be indexed in the name of the CITY OF ALEXANDRIA as grantor, and EDWARD P. FORD AND LISA HASKINS, or their successors in interest, as grantees, and such recondition shall be done by the grantees at their own expense.

KERRY J. DONLEY
Mayor

[Attachment: Vacation Plats]

Final Passage: January 13, 2001



VICINITY MAP
SCALE: 1" = 2000'

- NOTES:**
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 80.04-04 AND IS ZONED R1A.
 2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DUTY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PLAT OF ORIGINAL PROPERTY SUBMISSION AND RECORDED IN DEED BOOK 184 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT. GIVEN UNDER MY HAND AND SEAL THIS 16th DAY OF AUGUST, 2000.



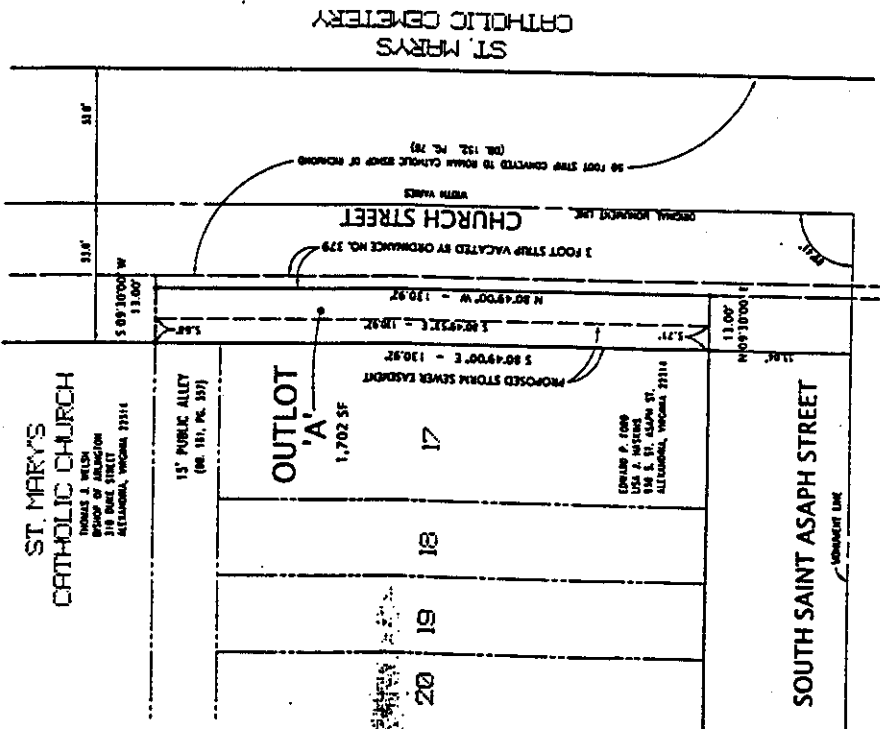
Kenneth W. White
KENNETH W. WHITE L.S.

PLAT
SHOWING THE VACATION OF
A PORTION OF
CHURCH STREET
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306



9
11-18-00



ST. MARY'S CATHOLIC CHURCH
FRANKIE J. WELCH
Pastor
318 BRICE STREET
ALEXANDRIA, VIRGINIA 22314

15' PUBLIC ALLEY
(OR 15', PG. 357)

OUTLOT 'A'
1,702 SF

20 19 18 17

ERLENE B. COOK
LISA A. HESTER
184 S. ST. ASAPH ST.
ALEXANDRIA, VIRGINIA 22314

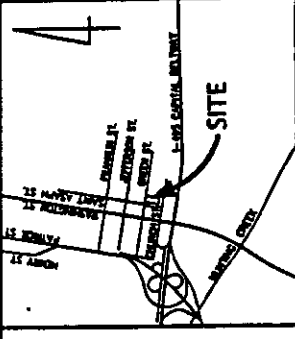
SOUTH SAINT ASAPH STREET
Adjacent Line

ST. MARY'S CATHOLIC CEMETERY

11-18-00
9

VAC #2000-0007

(vacation of portion of Church St)



VICINITY MAP
SCALE: 1" = 3000'

- NOTES:**
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 804-04 AND IS ZONED RM.
 2. THIS PLAT IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS.
 3. NO TITLE REPORT WAS FURNISHED.

SURVEYOR'S CERTIFICATE

I, KENNETH W. WHITE, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PORTION OF A 15 FOOT ALLEY DEDICATED WITH THE PLAT OF COLONIAL PROPERTIES SUBDIVISION AND RECORDED IN DEED BOOK 161 AT PAGE 357 AMONG THE CITY OF ALEXANDRIA LAND RECORDS AND IS WITHIN THOSE BOUNDARIES.

I FURTHER CERTIFY THAT ALL REQUIRED MONUMENTATION HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE COMPLETION OF THE PROJECT.
GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF AUGUST, 2000.

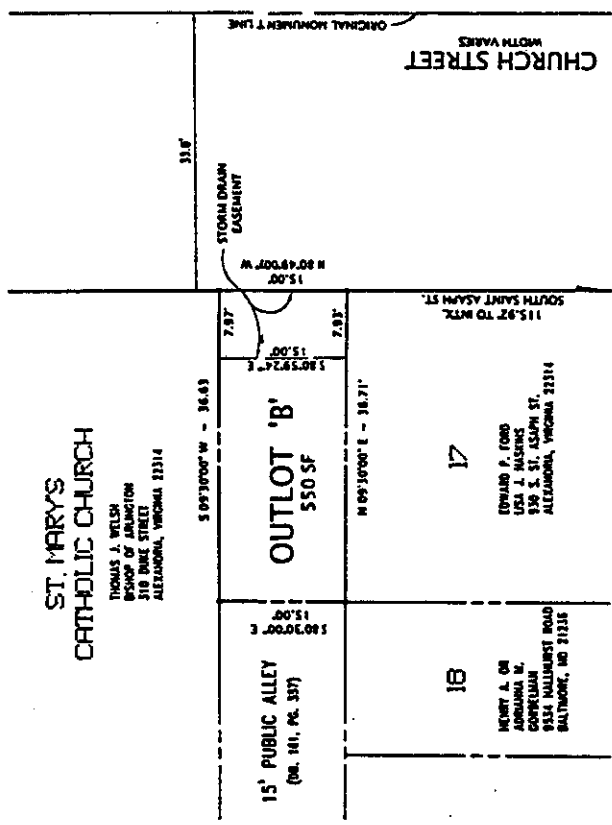


VAC #2000-0007
(vacation of portion of St. Asaph St.)

PLAT
SHOWING THE VACATION OF
A PORTION OF
A 15 FOOT PUBLIC ALLEY
IN

COLONIAL PROPERTIES SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10' AUGUST 14, 2000

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22308



11-11-00

Docket Item # 13
VACATION #2000-0007

Planning Commission Meeting
November 9, 2000

ISSUE: Consideration of a request for vacation of a portion of a public alley and street right-of-way.

APPLICANT: Michael Wheeler

LOCATION: 930 South St. Asaph Street

ZONE: RM/Townhouse

CITY COUNCIL ACTION, NOVEMBER 18, 2000: City Council approved the Planning Commission recommendation. The Mayor subsequently appointed Lee Roy Steele as chair, and Ruby Fitzgerald and Cathy Major as viewers.

PLANNING COMMISSION ACTION, NOVEMBER 9, 2000: On a motion by Mr. Komorsoke, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

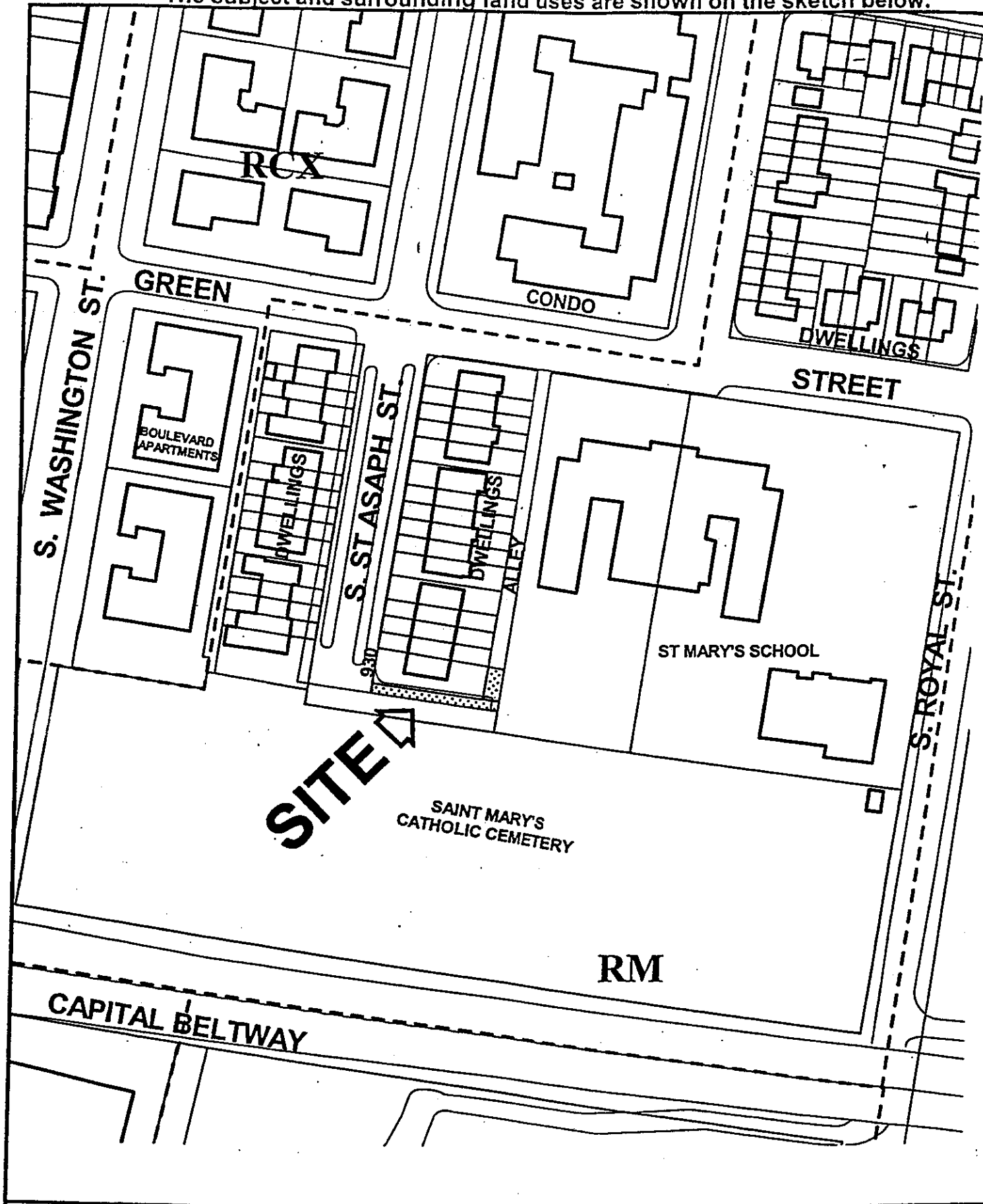
Mr. Wheeler, applicant, spoke.

No one spoke in opposition to the applicant's request.

PLANNING COMMISSION ACTION, OCTOBER 3, 2000: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.

The subject and surrounding land uses are shown on the sketch below.



VAC #2000-0007

11/9/00



STAFF RECOMMENDATION:

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The vacated right-of-way shall be consolidated with the adjoining lot, and the plat of consolidation filed with the Departments of Planning and Zoning and Transportation and Environmental Services . (T&ES) (P&Z)
2. The applicant shall submit to the Directors of Planning and Zoning and Transportation and Environmental Services a letter from the adjoining property owner (Church) indicating that it has no interest in establishing its rights to the vacated alley. After the Directors have received the letter, the applicant may submit a plat and deed of consolidation for review by the City and recording as required by Condition #1. (P&Z) (T&ES)
3. T&ES currently has a drainage project planned for the proposed vacation area. The approval of the vacation shall be subject to the resolution of the drainage issues and granting of easements to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)
4. The applicant shall show all easements on the plat of consolidation. (T&ES)
5. The applicant shall pay the fair market value for the vacated right-of-way, as determined by the director of Real Estate Assessments. (T&ES)
6. This property is adjacent to St. Mary's Cemetery. Although unlikely, it is possible for unmarked burials to be present outside of the official cemetery boundaries. If evidence of burials (i.e. human remains, coffin wood, or coffin hardware) is discovered during construction, the developer must cease work in the area immediately and call Alexandria Archaeology (703-838-4399). A City archaeologist will come to the site to confirm the presence of burials. If burials are found and need to be moved, the applicant is responsible for exhumation and reinterment and for preparing and filing appropriate legal documents. (Archaeology)
7. The above statement must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement. (Archaeology)

DISCUSSION:

1. The applicant, Michael Wheeler for Wheeler and Associates Architects, requests vacation approval for both a portion of Church Street and the public alley located to the east of the property at 930 South Saint Asaph Street.
2. The applicant represents a homeowner who resides adjacent to the land to be vacated. The residence at 930 South Saint Asaph Street is one lot of record with approximately 37 feet of frontage on South Saint Asaph Street, approximately 115 feet of depth and a total lot area of approximately 4,329 square feet. A 15 foot wide public alley abuts the property to the east.

To the north and west of the site is residences. To the south is Saint Mary's Catholic Cemetery. To the east is Saint Mary's Catholic School.

3. The applicant requests a vacation of a total of 2,252 square feet (see attached plats). Of the total square footage, the applicant seeks to vacate a 13 foot wide by 130 foot long portion of unimproved public right-of-way known as Church Street which abuts the site to the south. The applicant also requests a vacation of 550 square feet of the paved public alley that abuts the site to the east. No vehicular access exists between the alley and Church Street, and vehicles must use Green Street to access the alley.

The applicant seeks a vacation in order to extend its existing brick wall to buffer the residence from the noise associated with traffic on Interstate 495.

4. Master Plan/Zoning: The subject property is zoned RM/Townhouse, and is located in the Southwest Quadrant small area plan chapter of the Master Plan.

STAFF ANALYSIS:

Staff has no objection to the applicant's request for a vacation of portions of a public street right-of-way and public alley located at 930 South Saint Asaph Street. Staff notes that portions of Church Street have been vacated over the years and staff does not object to this request. Similarly, staff has no objection to the vacation of a portion of the public alley adjacent to the site. None of the abutting properties utilize either Church Street or the alley for access to their respective properties. T&ES staff support the applicant's requests; therefore, Planning staff recommends approval of the vacation.

STAFF: Barbara Ross, Acting Director, Department of Planning and Zoning; Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 T&ES currently has a drainage project planned for the proposed vacation area. Approval of the vacation shall be subject to the resolution of the drainage issues and granting of easements to the satisfaction of the Director of T&ES.
- R-2 Applicant must provide proof that the other property owner (Church) adjoining the proposed vacation of the alley is not interested in establishing their rights to the vacated alley.
- R-3 The vacated area shall be consolidated with the existing lot.
- R-4 The applicant shall show all easements on the plat of consolidation.
- R-5 The applicant shall pay fair market value for the vacated right-of-way, as determined by the director of Real Estate Assessments.

Code Enforcement:

- F-1 No comments.

Police Department:

- F-1 No objections.

Historic Alexandria (Archaeology):

- R-1 This property is adjacent to St. Mary's Cemetery. Although unlikely, it is possible for unmarked burials to be present outside of the official cemetery boundaries. If evidence of burials (i.e. human remains, coffin wood, or coffin hardware) is discovered during construction, the developer must cease work in the area immediately and call Alexandria Archaeology (703-838-4399). A City archaeologist will come to the site to confirm the presence of burials. If burials are found and need to be moved, the applicant is responsible for exhumation and reinternment and for preparing and filing appropriate legal documents.
- R-2 The above statement must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.

Recreation, Parks, Cultural Activities (Arborist):

F-1 No comments.

Real Estate Assessments:

See attached memorandum.

APPLICATION for VACATION

VAC # 2000-0007

[must use black ink or type]

PROPERTY LOCATION: 930 S. ST ASAPH ST.

TAX MAP REFERENCE: 8004-07-35 ZONE: RM

APPLICANT'S NAME: MICHAEL WHEELER FOR WHEELER & ASSOCIATES ARCH PC

ADDRESS: 510 KING ST SUITE 300, ALEX. VA

PROPERTY OWNER NAME: ED FORD & LISA HASKINS

(Owner of abutting area to be vacated)

ADDRESS: 930 S. ST ASAPH ST.

VACATION DESCRIPTION:

The applicant seeks Vacation of two areas,

- 1) that part of the 15' public alley that abuts the applicants property to the east and,
- 2) that portion of the area designated as "Church St." on Tax Map 80.04 that abuts the applicants property to the south.

THE UNDERSIGNED hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

MICHAEL WHEELER
Print Name of Applicant or Agent

Michael R. Wheeler
Signature

510 KING ST. SUITE 300
Mailing/Street Address

703.683.2929 703.739.0891
Telephone # Fax #

ALEXANDRIA VA 22314
City and State Zip Code

08.15.00
Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

SEP 20 2000

City of Alexandria, Virginia

MEMORANDUM

DATE: SEPTEMBER 19, 2000

TO: SHELDON LYNN, DIRECTOR, PLANNING & ZONING

FROM: RICHARD SANDERSON, DIRECTOR, REAL ESTATE ASSESSMENTS

SUBJECT: APPLICATION FOR VACATION #2000-0007 RELATED TO 930 SOUTH ST. ASAPH STREET

Richard Sanderson

The purpose of this memorandum is to inform you that I have reviewed the above-mentioned application for vacation for the purpose of estimating the fair market value of the proposed right-of-ways to be vacated by City Council, that are currently under consideration by the Planning Commission. According to the application for vacation, the proposed area to be vacated includes a 1,702 square foot (sq. ft.) portion of Church Street (known as Outlot A) and a 550 sq. ft. portion of a public alley (known as Outlot B) east of the applicant's existing lot.

As the Director of the Department of Real Estate Assessments, I recommend that City Council vacate the above-mentioned right-of-ways at a cost of Nine Thousand Nine Hundred (\$9,900) Dollars to the abutting property owner. However, this estimate may be revised if additional restrictions or easements are added by City staff, Planning Commission or City Council prior to the final approval of the vacation.

The effective date for this value recommendation is August 15, 2000, the day the application for vacation was filed.

It should be clearly understood that an appraisal has not been made of the right-of-ways to be vacated or of the properties abutting such right-of-ways.

If you have any questions concerning the recommended estimates of value for the proposed right-of-ways to be vacated, please call me at extension 3895.

#6 VAC #2000-0007 P.2/2

R. L. KANE, INC.

REALTORS SINCE 1922

311 SOUTH WASHINGTON STREET

ALEXANDRIA, VIRGINIA 22314

ROBERT L. KANE (1893-1975)
SCOTT C. HUMPHREY
PRESIDENT

(703) 548-2800

SALES
APPRAISALS
MANAGEMENT

October 3, 2000

TO: Kathleen Beeton

FOR: Members of Planning Commission

SUBJECT: Planning Commission Docket Item #6

Due to my inability to attend tonight's Planning Commission Meeting, I wish to state my reservations concerning vacating this alley.

The alley presently is improved to the southernmost boundary of 930 South Saint Asaph Street and there is a concrete apron in place that permits vehicular access to the unimproved portion of the alley next to vacated Church Street.

While this alley is only 13 feet wide, it is equivalent in width to the normal 12 foot traffic lane in a street.

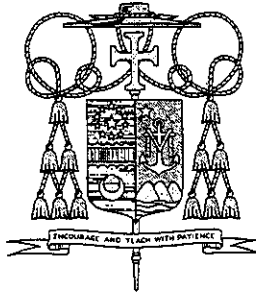
While improving it as an alley is not my desire, I do question why it is beneficial to property owners on the alley or the city to vacate this right-of-way that would or could be used if ever needed or required as additional access to the alley, especially in case of some emergency need at the rear of the houses from 900 to 930 South St. Asaph Street.

While T&ES may have no current plan or need for retaining ownership of this alley, I believe it may be shortsighted to vacate and sell this portion of the alley.

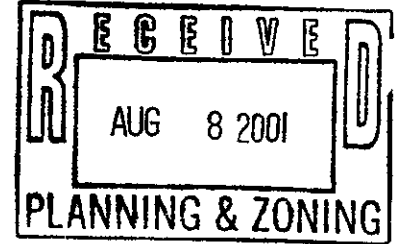
Finally, it seems to be a bad precedent to vacate any portion of that alley behind any of the residences.

Thank you for your consideration.

Scott C. Humphrey
922 South Saint Asaph Street



VAC 2000-0007
BAR 2001-0093
BAR 2000-0039



August 2, 2001

BR
KB
FS
TES
E. Gale

Planning and Zoning and
Transportation and Environmental Services
City of Alexandria, Virginia
301 King Street
Alexandria, VA 22314

Re: Vacation #2000-0007 (Location – 930 South St. Asaph Street)

Dear Director:

In compliance with your request for a letter indicating the “Church has no interest in establishing its rights to the vacated alley,” in the referenced matter, the Church hereby waives any above stated interest subject to the following conditions: (1) that the Owner of the referenced property at 930 South St. Asaph Street remove the chain link fence which runs along the property line and replace it with the brick and stucco wall which was approved by the Board of Architectural Review on May 2, 2001; and (2) that there will be no increase in storm water runoff into the St. Mary’s Cemetery over and above the current volume in light of our understanding of contemplated improvement plans by the City’s Department of Transportation and Environmental Services to resolve drainage issues, including, but not limited to the area where St. Asaph Street terminates at St. Mary’s Cemetery.

Please do not hesitate to contact me if you have any questions.

Sincerely,

+ Paul S. Loverde

Most Reverend Paul S. Loverde, Bishop
The Catholic Diocese of Arlington

/jsg

Office of the Bishop ✠ Diocese of Arlington

200 North Glebe Road • Suite 914 • Arlington, Virginia 22203 • (703) 841-2511 • FAX (703) 524-5028

September 17, 2001

Michael Wheeler
570 KING STREET
SUITE 302
ALEXANDRIA, VA 22314

DEAR MICHAEL,

I HAVE READ THE LETTER SENT BY THE
REPRESENTATIVES OF ST. MARY'S AND I AGREE
TO THEIR TERMS.

PLEASE FORWARD THIS LETTER TO THE PERTINENT
INDIVIDUALS WITHIN T & ES, CITY ZONING, ETC.

Sincerely,
Ed Ford

Edward R. Ford
930 S. ST. ANTHONY ST