

1 Introduction and first reading: 10/11/05
2 Public hearing: 10/15/05
3 Second reading and enactment: 10/15/05
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6 INFORMATION ON PROPOSED ORDINANCE
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8 Title
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10 AN ORDINANCE to vacate a portion of the public street right-of-way of adjacent to 1514 -
11 1524, 1600 and 1602 King Street (VAC No. 2004-0002).
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13 Summary
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15 The purposed ordinance vacates a portion of the public street right-of-way of adjacent to
16 1514 - 1524, 1600 and 1602 King Street, presently occupied by the fronts of several existing,
17 historic buildings, provided that the adjacent owner reconvey the area vacated to the City,
18 with the owner retaining the right to maintain the encroaching building elements.
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20 Sponsor
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22 Staff
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24 Eileen P. Fogarty, Director, Planning and Zoning
25 Ignacio B. Pessoa, City Attorney
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27 Authority
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29 § 2.03, Alexandria City Charter
30 § 15.2-2008, Code of Virginia (1950), as amended
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32 Estimated Costs of Implementation
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34 None
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36 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
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38 None
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ORDINANCE NO. _____

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3 AN ORDINANCE to vacate a portion of the public street right-of-way of adjacent to 1514 -
4 1524, 1600 and 1602 King Street (VAC No. 2004-0002).

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6 WHEREAS, DSF/Long King Street I, LLC (Owner) has applied for the vacation of a
7 portion of the public street right-of-way of adjacent to 1514 - 1524, 1600 and 1602 King Street,
8 in the City of Alexandria, Virginia; and

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

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

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16 WHEREAS, viewers, Elizabeth Wright, Chair, Gila Harris and Ross Bell, have been,
17 and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make
18 their report in conjunction with this vacation; and

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20 WHEREAS, the procedures required by law, including the publication of notice in a
21 newspaper of general circulation in the City of Alexandria, have been followed in conjunction
22 with this vacation; and

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24 WHEREAS, in notwithstanding the contrary report of the viewers, and in
25 consideration of all other evidence relative to this vacation and of compliance with the conditions
26 set forth in this ordinance, the Council of the City of Alexandria, has determined that the public
27 street right-of-way to be vacated is no longer desirable for public use and that the public interest
28 will not be harmed by this vacation; therefore,

29
30 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

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32 Section 1. That the vacation of the public right-of-way to Owner, consisting of the
33 49 square feet of existing, encroaching building area along 1514 - 1524 King Street, and of the
34 105 Square feet of existing, encroaching building area along 1600 and 1602 King Street, be, and
35 the same hereby is, approved.

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

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40 1. Owner shall rededicate to the City the area vacated, subject to the
41 reservation of an easement unto the Owner to maintain the the existing
42 historic building at 1520, 1522 1524 King Street, and the facade of the
43 existing building at 1600 King Street, and the construction behind the
44 facade authorized pursuant to DSUP No. 2004-0041. The reserved
45 easement shall be in a form approved by the City Attorney.

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48 2. Easements shall be reserved unto the City of Alexandria for existing public and
49 private utilities, if any, with the area vacated.

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2 Section 3. That the city manager be, and hereby is, authorized to do on behalf of the
3 City of Alexandria all things necessary or desirable to carry into effect this vacation, including
4 the execution of documents.
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6 Section 4. That the city clerk be, and hereby is, authorized to attest the execution by
7 the city manager of all documents necessary or desirable to carry into effect this vacation, and to
8 affix thereon the official seal of the City of Alexandria, Virginia.
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10 Section 5. That this ordinance shall be effective upon the date and at the time of its
11 final passage; provided, however, that no recordation of this ordinance shall have any force or
12 effect unless and to the extent annexed to a deed, executed by the city manager and attested by
13 the city clerk, conveying the property vacated to Owner. The execution of such deed shall
14 constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed
15 shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as
16 grantee, and such recordation shall be done by the grantee at her own expense. In the event no
17 such deed is recorded within 18 months of the effective date, this ordinance shall be void and of
18 no effect.
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20 WILLIAM D. EUILLE
21 Mayor
22
23

24 Introduction: 10/11/05
25 First Reading: 10/11/05
26 Publication:
27 Public Hearing:
28 Second Hearing:
29 Final Passage:
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