

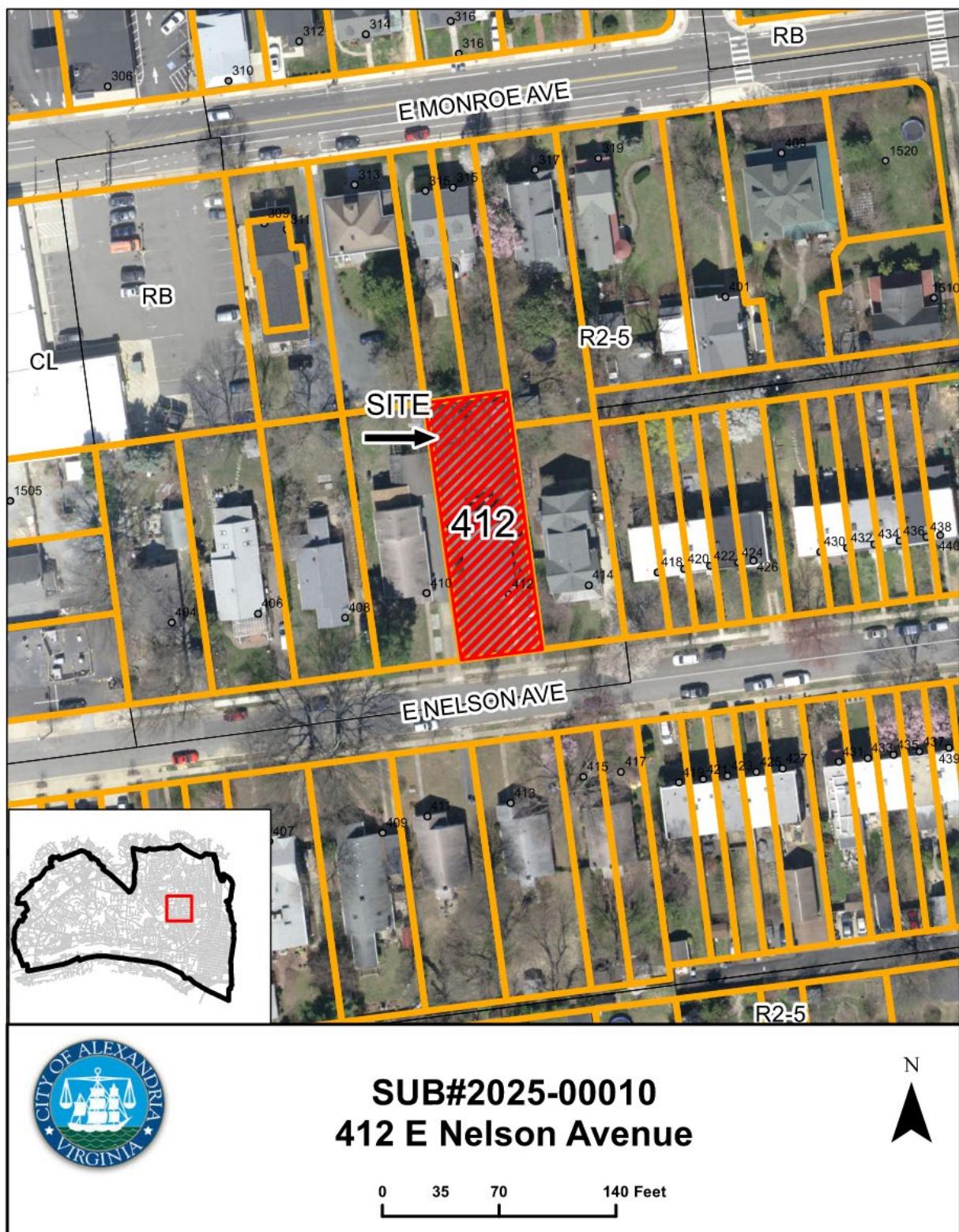
***Subdivision #2025-00010
412 East Nelson Avenue***

Application	General Data	
Request: Public hearing and consideration of a request for a subdivision to re-subdivide an existing lot into two lots.	Planning Commission Hearing:	January 6, 2026
	Approved Plat must be Recorded By:	July 6, 2027
Address: 412 East Nelson Avenue	Zone:	RB/Townhouse
Applicant: OCH at 412 E. Nelson, LLC	Small Area Plan:	Potomac West

Staff Recommendation: APPROVAL subject to compliance with all applicable codes, ordinances, and recommended conditions found in Section III of this report.

Staff Reviewer: Catie McDonald, catherine.mcdonald@alexandriava.gov
Sam Shelby, sam.shelby@alexandriava.gov

PLANNING COMMISSION ACTION, JANUARY 6, 2026: By unanimous consent, the Planning Commission voted to approve Subdivision #2025-00010.



I. DISCUSSION

The applicant, OCH at 412 E. Nelson, LLC, represented by Duncan Blair, attorney, requests approval to subdivide an existing lot and two lots at 412 East Nelson Avenue. Staff recommends approval of the subdivision request.

SITE DESCRIPTION

The subject property, featured in Figure 1, below, contains one rectangular lot of record, addressed 412 East Nelson Avenue. The property has a lot size of 7,750 square feet, a lot width of 50 feet, and a lot frontage of 50 feet. Single and two-unit dwellings surround the subject property. There is currently a single-unit dwelling occupying the property.

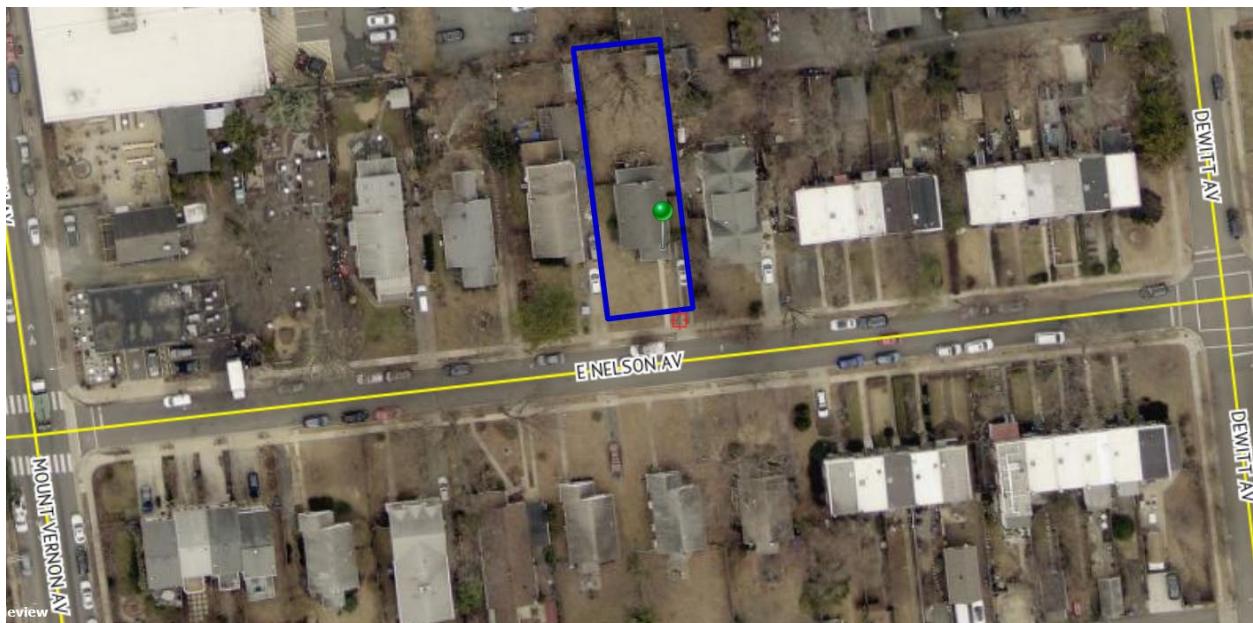


Figure 1 – Subject property (outlined in blue)

SUBDIVISION BACKGROUND

The subject property was created on May 4, 1935, when a section of the property of Edward Duncan was subdivided into 27 rectangular lots. At the time, East Nelson and Monroe Avenues were named Linden and Washington Avenues, respectively.

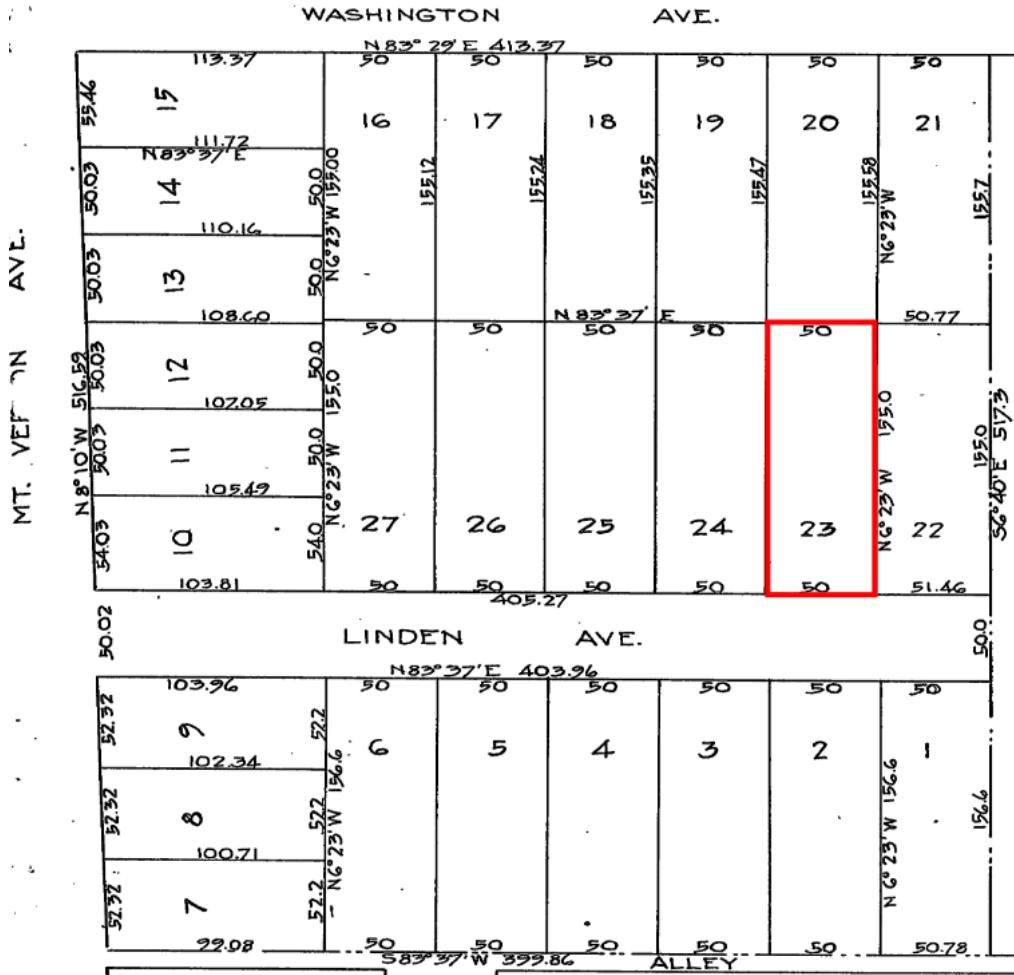


Figure 2 – Original 1935 Edward Duncan Subdivision (subject property in red)

Planning Commission has approved several re-subdivisions within the original subdivision area. Of note, lots 1, 6, 8, 9, and 20 were re-subdivided into smaller lots. The current configuration of all lots within the original subdivision area is shown in figure 3, below. The subject property (Lot 23) has not been re-subdivided since its creation in 1935.



Figure 3 – Original subdivision area (outlined in black, subject property in yellow, re-subdivisions in green)

PROPOSAL

The applicant requests approval to re-subdivide Existing Lot 23 into two lots. Each lot would provide 25 feet of frontage along East Nelson Avenue and be 25 feet wide. Both lots would be rectangular in shape and have lot areas of 3,875 square feet. The existing dwelling would be demolished. The existing and proposed lots are shown in Figures 4 and 5, below.

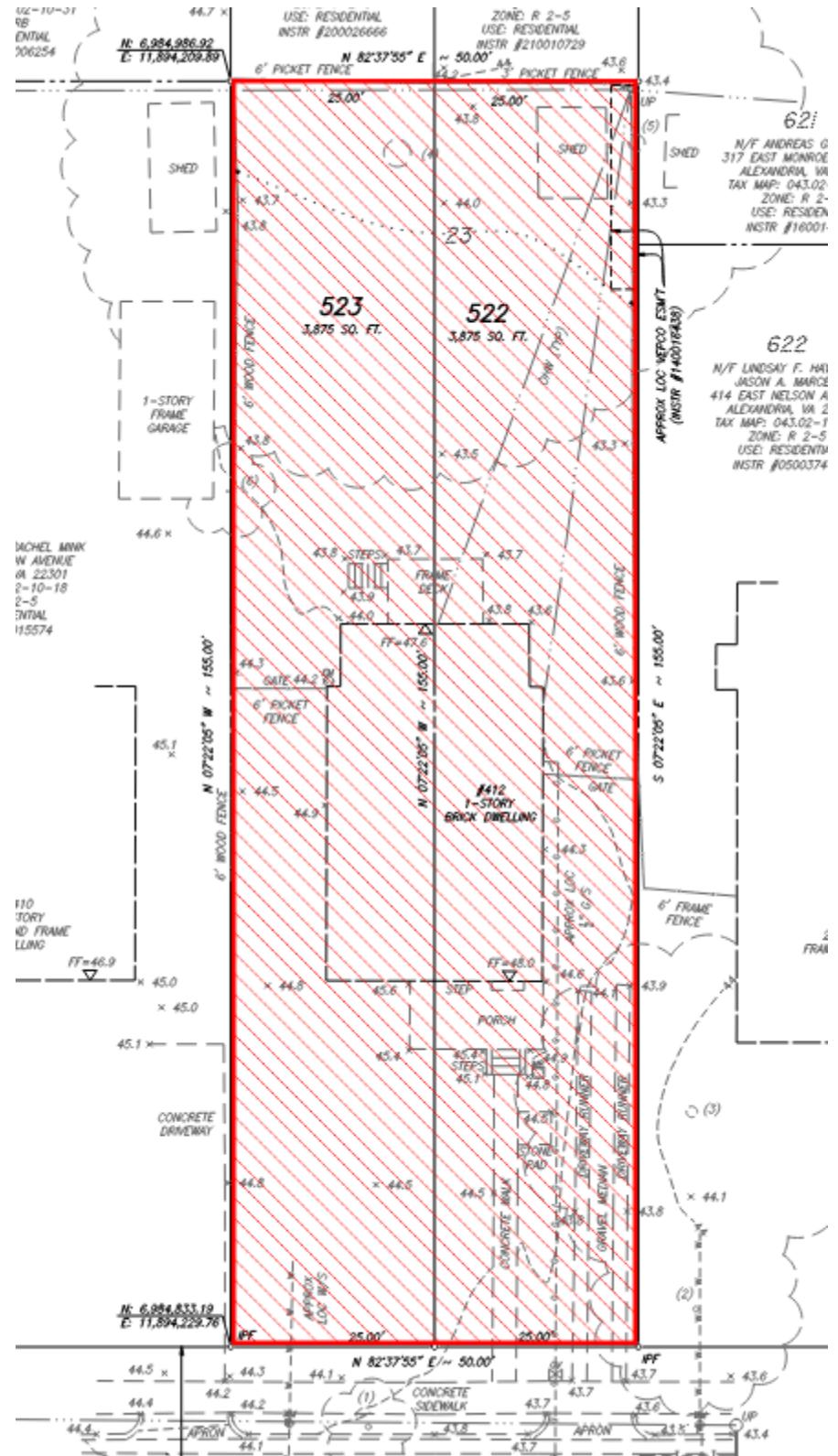


Figure 4 – Existing Lot 23

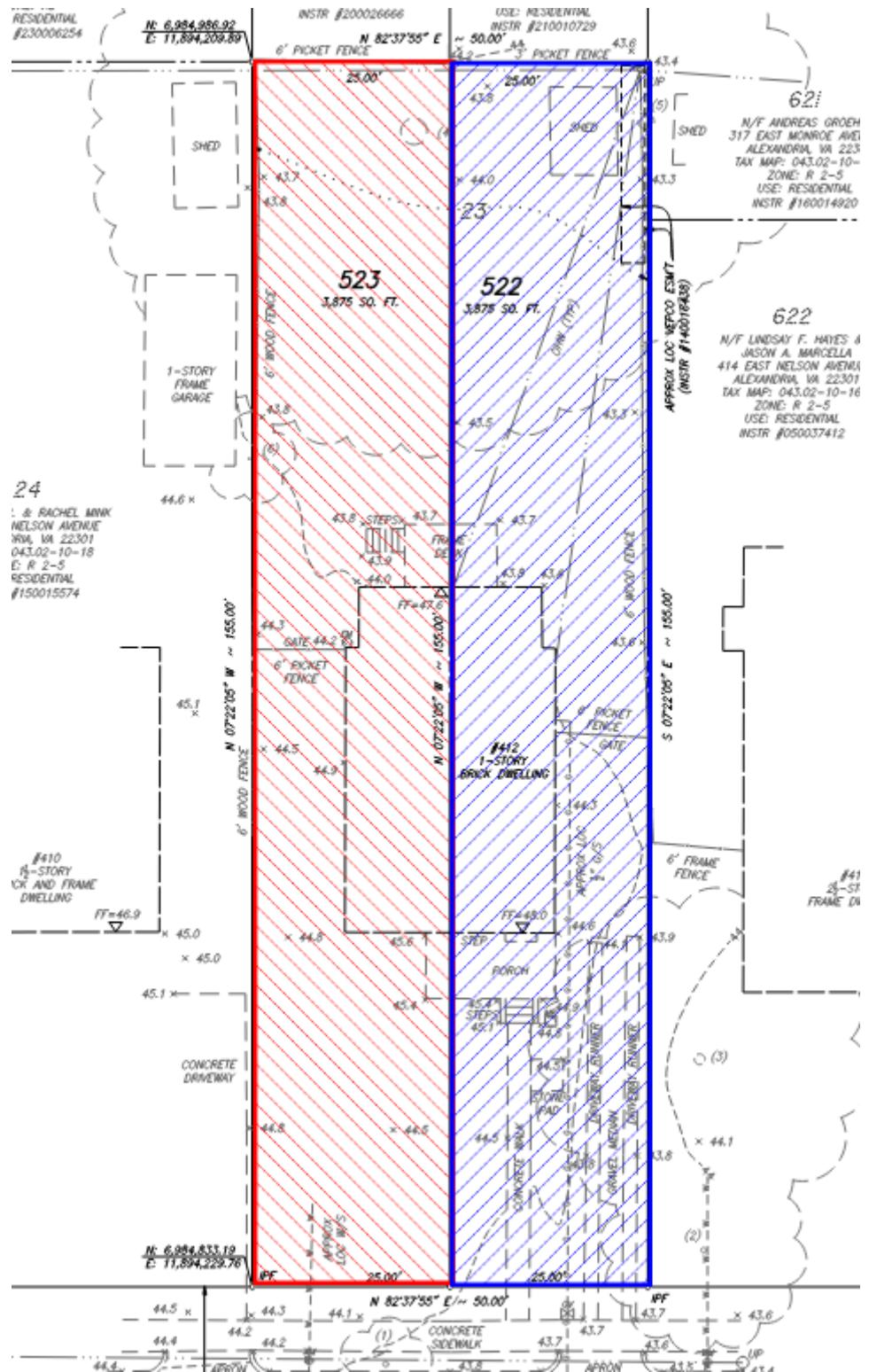


Figure 5 – Proposed Lots (Lot 522 in blue, Lot 523 in red)

ZONING/ MASTER PLAN DESIGNATION

The subject property is zoned RB/Townhouse and both proposed lots would comply with all lot requirements for a two-unit semi-detached dwelling, as shown in Table 1, but would not comply with the RB zone regulations for single-unit dwellings. Therefore, development of a single-unit dwelling on the proposed lots would not be permitted unless the lots were consolidated. Any future (re)development would be required to comply with all applicable provisions of the most current Zoning Ordinance.

Table 1 – RB Zoning Requirements

	Required/Permitted	Existing	Proposed	
		Lot 6	Lot 522	Lot 523
Lot Size	1,980 Sq. Ft.	7,750 Sq. Ft.	3,875 Sq. Ft.	3,875 Sq. Ft.
Width	25 Ft.	50 Ft.	25 Ft.	25 Ft.
Frontage	25 Ft.	50 Ft.	25 Ft.	25 Ft.
Front Yard	20 Ft.	44.85 Ft.	Future development required to comply with all bulk and open space provisions.	
Side Yard (East)	8 Ft.; 1:3 ratio	11.8 Ft.		
Side Yard (West)	8 Ft.; 1:3 ratio	11.7 Ft.		
Rear Yard	8 Ft.; 1:1 ratio	66.5 Ft.		
Floor Area	0.75	~0.18		
Open Space	2,761 Sq. Ft. (35% of lot area)	~5,844 Sq. Ft. (~75%)		

The property is located within the Potomac West Small Area Plan Chapter of the Alexandria Master Plan, which designates the property for medium-density residential uses consistent with the RB zoning regulations. The proposed lots would comply with the Potomac West Small Area Plan as they would be suitable for low-to-medium-density residential uses and would meet all RB zoning requirements for semi-detached, two-unit dwellings.

II. STAFF ANALYSIS

Staff recommends approval of the applicant's subdivision request. The proposal would result in lots that comply with the RB zoning requirements for a semi-detached, two-unit dwelling and all subdivision requirements. The proposed lots would be substantially the same character as the lots in the original subdivision with regard to lot shape, area, width, and frontage as required by Section 11-1710(B). Staff analysis follows.

COMPLIANCE WITH SUBDIVISION REQUIREMENTS GENERALLY

Staff determined that the proposed re-subdivision would meet all subdivision requirements established by section 11-1710. Each of the lots would be suitable for residential uses and structures as permitted by the RB zone.

COMPLIANCE WITH SUBDIVISION CHARACTER REQUIREMENTS

Several lots within the original subdivision have been re-subdivided since 1935, all of which created lots with smaller sizes, widths, and frontages than those of the original lots. These approvals allowed for these lots to be developed with two-unit and townhouse dwellings. Specifically, the re-subdivisions of Lot 20 (1950), Lot 1 (2024), and Lot 6 (2024) shown in figures 6, 7, and 8, below, are near duplicates of the applicant's request. The resulting lots from these re-subdivisions are "similarly situated lots" to the subject property as they are rectangular, have widths of 25 feet, and are all interior lots.

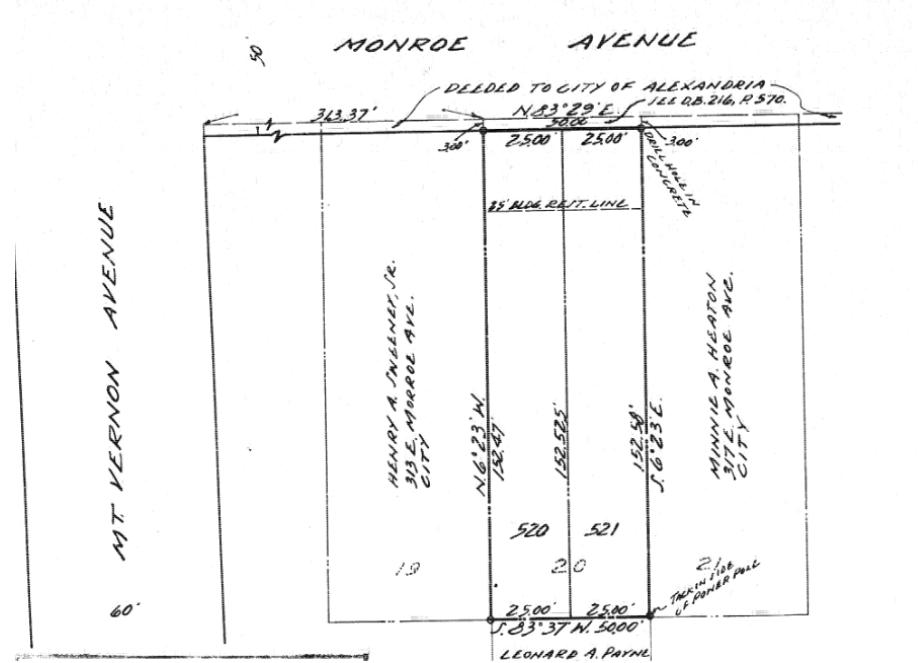


Figure 6 – 1950 Re-subdivision of lot 20

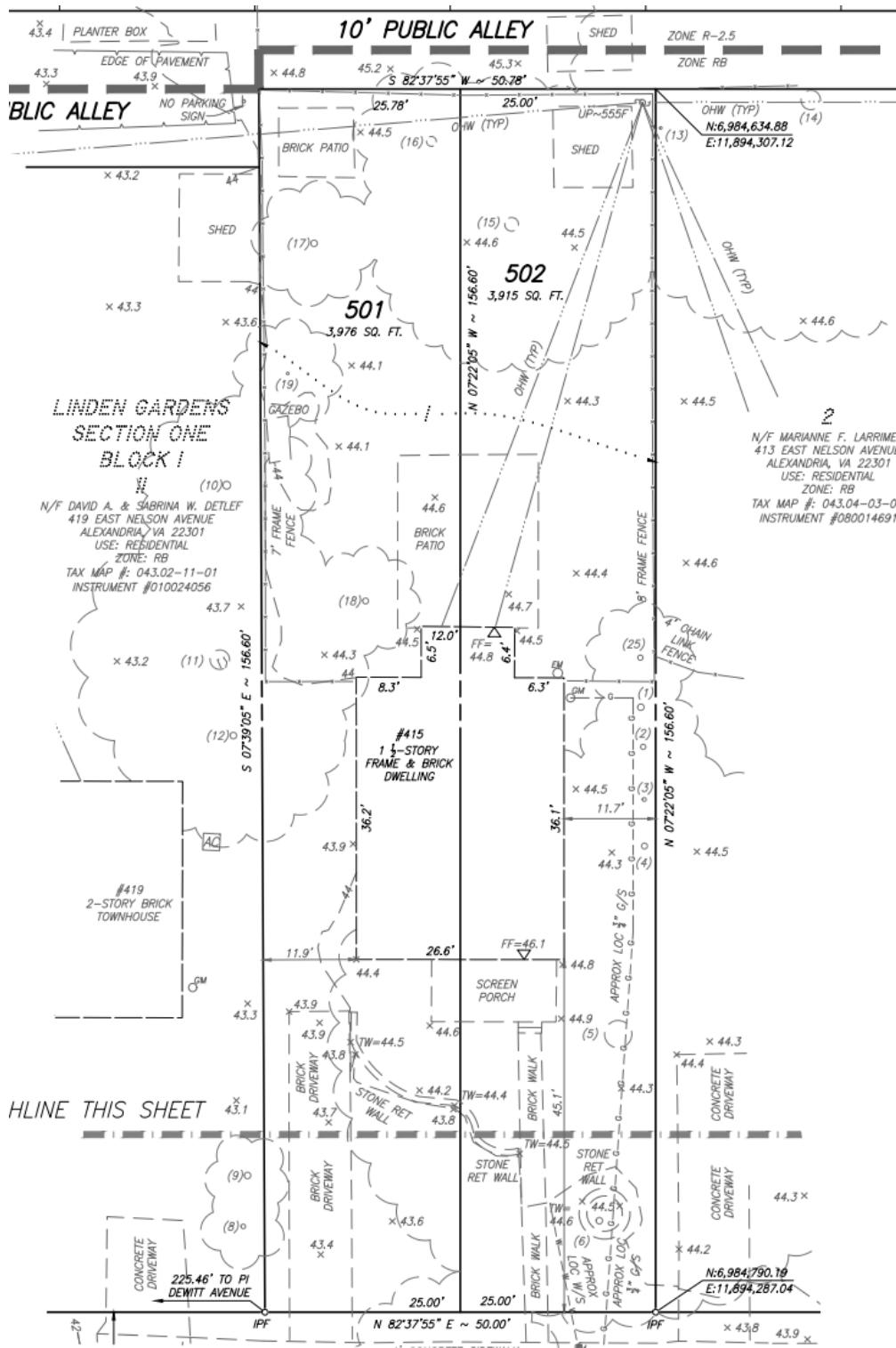


Figure 7 – 2024 Re-subdivision of Lot 1

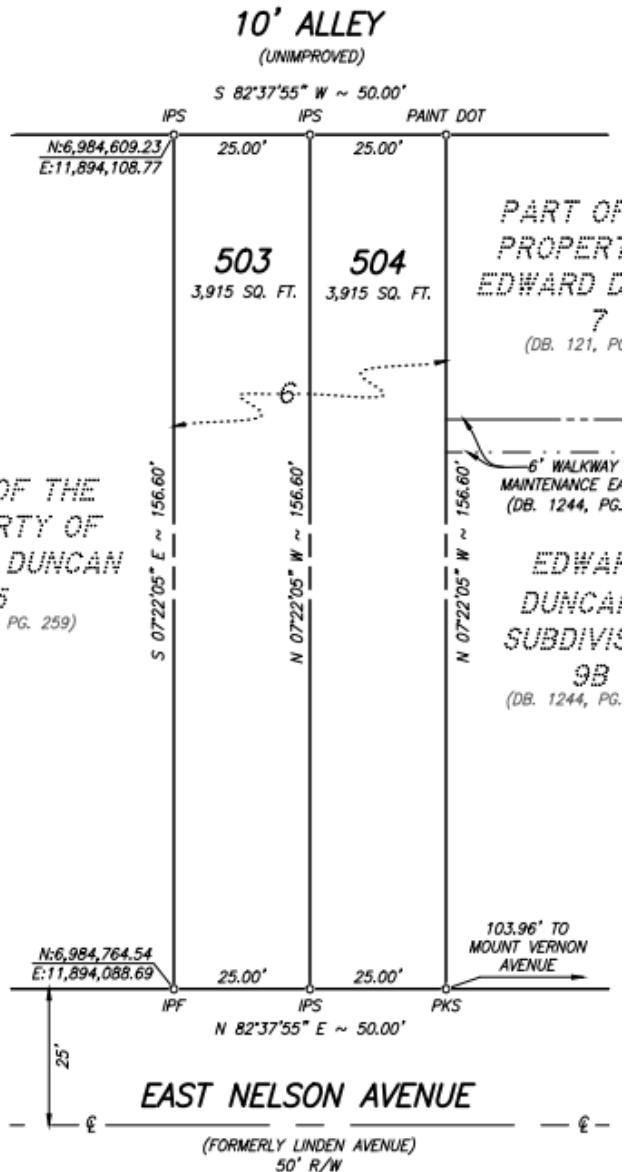


Figure 8 – 2024 Re-subdivision of Lot 6

LOT ANALYSIS

The lot analysis for proposed lots 522 and 523 includes the 20 lots outlined in blue in Figure 9. These lots were included as they are within the original subdivision area and are residentially zoned. Table 2 below shows how the proposed lots compare to these lots in terms of width, frontage, and size.



Figure 9 – Similarly Situated Lots (subject lot in red)

Table 2 – Lot Analysis

Address	Width	Frontage	Area
Proposed Lot 522	25 Ft.	25 Ft.	3,875 Sq. Ft.
Proposed Lot 523	25 Ft.	25 Ft.	3,875 Sq. Ft.
1413 Mount Vernon Ave.	52.3 Ft.	52.3 Ft.	5,225 Sq. Ft.
401 E. Nelson Ave.	18 Ft.	18 Ft.	1,879 Sq. Ft.
403 E. Nelson Ave.	18 Ft.	18 Ft.	1,879 Sq. Ft.
403-A E. Nelson Ave.	26.3 Ft.	26.3 Ft.	2,749 Sq. Ft.
404 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
406 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
407 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
408 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.

409 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
410 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
411 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
413 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
414 E. Nelson Ave.	51.5 Ft.	51.5 Ft.	6,912 Sq. Ft.
415 E. Nelson Ave.	25 Ft.	25 Ft.	3,915 Sq. Ft.
417 E. Nelson Ave.	25 Ft.	25 Ft.	3,976 Sq. Ft.
309/311 E. Monroe Ave.	50 Ft.	50 Ft.	7,600 Sq. Ft.
313 E. Monroe Ave.	50 Ft.	50 Ft.	7,600 Sq. Ft.
315 E. Monroe Ave.	25 Ft.	25 Ft.	3,800 Sq. Ft.
315 ½ E. Monroe Ave.	25 Ft.	25 Ft.	3,800 Sq. Ft.
317 E. Monroe Ave.	50 Ft.	50 Ft.	8,707 Sq. Ft.

The proposed lots would have similar orientations and suitability for residential uses and structures as all other lots in the Edward Duncan Subdivision. They would also have the same width and frontage as the properties located at 315 and 315 ½ East Monroe Avenue, as well as the lots recently re-subdivided at 405 and 415 East Nelson Avenue. These lots are also the most similarly situated to the proposed lots in the original subdivision. As such, the proposal would be substantially compatible with established neighborhood character as required by section 11-1710(B). Further, the proposed lots would comply with the RB zone requirements for a semi-detached two-family dwelling. The RB zone's minimum lot size and width requirements ensure that properties within the zone are suitable for medium-density residential uses as required by the Potomac West Small Area Plan Chapter of the City's Master Plan.

NEIGHBORHOOD OUTREACH AND COMMENTS

Staff notified the Del Ray Citizens Association (DRCA) on November 18, 2025. Staff have not received comments from the DRCA nor any neighbors as of December 15, 2025.

III. CONCLUSION

In summary, staff finds that the proposal would comply with all subdivision requirements. Subject to the conditions contained in Section IV of this report, staff recommends approval of the re-subdivision request.

IV. RECOMMENDED CONDITIONS

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

1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)

2. The applicant shall covenant that the existing dwelling shall be demolished before either of the following may occur: (a) City approval of any building permits to construct any new structures on the subject property or (b) sale of the subdivided lots to individual owners. This covenant shall expire when the subdivided lots are consolidated or the existing dwelling is demolished. This covenant shall be included in the recorded deed of subdivision and the final subdivision plat. (P&Z)

STAFF: Catie McDonald, Urban Planner
Tony LaColla, AICP, Division Chief, Land Use Services
Sam Shelby, Principal Planner

Staff Note: This plat will expire 18 months from the date of approval unless recorded sooner.

V. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

F-1 Address the following prior to final plat review submission:

- a. Please add a distance to intersection along south side of E Nelson (Survey)
- b. Please include a new, unique subdivision name. This name is largely up to applicant/owner, but they might consider something like "OCH 2nd addition to Edward Duncan Subdivision", in which case the proper subdivision title and format would be:

Plat Showing

Lots 522 and 523

OCH 2nd addition to Edward Duncan Subdivision

Being a subdivision of

Lot 23

Part of the property of Edward Duncan

Deed Book 121, PG 259

(Survey)

Code Enforcement:

No comments.

Fire:

No comments.

Recreation, Parks & Cultural Activities:

No comments.

Police Department:

No comments received.

Archaeology:

No comments.

Geographic Information Systems (GIS):

No comments.



APPLICATION

SUBDIVISION OF PROPERTY

SUB # _____

PROPERTY LOCATION: 412 E. Nelson Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 43.02 10 17

ZONE: R 2-5

APPLICANT:

Name: OCH at 412 E. Nelson, LLC, a Virginia limited liability company

Address: _____

PROPERTY OWNER:

Name: OCH at 412 E. Nelson, LLC, a Virginia limited liability company

Address: _____

SUBDIVISION DESCRIPTION _____

Approval of a plat of resubdivision of the existing R 2-5 compliant lot into two new R 2-5 compliant lots. The new lots will be substantially of the same character as to suitability for residential use and structures, lot area, orientation, frontage as to lots in the original subdivision

- THE UNDERSIGNED**, hereby applies for Subdivision in accordance with the provisions of Section 11-1700 of the Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- 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 his/her knowledge and belief.

Duncan W. Blair, Attorney/Agent

Print Name of Applicant or Agent

Mailing/Street Address

City and State

Zip Code

Signature

NA

Telephone #

Fax #

Email address

10 21 25

Date

ALL APPLICANTS MUST COMPLETE THIS FORM.

The applicant is: (check one)

the Owner Contract Purchaser Lessee or Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than three percent.

OCH at 412 E. Nelson, LLC, is a Virginia limited liability company. Matt Gray is the sole member of the limited liability company. The mailing address for Matt Gray and the limited liability company is: _____

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license.
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. OCH at 412 E. Nelson Ave. LLC		100%
2. Matt Gray		100%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 412 E. Nelson Ave. Alex. VA (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. OCH at 412 E. Nelson Ave. LLC		100%
2. Matt Gray		100% of OCH
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. OCH at 412 Nelson, LLC	None	
2. Matt Gray	None	
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

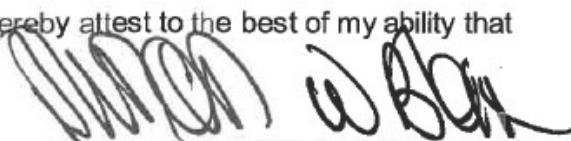
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

10 21 25

Duncan W. Blair, Attorney/Agent

Date

Printed Name



Signature

WAIVER OF RIGHT TO AUTOMATIC APPROVAL

**SUBMITTED TO
THE DEPARTMENT OF PLANNING & ZONING
CITY OF ALEXANDRIA, VIRGINIA**

PROJECT NAME: 412 East Nelson, Avenue, Alexandria, Virginia

PROJECT ADDRESS: 412 East Nelson, Avenue, Alexandria, Virginia

DESCRIPTION OF REQUEST:

Resubdivision of the property into two new R 2-5 compliant R 2-5 compliant lots.

THE UNDERSIGNED, hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above. This waiver is only for the number of days between the filing deadline of 10 28 25 and the hearing date of 1 6 26 in excess of 45 days.

10 21 25

Date: _____

Applicant

Agent

Signature: 

Duncan W. Blair, Attorney/Agent

Printed Name: _____

Edward Duncan et ux. } Deed of Vacantion and Re-dedication.

THIS DEED OF VACANTION AND REDEDICATION made this 2nd day of May, 1935, by Edward Duncan and Katie I. Duncan, his wife,

WITNESSETH: That whereas by a deed dated December 31, 1929, and recorded among the land records of Arlington County, Virginia, in Deed Book 305, page 419, one William H. Duncan, Trustee, did dedicate and subdivide a certain tract of land containing 1.6093 acres, and more particularly described therein into lots, streets and alleys as shown by the plat attached to said deed, and did designate said subdivision as, "Subdivision of part of William Duncan's Estate near Braddock"; and

WHEREAS, by mesne conveyances said Edward Duncan and Katie I. Duncan, his wife, have become the sole owners and proprietors of the said Subdivision of part of William Duncan's estate near Braddock, and no lots have been sold in said subdivision; and the said Edward Duncan and Katie I. Duncan, sole owners and proprietors, desire to vacate the said plat and deed of dedication, and to rededicate as hereinafter set forth the said tract of land contained in said deed of dedication, together with an additional portion of land adjacent thereto;

NOW, THEREFORE, in consideration of the premises the said Edward Duncan and Katie I. Duncan, his wife, do hereby declare that the said plat and deed of dedication of the subdivision of part of William Duncan's estate near Braddock as the same is recorded in Deed Book 305, page 419, of the Arlington County, Virginia, land records, be, and the same is hereby vacated.

THIS DEED FURTHER WITNESSETH: That whereas the said Edward Duncan and Katie I. Duncan, his wife, are the sole owners and proprietors of all that tract of land, with its improvements and appurtenances located in the extended limits of the City of Alexandria, Virginia, at the southeast intersection of Washington and Mount Vernon Avenues, containing 6.8243 acres, and being more particularly bounded and described as follows, to-wit:

BEGINNING at a point on the east line of Mount Vernon Avenue, where said line of the Avenue is intersected by property line common to Park Addition and former William Duncan's Estate; thence with the East line of Mount Vernon Avenue N. 80° 10' W. 516.59 feet to the south line of Washington Avenue; thence with part of the south line of said Washington Avenue, N. 83° 29' E. 413.37 feet to corner of former John Duncan's Estate; thence with West line of John Duncan's Estate S. 6° 40' E. 517.5 feet to point in North line of Park Addition; thence with North line of said Park Addition S. 83° 57' W. 399.86 feet to point of beginning, and being the same property which was acquired by Edward Duncan by deed dated December 31, 1932, of record in Deed Book 112, page 525, Alexandria City land records.

AND WHEREAS, the above described tract of land has been subdivided into suburban lots as shown by the plat attached hereto and hereby made a part hereof, which plat accurately describes the subdivision of said tract and gives the dimensions and length and breadth thereof and of each lot, and the breadth and courses of all streets and alleys established in said subdivision; and

WHEREAS, it is the desire of said Edward Duncan and Katie I. Duncan, his wife, to dedicate the streets and alleys shown on said plat; and

WHEREAS, said owners and proprietors have complied with all ordinances of the City of Alexandria regulating the subdivision of land and with the statutes of Virginia, in such case made and provided:

NOW, THEREFORE, the said Edward Duncan and Katie I. Duncan, his wife, who are the sole owners and proprietors of the above described land, do hereby subdivide said tract into lots, streets and alleys as shown on the plat of said tract hereto annexed and made a part hereof to be known as the "Subdivision of part of the property of Edward Duncan", and do hereby dedicate the streets and alleys as public streets and alleys. And it is provided

259
Indexed
Examined
and
Delivered
To
Morgan
Officer

PLAT
Showing subdivision of part of the property of
EDWARD DUNCAN

Alexandria, Va.
Scale: 1" = 50' Compiled Apr. 1935
Geo. E. Garrett
Civil Engineer
Alexandria, Va.

Edward Duncan et ux.] Deed of Vacantion and Re-dedication.

THIS DEED OF VACATION AND REDEDICATION made this 2nd day of May, 1935, by Edward Duncan and Katie I. Duncan, his wife,

WITNESSETH: That whereas by a deed dated December 31, 1929, and recorded among the land records of Arlington County, Virginia, in Deed Book 306, page 419, one William H. Duncan, Trustee, did dedicate and subdivide a certain tract of land containing 1.9093 acres, and more particularly described therein into lots, streets and alleys as shown by the plat attached to said deed, and did designate said subdivision as, "Subdivision of part of William Duncan's Estate near Braddock"; and

359
Indexed
Examined
and
Delivered
To
M. D. Duncan
5/1/35

WHEREAS, by mesne conveyances said Edward Duncan and Katie I. Duncan, his wife, have become the sole owners and proprietors of the said Subdivision of part of William Duncan's estate near Braddock, and no lots have been sold in said subdivision; and the said Edward Duncan and Katie I. Duncan, sole owners and proprietors, desire to vacate the said plat and deed of dedication, and to rededicate as hereinafter set forth the said tract of land contained in said deed of dedication, together with an additional portion of land adjacent thereto:

NOW, THEREFORE, in consideration of the premises the said Edward Duncan and Katie I. Duncan, his wife, do hereby declare that the said plat and deed of dedication of the subdivision of part of William Duncan's estate near Braddock as the same is recorded in Deed Book 306, page 419, of the Arlington County, Virginia, land records, be, and the same is hereby vacated.

THIS DEED FURTHER WITNESSETH: That whereas the said Edward Duncan and Katie I. Duncan, his wife, are the sole owners and proprietors of all that tract of land, with its improvements and appurtenances located in the extended limits of the City of Alexandria, Virginia, at the southeast intersection of Washington and Mount Vernon Avenues, containing 4.8243 acres, and being more particularly bounded and described as follows, to-wit:

BEGINNING at a point on the east line of Mount Vernon Avenue, where said line of the Avenue is intersected by property line common to Park Addition and former William Duncan's Estate; thence with the East line of Mount Vernon Avenue N. 80° 10' W. 516.59 feet to the south line of Washington Avenue; thence with part of the south line of said Washington Avenue, N. 83° 29' E. 413.37 feet to corner of former John Duncan's Estate; thence with West line of John Duncan's Estate S. 6° 40' E. 517.3 feet to point in North line of Park Addition; thence with North line of said Park Addition S. 83° 37' W. 399.86 feet to point of beginning, and being the same property which was acquired by Edward Duncan by deed dated December 31, 1932, of record in Deed Book 112, page 525, Alexandria City land records.

AND WHEREAS, the above described tract of land has been subdivided into suburban lots as shown by the plat attached hereto and hereby made a part hereof, which plat accurately describes the subdivision of said tract and gives the dimensions and length and breadth thereof and of each lot, and the breadth and courses of all streets and alleys established in said subdivision; and

WHEREAS, it is the desire of said Edward Duncan and Katie I. Duncan, his wife, to dedicate the streets and alleys shown on said plat; and

WHEREAS, said owners and proprietors have complied with all ordinances of the City of Alexandria regulating the subdivision of land and with the statutes of Virginia, in such case made and provided:

NOW, THEREFORE, the said Edward Duncan and Katie I. Duncan, his wife, who are the sole owners and proprietors of the above described land, do hereby subdivide said tract into lots, streets and alleys as shown on the plat of said tract hereto annexed and made a part hereof to be known as the "Subdivision of part of the property of Edward Duncan", and do hereby dedicate the streets and alleys as public streets and alleys. And it is provided

PLAT
Showing subdivision of part of the property of
EDWARD DUNCAN
Alexandria, Va.
Scale: 1" = 50' Compiled Apr. 1935
Geo. F. Garrett
Civil Engineer

Scale: 1" = 50' **Alexandria, Va.** Compiled Apr. 1935
Geo. E. G. #

Geo. F. Garrett
Civil Engineer
Alexandria, Va.

Compiled Apr. 1935

WASHINGTON AVE.

LINDEN AVE.

PARK

ADDITION



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this 20th day of OCTOBER, 20 14, by and between

James W AMES
and
Elizabeth C AMES

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Virginia Power, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend three (3) feet in width across the lands of GRANTOR; and

Initials: J.W.A. EC

This Document Prepared by Virginia Electric and Power Company and should be returned to:
Dominion Virginia Power, [REDACTED]

(Page 1 of 4 Pages)
DVPIDNo(s). 41-14-0081
Tax Map No. 043021017

Form No. 728493-1 (Aug 2014)
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Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in , Virginia, as more fully described on Plat(s) Numbered 41-14-0081 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: J.W.A. ECA _____

(Page 2 of 4 Pages)
DVPIDNo(s). 41-14-0081

Form No. 728493-2 (Aug 2014)
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Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: J.W.A. LEA _____

(Page 3 of 4 Pages)
DVPID No(s). 41-14-0081

Form No. 728493-3 (Aug 2014)
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000287

Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

WITNESS the following signatures and seals:

James W. Ames (SEAL)
JAMES W AMES

(SEAL)

Elizabeth C Ames (SEAL)
ELIZABETH C AMES

(SEAL)

State of Virginia
City/County of Alexandria

The foregoing instrument was acknowledged before me this 20th day of
October, 2014 by James W Ames and Elizabeth C Ames
(Name of Grantor(s) Signing)

Rebecca A. Earlandt
Notary Public (Print Name)

Rebecca A. Earlandt
Notary Public (Signature)

Virginia Notary Reg. No. 7521051 My Commission Expires: June 30, 2016.

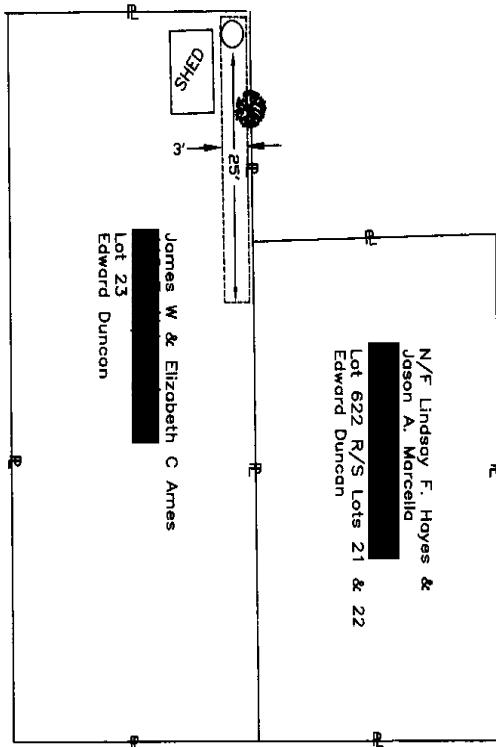
(Page 4 of 4 Pages)
DVPIDNo(s). 41-14-0081

Form No. 728531 (Nov 2012)
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REBECCA A. EARLANDT		INSTRUMENT #140016438
NOTARY PUBLIC		RECORDED IN THE CLERK'S OFFICE OF
REG. # 7521051		ALEXANDRIA ON
COMMONWEALTH OF VIRGINIA		NOVEMBER 12, 2014 AT 01:06PM
MY COMMISSION EXPIRES JUNE 30, 2016		EDWARD SEMONIAN, CLERK
		RECORDED BY: DAP

Plat Attached →

4



Lot 23
Edward Duncan
City of Alexandria
Tax Map 043.02-10-17

Owner's
Initials

ECA - J.W.A.

*Plat to Accompany
Right-of-Way Agreement*

VIRGINIA ELECTRIC AND POWER COMPANY
doing business as
Dominion Virginia Power UG

District

Arlington/Alexandria
District-Township-Borough County-City State

Alexandria Alexandria VA
Office Plot Number

Alexandria 41-14-0081
Estimate Number Grid Number

7627630 C1015
Date: 10/07/2014 By: Brandie Greene

Legend

- Location of Boundary Lines of Right of Way
- 3' in Width
- Property Line is Right-of-Way
- Boundary 3' in Width

01 of 01

Prepared By & Return to:
H. Carter Land, III
Bar No.: 16324
Law Offices of Mark S. Allen
[REDACTED]

Title Insurer: Chicago Title Insurance Company

Consideration: \$1,000,000.00
Assessed Value: \$915,661.00

Tax Map No.: 043.02-10-17

Grantee's Address:
[REDACTED]

DEED OF BARGAIN AND SALE

THIS DEED, made as of the 14 day of July, 2025 by and between ELIZABETH C. AMES, Grantor, and OCH AT 412 E NELSON, LLC, a Virginia limited liability company, Grantee;

WITNESSETH:

That, for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by Grantee and other good and valuable consideration, the receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey, with General Warranty of Title, to Grantee, all of that certain land situated in the City of Alexandria, Virginia, and more particularly described as follows:

Lot 23, Edward Duncan Subdivision, as the same appears duly dedicated, platted and recorded in Deed Book 121 at page 259, among the land records of the City of Alexandria, Virginia.

AND BEING the same property conveyed to James W. Ames and Elizabeth C. Ames, as tenants by the entirety with common law right of survivorship, by Deed dated January 10, 1979, and recorded on January 22, 1979, in Book 929, Page 777 among the land records of the City of Alexandria, Virginia. Said James W. Ames aka James Williaston Ames having since departed from this life about December 30, 2020 leaving Elizabeth C. Ames as surviving tenant by the entirety.

This conveyance is made subject to any easements, reservations, restrictive covenants, (excepting any restrictive covenant that discriminates on the basis of race, color, sex, religion, ancestry, national origin, familial status, age, sexual orientation or disability) or rights of way of record.

Grantor covenants that Grantor has the right to convey the said land to the said Grantee, that there are no encumbrances against the said property; that Grantee shall have quiet and peaceable possession of said land, free from claim of all persons whosoever; and the Grantor will execute such further assurances of title as may be requisite and necessary.

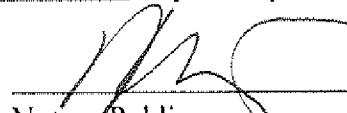
WITNESS the following signature and seal:


ELIZABETH C. AMES

COMMONWEALTH OF VIRGINIA:
CITY/COUNTY OF Alexandria, to-wit:

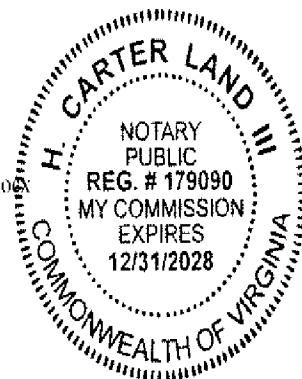
I, the undersigned Notary Public, do hereby certify that ELIZABETH C. AMES whose identity was satisfactorily proven before me and whose name is signed to the foregoing deed has personally appeared and acknowledged the same before me.

Given under my hand and seal this 14 day of July, 2025.


(Seal)
Notary Public

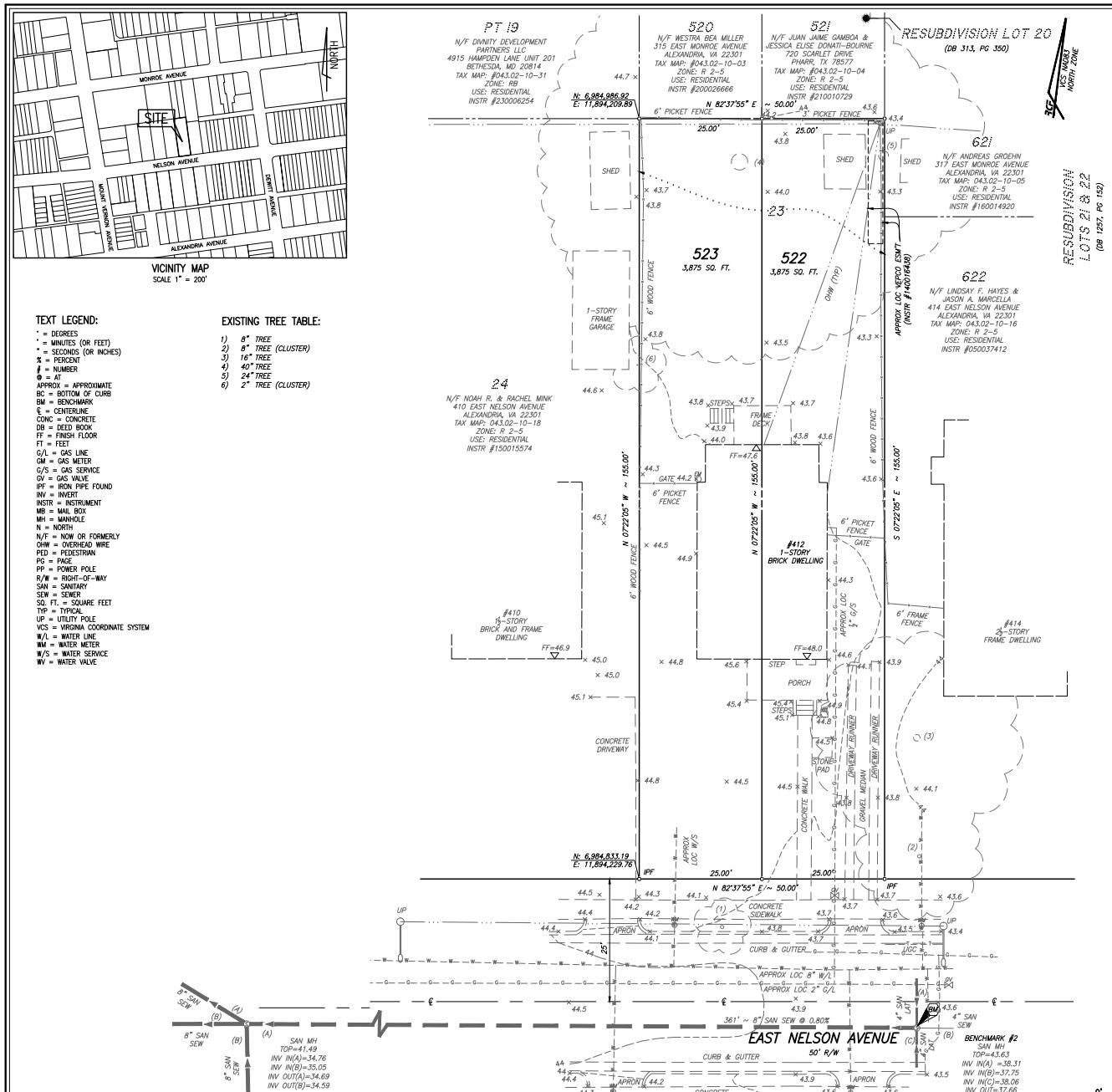
My Commission expires: 12/31/2028
Registration No.: 179090

<https://landcarroll.sharepoint.com/User Folders/Barbara J/Carter/Ames to OCH at 412 E Nelson LLC 070825.docx>



3

INSTRUMENT 250006948
RECORDED IN THE CLERK'S OFFICE OF
ALEXANDRIA CIRCUIT COURT ON
JULY 15, 2025 AT 11:07 AM
\$1000.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$500.00 LOCAL: \$500.00
WMATA FEE: \$2000.00
GREG PARKS, CLERK
RECORDED BY: SPT



GENERAL NOTE

1. TAX MAP: #403-102-10-17

2. ZONE: R 2-5

3. OWNER: OCH AT 412 E NELSON LLC
228 SOUTH WASHINGTON STREET, B-30 NORTH
ALEXANDRIA, VA 22314
F200006484

APPLICANT: OCH AT 412 E NELSON LLC
228 SOUTH WASHINGTON STREET, B-30 NORTH
ALEXANDRIA, VA 22314

4. TOTAL SITE AREA = 7,750 SQ. FT. OR 0.1779 ACRES

5. TOPOGRAPHIC SURVEY FIELD RUN BY THE FIRM, VERTICAL DATUM = NGVD '88 (PER GPS), FIELD SURVEY REFERENCED TO THE RTK NETWORK OF LEICA, SMARTNET.

6. THE PROPERTY SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (VCS 83), NORTH ZONE, US SURVEY FOOT UNITS AS COMPUTED FROM A FIELD RUN BOUNDARY AND HORIZONTAL CONTROL SURVEY THAT TIES THIS BOUNDARY TO THE RTK NETWORK OF LEICA, SMARTNET.

7. PLAT SUBJECT TO RESTRICTIONS OF RECORD.

8. TITLE REPORT FURNISHED BY TRI-COUNTY TITLES, INC. FILE NO. 25-0100 DATED 06/20/2025 AND IS RELIED UPON AS ACCURATE BY THE SURVEYOR.

9. THESE LOTS SHALL UTILIZE THE PUBLIC SANITARY SEWER AND WATER ADJACENT TO THE PROPERTY.

10. THIS LOT IS IN ZONE X (UNSHADED) OF THE FEMA FLOOD INSURANCE RATE MAP #1515190033F.

11. THERE ARE NO KNOWN GRAVE SITES OR OBJECTS MARKING A PLACE OF BURIAL ON THIS SITE.

12. THIS SITE CONTAINS NO KNOWN CONTAMINATED SOILS, TOXIC OR HAZARDOUS MATERIALS, UNDERGROUND STORAGE TANKS OR AREAS WITH THE POTENTIAL TO GENERATE COMBUSTIBLE GASES AND IS NOT KNOWN TO BE WITHIN 1,000 FEET OF A FORMER SANITARY LANDFILL OR DISPOSAL AREA.

13. STORMWATER MANAGEMENT AND RUNOFF FROM THIS PROPOSED LOT WILL BE MANAGED AND SATURATED BY THE DIRECTOR OF TRANSPORTATION AND ENVIRONMENTAL SERVICES. THERE ARE NO CHANGES IN DRAINAGE PATTERNS PROPOSED WITH THIS PLAT.

14. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS (RPA) LOCATED ON THIS PROPERTY.

LOT TABULATION (R 2-5)

TOTAL SITE AREA	7,750 SQ. FT. OR 0.1779 ACRE
EXISTING NUMBER OF LOTS	
PROPOSED NUMBER OF LOTS	
MIN. LOT AREA REQUIRED (INTERIOR LOT)	2,500 SQ. FT. OR 0.0574 ACRE
MIN. LOT AREA PROVIDED (LOT 522)	3,875 SQ. FT. OR 0.0890 ACRE
(LOT 523)	3,875 SQ. FT. OR 0.0890 ACRE
MINIMUM LOT WIDTH REQUIRED	25.0
LOT WIDTH PROVIDED (LOT 522)	25.0
(LOT 523)	25.0
MINIMUM LOT FRONTAGE REQUIRED	25.0
LOT FRONTAGE PROVIDED (LOT 522)	25.0
(LOT 523)	25.0

APPROVED	
SUBDIVISION CASE NO. _____	
DEPARTMENT OF PLANNING & ZONING	
DIRECTOR	DATE
DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES	
DIRECTOR	DATE
CHAIRMAN PLANNING COMMISSION	
DATE	

TOPOGRAPHY NOTE:
THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF WM DE SUTTER, LS FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION; THE IMAGERY AND/OR ORIGINAL DATA WAS OBTAINED ON SEPTEMBER 25, 2025; AND THIS PLAT, MAP OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.

THIS DRAWING IS A SERVICE DOCUMENT OF R.C. FIELDS & ASSOCIATES, INC. AND MAY NOT BE USED
REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER AND/OR LAND SURVEYOR.

EXISTING UTILITIES SHOWN ON THIS PLAN TAKEN FROM AVAILABLE RECORDS AND/OR FROM FIELD OBSERVATION

FOR EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES, NOTIFY "MISS UTILITY" AT 1-800-552-7001
HOURS BEFORE THE START OF ANY EXCAVATION OR CONSTRUCTION.

LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR PRIOR
TO CONSTRUCTION. INTERFERENCE OR DISRUPTION OF SAME WILL NOT BE THE RESPONSIBILITY OF THIS OFFICE.

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OF SHEET OF 1
FILE: 25-184