



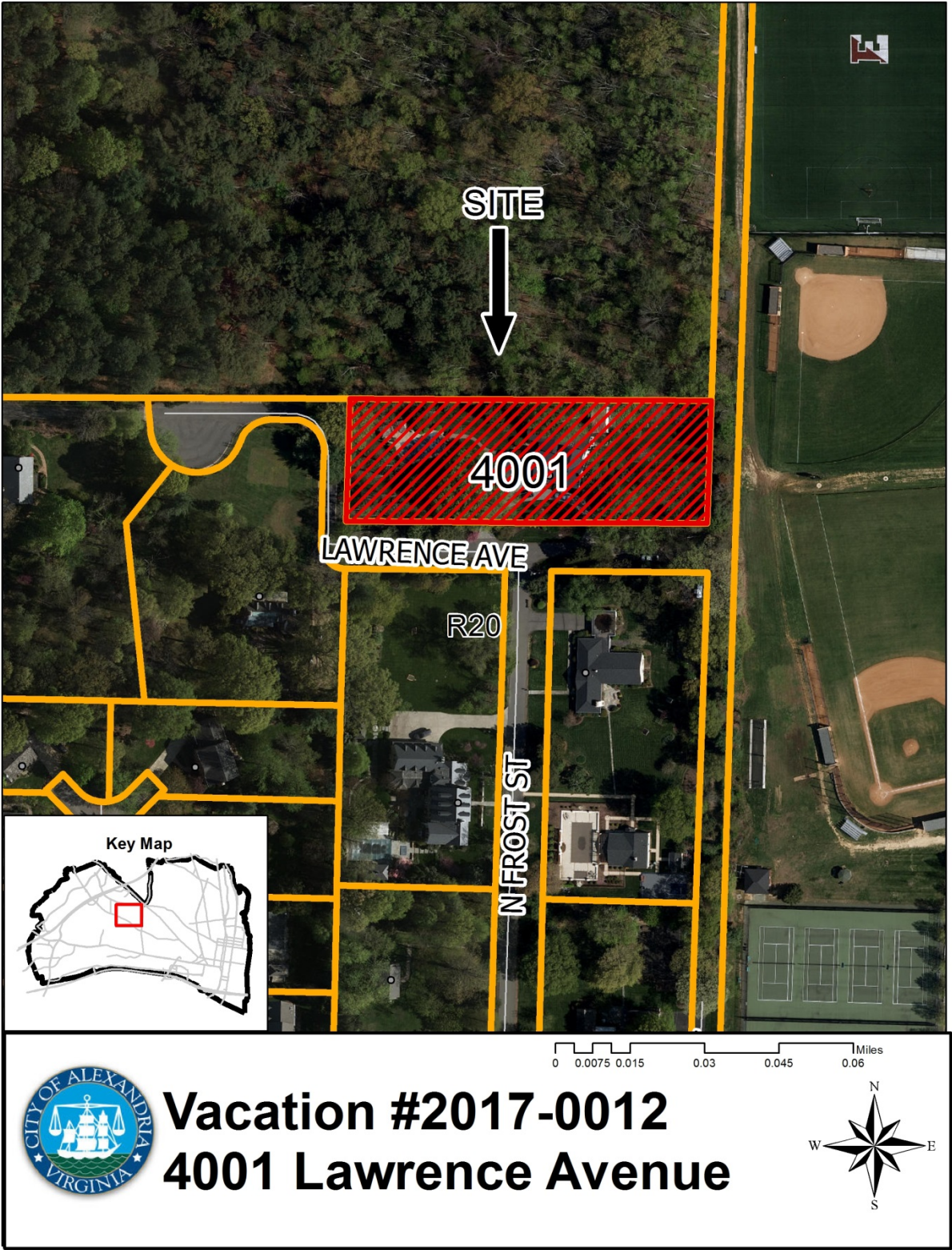
Vacation #2017-0012
4001 Lawrence Avenue

Application	General Data	
Request: Public hearing and consideration of a request to vacate a portion of the public-right-of-way of an unimproved road to add area to a residential side yard.	Planning Commission Hearing:	January 4, 2018
	City Council Hearing:	January 20, 2018
Address: 4001 Lawrence Avenue	Zone:	R-20 / Residential
Applicant: Paul and Sitta Zehfuss, represented by Duncan Blair, attorney	Small Area Plan:	Seminary Hill / Strawberry Hill

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

Staff Reviewer: Madeleine Sims, madeleine.sims@alexandriava.gov

PLANNING COMMISSION ACTION, JANUARY 4, 2018: By unanimous consent, the Planning Commission voted to recommend approval of Vacation #2017-0012.



I. DISCUSSION

The applicants, Paul and Sitta Zehfuss, request approval of a vacation of the public right-of-way to include an area that currently appears as an extension of the applicants' side yard at 4001 Lawrence Avenue.

SITE DESCRIPTION

The subject public right-of-way is a rectangular piece of land that is located between the applicants' property and the Episcopal High School athletic fields. The area is 28 feet by 156 feet, with a total lot area of 4,388 square feet. This public right-of-way is part of an 820 foot of unimproved public right of way that is proposed to be vacated among three properties reviewed as three separate vacation requests.

The applicants own 4001 Lawrence Avenue, a 50,529 square foot lot with approximately 384 feet of frontage along Lawrence Avenue and a depth of 130 feet. The lot is developed with a two story, single family dwelling and accessory structures.



Figure 2: The applicants' property, 4001 Lawrence Avenue.



Figure 1: The proposed area to be vacated outlined in red.



Figure 3: The proposed area to be vacated in red, and the applicants' property in blue.

BACKGROUND

The public right-of-way proposed to be vacated is part of a former road, and current unimproved public right of way that connected Seminary Road to West Braddock Road. An aerial view from 1937 shows Crawford Lane before City annexation in 1939 (Figure 4). At that time, the surrounding area included farmland, Episcopal High School, and the early development of the existing neighborhood along North Frost Street and Lawrence Avenue.

In 1970, the City vacated the northernmost portion of this right of way to the Episcopal High School. Through the vacation, Ordinance 1615, the City agreed to vacate the 22,013-square foot portion of North Frazier Street, without a fee in exchange for 177,080 square feet of school owned property (Figure 4). Episcopal High School dedicated this land to the City for the construction of traffic improvements along Braddock Road, North Quaker Lane, and North Howard Street. In addition, the City also agreed to construct various improvements on the school property. Since then the public right of way has become open space that the applicants have absorbed into their yard.

In 2004, City Council adopted a vacation policy that established criteria for vacation review. The policy clarified the valuation process and established that proceeds from vacations be directed to the City's Open Space Fund.

PROPOSAL

The applicants propose to vacate the public right of way to add 4,388 square feet of land area to their side yard (Figures 3 and 6). The applicants have chosen the option to pursue the vacation with development rights.

This vacation request is one of three vacations proposed to the Planning Commission and City Council at the January hearings to vacate remaining portions of the public right of way that connected West Braddock and Seminary Roads, as indicated in Figure 5. This application, along with VAC #2017-00011 (1615 North Frost Street) and VAC #2017-0009 (1600 North Frazier Street), if approved would vacate the remaining portion of this unimproved right of way from 4001 Lawrence Avenue to North Frazier Street.

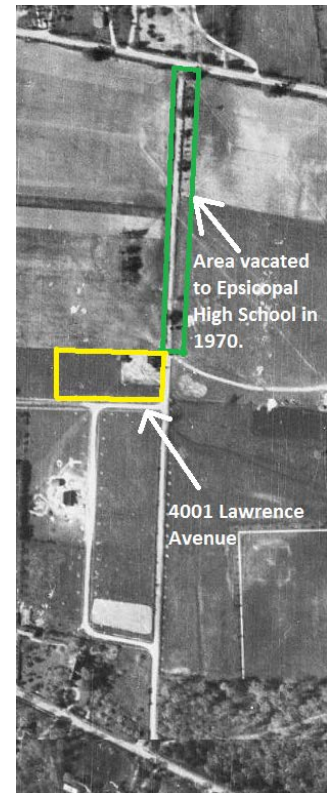


Figure 4: Aerial image from 1937 from the Fairfax County Historical Imagery Viewer showing the applicants' property and the area vacated in 1970. The aerial also shows the entire road connecting Seminary Road to West Braddock Road.



Figure 5: The three properties and the abutting public right of way proposed to be vacated shown in red.



Figure 6: The proposed vacation is outlined red.

ZONING/MASTER PLAN DESIGNATION

The subject property is in the R-20 / Residential zone. Section 3-102 of the Zoning Ordinance permits single family dwellings in the R-20 zone. The lot is designated for residential use in the Seminary Hill / Strawberry Hill small area plan.

VACATION POLICY

The City Council policy approved in 2004 established the following criteria for the evaluation of vacation requests:

1. There is no public use of the right-of-way at the time the application is filed.
2. No reasonable use of the right-of-way could exist in the future, either for its original purpose or for some other public purpose. Reasonable uses include, but is not limited to future roads, bike paths/trails, recreational facilities, open space, utilities or other environmental protection.
3. No portion of the public right-of-way shall become landlocked.
4. No abutting property owners shall become landlocked or have access substantially impaired.
5. The vacation shall provide a public benefit.

VALUE OF VACATED RIGHT-OF-WAY

The City Council Vacation Policy establishes the process of valuing vacations stating that “the fair market value of the vacated area will be based upon the value which the vacated area, when combined with the applicant’s existing adjacent land area, causes to be added to the sum of the values of the vacated and existing areas immediately before the vacation.” This process calculates the gross value of the property with development rights and enhanced value should there be any. The Department of Real Estate Assessments has valued 4,388 square feet of land in question at \$19,746. Staff has attached the memorandum from Real Estate Assessments (Attachment A) that discusses the process used to determine this valuation in detail.

II. STAFF ANALYSIS

Staff supports the request for a vacation of the public right-of-way. Once a part of the connection between West Braddock Road and Seminary Road, the road is no longer maintained and has since been visually absorbed into the yards of the applicants.

The policy on vacations provides the basis of analysis for vacation requests which staff has analyzed for this case. The applicants meet all five approval criteria as follows:

1. Existing Public Use

City storm sewer lines do not cross the subject right-of-way and an easement to the City for underground public utilities is not necessary. The applicants would be required to provide easements to private utilities, if any exist, in the vacated area as specified in Condition #2. The proposed vacation area is part of an unimproved public right of way. There is no public use of the road, or land, which is currently gated in some portions.

2. Reasonable Future Use

There is no reasonable future use of this unimproved City road as it no longer serves as a connector road between West Braddock and Seminary Roads due to the 1970 vacation of the northern portion to Episcopal High School.

3. Landlocked Public Property

Approval of the vacation would not create a situation where public property would be landlocked. The requested vacation would not hinder access to streets or sidewalks.

4. Landlocked Private Property/Impaired Access

Approval of the vacation would not create a situation where private property would be landlocked. The requested vacation would not hinder access to personal property.

5. Public Benefit

Vacation request approval would require the applicants to submit payment of \$19,746 to the City's Open Space Fund for the purchase of open space more conducive to public active and passive use.

Although the applicants noted in their application that they would seek a vacation of the public right-of-way without financial obligation, approved vacation requests have required payment since the 2004 City Council Vacation Policy was established.

Condition Language:

Five standard conditions for approval have been included in this report. The fair market value as determined by the Director of Real Estate Assessments shall be provided to the City of Alexandria as required in Condition #1 and the property development rights are acknowledged in Condition #5. Condition #3 requires the consolidation of the vacated land to 4001 Lawrence Avenue and the recordation of the final plat in the Land Records of the City of Alexandria.

III. RECOMMENDED CONDITIONS

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

1. The applicant shall pay the fair market value, as determined by the Director of Real Estate Assessments. (T&ES)
2. Utility easements for all public and private utilities shall be provided within the vacated right-of-way and such easements are to be shown on the plat of consolidation. No permanent structure may be constructed over any existing or proposed private and/or public utility easements. (T&ES)
3. The vacated right-of-way shall be consolidated with the adjoining lot, and the plat of consolidation approved by the Directors of P&Z and T&ES prior to release of the Final Site Plan. The approved plat shall be recorded in the Land Records of the City of Alexandria. (T&ES)
4. The applicant shall be responsible for perpetual ownership and maintenance of the vacated right-of-way. (T&ES)
5. The property owners may use the vacated land area to derive any increased above and below grade development rights for the lands adjacent to the vacated area, including increased floor area, subdivision rights or additional dwelling units. (P&Z)

STAFF: Alex Dambach, Division Chief, Land Use Regulatory Services, Department of Planning and Zoning
Madeleine Sims, Urban Planner

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 The plat accompanying the vacation application meets the requirements for submission to the Planning Commission. (Survey)
- R-1 The applicant shall pay the fair market value, as determined by the Director of Real Estate Assessments. (T&ES)
- R-2 Utility easements for all public and private utilities shall be provided within the vacated right-of-way and such easements are to be shown on the plat of consolidation. No permanent structure may be constructed over any existing or proposed private and/or public utility easements. (T&ES)
- R-3 The vacated right-of-way shall be consolidated with the adjoining lot, and the plat of consolidation approved by the Directors of P&Z and T&ES prior to release of the Final Site Plan. The approved plat shall be recorded in the Land Records of the City of Alexandria. (T&ES)
- R-4 The applicant shall be responsible for perpetual ownership and maintenance of the vacated right-of-way. (T&ES)

Code Enforcement:

No comments.

Fire:

No comments or concerns.

Health:

No comments received.

Parks and Recreation:

No comments received.

Police Department:


No comments received.

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 18, 2017

TO: KARL MORITZ, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING

FROM: WILLIAM BRYAN PAGE, SRA, REAL ESTATE ASSESSOR
OFFICE OF REAL ESTATE ASSESSMENTS 

SUBJECT: VACATION OF AN UNINSTALLED SECTION OF FRAZIER STREET
NORTH OF SEMINARY ROAD WITH DEVELOPMENT RIGHTS

ADDRESS: 4001 LAWRENCE AVENUE, ALEXANDRIA, VA 22304

ACCOUNT: 45544000

PROJECT: VACATION #2017-0012

Per your request, we have reviewed the proposed vacation of a City owned uninstalled right-of-way adjacent to 4001 Lawrence Street in order to estimate its fair market value with the provision for development rights. Based on the City of Alexandria's **General Policy for the Valuation of Vacated City Right-of-Ways**, the fair market value of the vacated area is to be based upon the value of which the vacated area, when combined with the applicant's existing adjacent land area, causes to be added to the sum of the values of the vacated and existing areas immediately before the vacation. The incremental value increase to the existing recipient adjacent parcel reflects the difference before and after the vacation.

According to a plat submitted with the application the proposed vacation is a 28-foot by 156.7 foot in depth section on an uninstalled right-of-way that contains a land area of 4,388 square feet. The easternmost boundary is adjacent to land titled to the Protestant Episcopal High School in Virginia. The receiving parcel (Lot 2, Piney Court) contains 50,529 square feet, and is zoned R-20, Single-Family Zone. If the proposed vacated area were incorporated, the total lot area would increase to 54,917 square feet (50,529 SF + 4,388 SF).

The receiving parcel is improved with a single-family detached dwelling constructed in 1963, and contains a finished above grade living area of 4,428 square feet. As-is, the property is developed to a floor area ratio (FAR) of .0876. The R-20 district requires a minimum lot size of 20,000 square feet and a maximum FAR not to exceed 0.25. The subject property is substantially underdeveloped considering the existing lot would permit an improvement with a finished above grade floor area of 12,632 square feet. Including the proposed vacation, the maximum permitted FAR would increase to 13,700 square feet.

The value of the uninstalled right-of-way to be vacated was estimated using the latest real estate assessment (CY 2017) data for nearby properties of similar size and zoning. The January 1, 2017 land assessment of 4001 Lawrence Avenue is \$1,041,577, or \$20.61 per square-foot. Under traditional economic theory, unit prices tend to decrease as the agents of production increase. Therefore, we have estimated an assemblage value of \$1,061,323. This equates to a per square-foot rate of \$19.33 ($\$1,061,323 \div 54,917 \text{ SF}$), and an incremental increase of \$19,746.

Nineteen Thousand Seven Hundred Forty-Six Dollars

There is no contributory value to the adjacent receiving parcel with the vacation increasing estimated total lot value to \$1,061,323, or \$19.33 per square-foot.

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on 2017 assessed land values of similarly zoned parcels in the immediate area of the subject property, and complies with City policies and guidelines regarding vacations.

Attachments

Plat: Dated June 28, 2017
Legal Description: Metes and Bounds

cc: Madeleine Sims, Urban Planner

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 18, 2017

TO: KARL MORITZ, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING

FROM: WILLIAM BRYAN PAGE, SRA, REAL ESTATE ASSESSOR
OFFICE OF REAL ESTATE ASSESSMENTS / *WBP*

SUBJECT: VACATION OF AN UNINSTALLED SECTION OF FRAZIER STREET
NORTH OF SEMINARY ROAD WITH DEVELOPMENT RIGHTS

ADDRESS: 4001 LAWRENCE AVENUE, ALEXANDRIA, VA 22304

ACCOUNT: 45544000

PROJECT: VACATION #2017-0012

Per your request, we have reviewed the proposed vacation of a City owned uninstalled right-of-way adjacent to 4001 Lawrence Street in order to estimate its fair market value with the provision for development rights. Based on the City of Alexandria's **General Policy for the Valuation of Vacated City Right-of-Ways**, the fair market value of the vacated area is to be based upon the value of which the vacated area, when combined with the applicant's existing adjacent land area, causes to be added to the sum of the values of the vacated and existing areas immediately before the vacation. The incremental value increase to the existing recipient adjacent parcel reflects the difference before and after the vacation.

According to a plat submitted with the application the proposed vacation is a 28-foot by 378.6-foot in depth section on an uninstalled right-of-way that contains a land area of 4,388 square feet. The easternmost boundary is adjacent to land titled to the Protestant Episcopal High School in Virginia. The receiving parcel (Lot 2, Piney Court) contains 50,529 square feet, and is zoned R-20, Single-Family Zone. If the proposed vacated area were incorporated, the total lot area would increase to 54,917 square feet (50,529 SF + 4,388 SF).

The receiving parcel is improved with a single-family detached dwelling constructed in 1963, and contains a finished above grade living area of 4,428 square feet. As-is, the property is developed to a floor area ratio (FAR) of .0876. The R-20 district requires a minimum lot size of 20,000 square feet and a maximum FAR not to exceed 0.25. The subject property is substantially underdeveloped considering the existing lot would permit an improvement with a finished above grade floor area of 12,632 square feet. Including the proposed vacation, the maximum permitted FAR would increase to 13,700 square feet.

The value of the uninstalled right-of-way to be vacated was estimated using the latest real estate assessment (CY 2017) data for nearby properties of similar size and zoning. The January 1, 2017 land assessment of 4001 Lawrence Avenue is \$1,041,577, or \$20.61 per square-foot. Under traditional economic theory, unit prices tend to decrease as the agents of production increase. Therefore, we have estimated an assemblage value of \$1,061,323. This equates to a per square-foot rate of \$19.33 ($\$1,061,323 \div 54,917 \text{ SF}$), and an incremental increase of \$19,812.

Nineteen Thousand Eight Hundred Twelve Dollars

There is no contributory value to the adjacent receiving parcel with the vacation increasing estimated total lot value to \$1,061,323, or \$19.33 per square-foot.

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on 2017 assessed land values of similarly zoned parcels in the immediate area of the subject property, and complies with City policies and guidelines regarding vacations.

Attachments

Plat: Dated June 28, 2017
Legal Description: Metes and Bounds

cc: Madeleine Sims, Urban Planner

REVISED

APPLICATION for VACATION # _____

[must use black ink or type]

PROPERTY LOCATION: Portion of North Fraizer Street Not Vacated by Ordinance 1615

TAX MAP REFERENCE: Adjacent to TMP 31.03 03 03 ZONE: R-20

APPLICANT'S NAME: See Attached

ADDRESS: _____

PROPERTY OWNER NAME: See Attached
(Owner of abutting area to be vacated)

ADDRESS: _____

VACATION DESCRIPTION: See Attached

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 Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.

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.

Duncan W. Blair, Attorney

Print Name of Applicant or Agent

524 King Street

Mailing/Street Address

Alexandria, Virginia 22314

City and State Zip Code

Signature

703 836-1000

703 549-3335

Telephone #

Fax #

September 21, 2017 Revised 10/23/17

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

VACATION APPLICATION: NORTH FRAZIER STREET.

APPLICANT AND OWNER

Mr. Paul Zehfuss TMP 31.03 03 03

Mrs. Sitta M. Zehfuss

4001 Lawrence Avenue

Alexandria, VA 22304

PROPERTY OWNERS – APPLICANT COMPANION CASE

Mr. Shawn P. McLaughlin TMP 31.03 03 04

Mrs. Cassandra K. McLaughlin

1615 North Frost Street

Alexandria, VA 22304

Mrs. Brooke Beach TMP 31.03 03 06

Mr. Michael Beach

1600 North Frazier Street

Alexandria, VA 22304

PROPERTY OWNER – EAST SIDE OF RIGHT-OF-WAY TO BE VACATED – NOT AN APPLICANT

Protestant Episcopal High School

1200 N. Quaker Lane

Alexandria, Virginia 22302

TMP 31.02 02 06

VACATION APPLICATION NORTH FRAZIER STREET

DESCRIBE VACATION

The Applicant is requesting the vacation of a portion of the he unopened public right-of-way of North Frazier Street containing 4,388 square feet of land designated Parcel 3 on the as the Vacation Plat filed with this application adjacent to their home at 4001 Lawrence Ave, Alexandria, Virginia, TMP 31.03 03 03.

North Frazier Street was an existing outlet road when the Seminary Hill area was annexed for Fairfax County in 1952 as shown on the Plat of Dedication of the Applicant's lots in Piney Court Subdivision as an "Existing 28-foot Road." (See Deed of Dedication Dated October 13, 1939, recorded in Deed Book R-13, page 771 attached as Exhibit A). The 28-foot road originally extended from Seminary Road on the South to Braddock Road on the North. There is no indication that the road was ever improved for public use, and in fact by all visual appearances appears to be part of the Applicant's respective properties.

In 1970 The City of Alexandria adopted Ordinance 1615 vacating the portion of the 28-foot road north of Lot 2 Piney Court on the application of Episcopal High School (See Ordinance 1615 attached as exhibit A). Episcopal High School is not an Applicant and has released any common law right to the land within the right-of -way.

The requested vacation is consistent with the City's findings and determinations in the 1970 vacation proceeding that the right-of-way served no public purpose and that the vacation was in the public interest. The right-of-way has never been improved by the City or used by the public and effectively has been abandoned by the City. The Applicant request that under these unique circumstances that the City vacate its interest without financial consideration.

October 25, 2017

**DESCRIPTION OF
PARCEL 3
A PORTION OF
NORTH FRAZIER STREET
TO BE VACATED
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the southerly line of now or formerly Protestant Episcopal High School in Virginia, a corner common to Lot 2, Piney Court; thence with the southerly and westerly lines of now or formerly Protestant Episcopal High School in Virginia S 87° 23' 00" E 28.00' to a point and S 02° 37' 00" W 156.70' to a point; thence through a portion of a 28' Road N 87° 23' 00" W 28.00' to a point on the easterly line of Lawrence Avenue; thence with the easterly line of Lawrence Avenue and Lot 2 N 02° 37' 00" E 156.70' to the point of beginning containing 4,388 square feet more or less.

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. See Attached		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at No Frazer Street Public Right-of (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. See Attached		
2.		
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 require 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 indicated each person or entity and "None" in the corresponding fields).

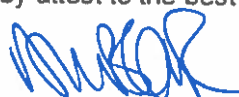
For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

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. Beach	None	
2. McLaughlin	None	
3. Zehfuss	None	

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.

9/21/2017 Duncan W. Blair, Attorney



Date

Printed Name

Signature

VACATION APPLICATION: NORTH FRAZIER STREET.

OWNERSHIP DISCLOSURE STATEMENT:

Part 1 Applicants and Part 2 Owners

Mr. Paul Zehfuss	TMP 31.03 03 03	100%
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Mrs. Sitta M. Zehfuss

4001 Lawrence Avenue

Alexandria, VA 22304

Mr. Shawn P. McLaughlin	TMP 31.03 03 04	100%
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Mrs. Cassandra K. McLaughlin

1615 North Frost Street

Alexandria, VA 22304

Mrs. Brooke Beach	TMP 31.03 03 06	100%
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Mr. Michael Beach

1600 North Frazier Street

Alexandria, VA 22304

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DEED OF DEDICATION

THIS DEED OF DEDICATION, made this thirteenth day of October, 1939,
by Thomas F. Dodd and Catherine L. S. Dodd, his wife.

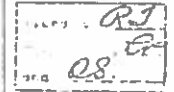
WHEREAS, the parties hereto are the sole owners and proprietors of
parcel of ground hereinafter more particularly described, and desire to
dedicate the same in accordance with the plat hereto attached,

NOW THEREFORE, THIS DEED WITNESSETH: that said Thomas F. Dodd and
wife do hereby subdivide and dedicate the hereinafter described property
as shown on plat hereto attached and made a part hereof, being designated
on said plat as Piney Court located in Falls Church Magisterial District,
Fairfax County, Virginia, more particularly bounded and described as
follows, to-wit:

BEGINNING at a point on what was the westerly side of existing 28-foot
outlet road which divides the Dodd property from the Seminary tract, and
running thence with the Seminary Road N. 63° 23' W. 24.08 feet to the westerly
line of the newly widened road shown on the plat as Crawford Road; thence
with that line N. 2° 37' E. 234.8 feet: thence on a curve to the left with a
radius of 35 feet an arc distance of 48.17 feet: thence N. 76° 14' W.
166.74 feet, and N. 77° 53' W. 167.45 feet to a point in the dividing
line between the Dodd and Donaldson properties: thence with the two lines
of Donaldson N. 2° 14' E. 469.6 feet and N. 86° 46' W. 483.27 feet to
a point in the line dividing Dodd and Thomas: thence with that line N.
1° 54' E. 316.78 feet to a point in the line dividing Dodd and the
Episcopal High School property: thence with the same S. 88° 37½' E. 869.5
feet to a point in the westerly side of said outlet road first mentioned:
thence S. 2° 37' W. 1140.76 feet to the point of beginning.

Said subdivision as appears on plat hereto attached is made with
the free consent and in accordance with the desires of said owners and
proprietors, and the lots thereon shown are dedicated in accordance with
the provisions of the Code of Virginia and acts amendatory thereto.
However, said subdivision is made upon the express conditions and subject
to the following restrictions:

1. No part of said property nor any interest therein shall ever
be conveyed to or acquired by or occupied by any person not of the
Caucasian Race (with the exception of necessary household servants).
2. No outside toilet shall be erected upon any lot in the subdivision.
3. Lots 2, 3, 4, 5 and 6 shall be subject to the following additional
restrictions, namely:
 - (a) A stable may be erected on any of said lots in connection with
the main dwelling, but only two horses may be kept therein.
 - (b) Only one house shall be erected on any one of said lots unless
with the written consent of all other lot owners in this group.
 - (c) No dwelling or other improvements shall be erected nearer to
the street or front line of the lot than the 30-foot building restriction
set-back shown on the said plat.



See Plat on file
attached, recording
in Plat Book No 3

Page 90
11-16-39

Not Recd. & Nemo

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(d) No principal dwelling shall be erected on either of said lots costing less than \$7500, and no temporary structure shall be occupied as a residence.

(e) None of said lots shall be used for other than residential purposes, nor shall any improvements thereon erected be used or occupied otherwise than as a residence.

WITNESS the following signatures and seals.

Thomas F. Dodd (SEAL)

Gatherine L. S. Dodd (SEAL)

STATE OF VIRGINIA,

City of Alexandria, to-wit:

I, the undersigned Notary Public in and for the State and City aforesaid, do hereby certify that Thomas F. Dodd and Gatherine L. S. Dodd, his wife, whose names are signed to the above deed bearing date on the thirteenth day of October, 1939, have acknowledged the same before me in my State and City aforesaid.

Given under my hand this 13th day of October, 1939. My commission expires on the 13th day of September 1943.

(N. P. Seal)

C. C. Brown

Notary Public.

In the Clerk's Office of the Circuit Court of Fairfax County, Virginia,

October 16, 1939,

at 9:20 o'clock, A. M.

This deed of dedication with plat attached was received, and with the certificate annexed, admitted to record.

Teste: JOHN M. WHALEN, CLERK.

By Thomas P. Chapman, Jr.

Deputy Clerk.

Book R-13, Page 572 A

Logical Book 330
Plat Book 3, Page 90

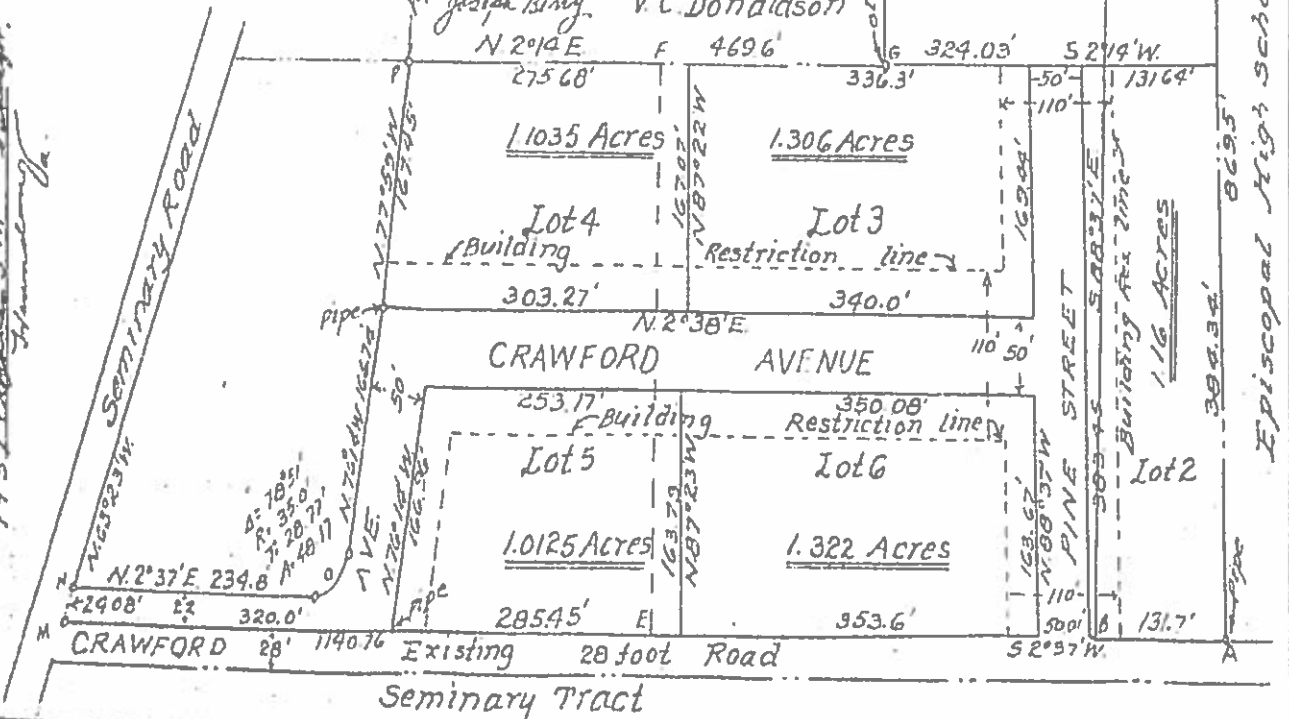
PINEY COURT

Property of Thomas F. Dodd, M.D.,
FAIRFAX COUNTY,
VIRGINIA.

Scale: 1-in = 100-ft. Photo reduced at 50%

I Joseph Berry, a duly authorized Civil Engineer, do hereby certify that the land embraced in the subdivision shown on this plat is now in the name of Thomas F. Dodd and was conveyed to him by the following deeds: Parcel ABCD by deed dated Oct 15th, 1912, recorded in L.O. No 7, P 33, of the land records of Fairfax Co. Va. from George Wise; Parcel BEFGHI by deed dated Oct 15th, 1910, recorded in L.T. No 8, P 291, from August Crawford; Parcel LMNOP by deed dated March 1st, 1910, recorded in L.F. No 7, P 11, from Annie M. Dineen; Parcel HIJ, by deed dated June 25th, 1911, recorded in L.V. No 7, P 130, from George Wise; and parcel JKLD by deed dated Sept 12th, 1919, recorded in L.V. No 7, P 521 of said land records, from George Wise, and that the land embraced in this subdivision is within the boundaries of the original tracts of said owner, that the entire tract and each lot are properly shown by metes and bounds, bearings calculated from the true meridian, and that there are monuments of iron pipe two ft in the ground, marking the outer corners of the subdivision and they are indicated upon the plat.
Given under my hand this 5th day of Oct 1931

Joseph Berry, V.C. Donaldson



Approved by *[Signature]*
1931 October 5th
Hammond, Va.

See Deed to this Plat L.O. No. 13, page 571 - Examined by O.S.B.A.S.

PINEY COURT

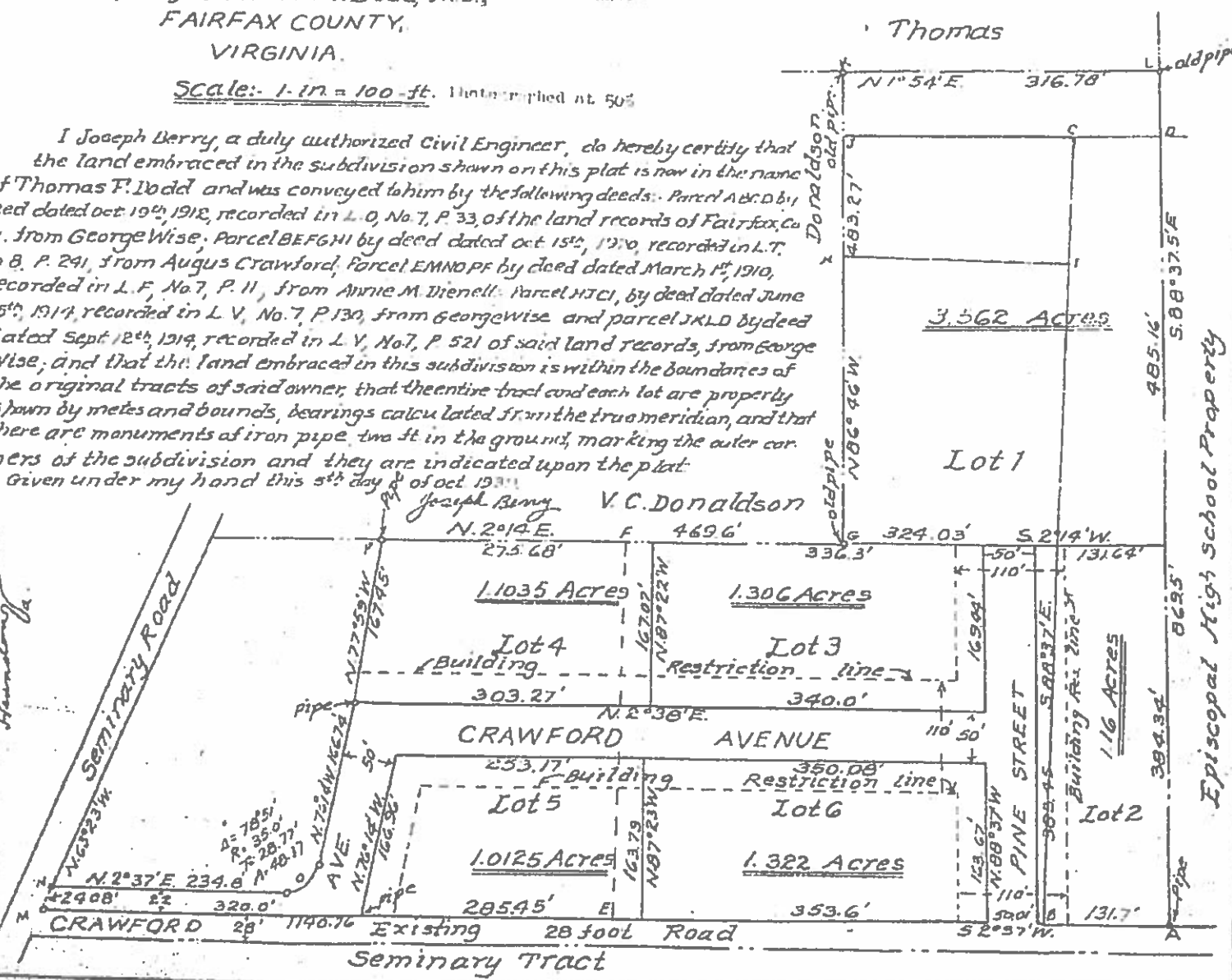
Property of Thomas F. Dodd, M.D.,
FAIRFAX COUNTY,
VIRGINIA.

Scale: 1 in. = 100 ft. Photographed at 50%

I Joseph Berry, a duly authorized Civil Engineer, do hereby certify that the land embraced in the subdivision shown on this plat is now in the name of Thomas F. Dodd and was conveyed to him by the following deeds: Parcel A B C D by deed dated Oct 19th, 1912, recorded in L. O. No. 7, P. 33, of the land records of Fairfax Co. Va. from George Wise; Parcel B E F G H I by deed dated Oct 15th, 1910, recorded in L. T. No. 8, P. 241, from August Crawford; Parcel E M N O P F by deed dated March 1st, 1910, recorded in L. F. No. 7, P. 11, from Annie M. Dienell; Parcel H J C I, by deed dated June 25th, 1914, recorded in L. V. No. 7, P. 130, from George Wise and parcel J K L D by deed dated Sept 12th, 1914, recorded in L. V. No. 7, P. 521 of said land records, from George Wise; and that the land embraced in this subdivision is within the boundaries of the original tracts of said owner; that the entire tract and each lot are properly shown by metes and bounds, bearings calculated from the true meridian, and that there are monuments of iron pipe two ft in the ground, marking the outer corners of the subdivision and they are indicated upon the plat.
Given under my hand this 5th day of Oct. 1931

Joseph Berry V. C. Donaldson

Approved by *[Signature]*
1932 Oct 5 in
Harrison, Va.



See Deed to this Plat Liber No. 13, page 571. - Examined by O.S. & A.S.

AN ORDINANCE to vacate a certain portion of North Frazier Street in the City of Alexandria, Virginia.

WHEREAS, said vacation has been approved by the Planning Commission at one of its regular meetings; and

WHEREAS, the procedures required by law, including the posting of notice to the land proprietors affected, have been followed; and

WHEREAS, viewers were duly appointed by the Council of the City of Alexandria, Virginia and have made their report; and

WHEREAS, in consideration of the report of the said viewers recommending the said vacation, and of other evidence relative thereto, it is the opinion of the Council of the City of Alexandria, Virginia that the portion of North Frazier Street hereinafter mentioned and described is not needed for public use and that it is in the public interest to vacate the said portion of the public street; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the hereinafter described portion of the public street known as North Frazier Street, in the City of Alexandria, Virginia, be and the same hereby is vacated and abandoned:

Beginning at a point, said point being the intersection of the southerly side of Braddock Road with the westerly side of North Frazier Street; thence running parallel with Braddock Road and across said North Frazier Street S 79° 53' 45" E. 28.31 feet to a point; thence turning and running along the easterly side of North Frazier Street S 01° 52' 32" W. 783.29 feet more or less to a point, said point being the intersection of the extension of the northerly boundary of Piney Court Subdivision with said easterly side of North Frazier Street; thence running along said extended line and across said street N 89° 21' 33" W. 28.03 feet to the northeasterly corner of Lot #2 of Piney Court Subdivision; thence turning and running along the westerly side of North Frazier Street N 01° 52' 32" E. 787.95 feet more or less to the point of beginning and containing 22,013 square feet.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council

shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

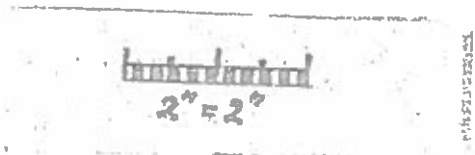
Charles E. Beatley, Jr.
Mayor

FINAL PASSAGE: March 24, 1970

October 24, 1969

DESCRIPTION OF A PORTION OF NORTH FRAZIER STREET TO BE VACATED BY THE CITY OF ALEXANDRIA, VIRGINIA

Beginning at a point, said point being the intersection of the southerly side of Braddock Road with the westerly side of North Frazier Street, thence running parallel with Braddock Road and across said North Frazier Street S 89° 15' 30" E, 28.31 feet to a point, thence running and running along the easterly side of North Frazier Street S 01° 32' 32" W, 191.29 feet more or less to a point, said point being the intersection of the extension of the northerly boundary of Piney Court Subdivision with said easterly side of North Frazier Street; thence running along said extended line and across said street N 86° 21' 13" W, 78.03 feet to the northeasterly corner of Lot 2 of Piney Court Subdivision; thence turning left running along the westerly side of North Frazier Street N 01° 57' 12" E, 117.11 feet more or less to the point of beginning and containing 27,011 square feet.



CURVE DATA	NO	RADIUS	DELTA	TANGENT	ARC	CHORD	CHORD BEARING

APPROVED	DIRECTOR OF PUBLIC WORKS, DATE <i>P. B. Hall</i> <i>10-24-69</i>	DIRECTOR OF PLANNING, DATE
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PLAT SHOWING A PORTION OF NORTH FRAZIER STREET TO BE VACATED BY THE CITY OF ALEXANDRIA, VIRGINIA	
DATE <i>10-24-69</i> SCALE <i>1"=100'</i> DRAWN	RECORDED - N. D. B. PAGE
DEPARTMENT OF PUBLIC WORKS, ALEXANDRIA, VA	

From: Duncan Blair <dblair@landcarroll.com>
Sent: Tuesday, December 12, 2017 1:37 PM
To: Madeleine Sims; Ann Horowitz; Alex Dambach
Cc: Duncan Blair; Paul V Zehfuss
Subject: Vacation North Frazier Street

Good afternoon. Without waiving any rights to address the appropriateness of the City to determine to require the purchase of the vacated land, in connection with the Zehfuss application, in the event the council does require the purchase, that the valuation with development rights is appropriate. Duncan

Duncan Wardman Blair, Esqu...

Land Carroll & Blair PC

(703) 836-1000 Work

(703) 778-1444 Work

dblair@landcarroll.com

524 King Street

Alexandria, Virginia 22314