

ARLINGTON COUNTY, VIRGINIA



**County Board Agenda Item
Meeting of July 21, 2012**

DATE: July 1, 2012

SUBJECT: Enactment of Two Ordinances to Vacate in total: 1) an Easement for Public Street and Utility Purposes, running along the western boundary of Lot 4, along the southern boundaries of Lots 4 and 9, and along the eastern boundaries of Lots, 9, 8, and 7, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006); 2) an Easement for Public Street and Utilities Purposes, running along the eastern boundaries of Lots, 3, 2, and 1 and along the western boundary of Lot 6, Block 5, Rosslyn (RPC # 16-020-002); 3) a portion of 20th Street North abutting the northern boundaries of Lots 6, 5, and 1, Block 5, Rosslyn (RPC # 16-020-002); 4) a portion of Ft. Myer Drive abutting the western boundaries of Lots 6 and 4, Block 5, Rosslyn (RPC # 16-020-002 and RPC # 16-020-001); 5) a portion of 19th Street North abutting the southern boundaries of Lots 4 and 9, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006); and 6) a portion of North Moore Street abutting the western boundaries of Lots 9, 8, 7, 3, 2 and 1, Block 5, Rosslyn (RPC # 16-020-001, RPC # 16-020-002 and RPC # 16-020-006), with conditions.

Applicant/Owner: JBG/Rosslyn Gateway North, L.L.C.; JBG/Rosslyn Gateway South, L.L.C.

Agent: John G. Milliken, Esquire
Venable LLP
8010 Towers Crescent Drive, Suite 300
Vienna, Virginia 22182

C. M. RECOMMENDATION:

- A. Enact the attached Ordinance to Vacate: 1) an Easement for Public Street and Utilities Purposes, running along the eastern boundaries of Lots, 3, 2, and 1 and along the western boundary of Lot 6, Block 5, Rosslyn (RPC # 16-020-002); 2) a portion of the 20th Street North right-of-way abutting the northern boundaries of Lots 6, 5, and 1, Block 5, Rosslyn (RPC # 16-020-002); 3) a portion of the Ft. Myer Drive right-of-way abutting the western

County Manager:

BMD/GA

County Attorney:

BAK

47. A.

Staff: Linda Eichelbaum Collier, Lynne Porfiri, Real Estate Specialists

boundaries of Lot 6, Block 5, Rosslyn (RPC # 16-020-002); 4) a portion of the North Moore Street right-of-way abutting the western boundaries of Lots 3, 2 and 1, Block 5, Rosslyn (RPC # 16-020-002), with conditions (“Hotel/Residential Ordinance”). (Attachment 1)

- B. Enact the attached Ordinance to Vacate: 1) an Easement for Public Street and Utilities Purposes, running along the western boundary of Lot 4, along the southern boundaries of Lots 4 and 9, and along the eastern boundaries of Lots, 9, 8, and 7, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006); 2) a portion of the Ft. Myer Drive right-of-way abutting the western boundaries of Lot 4, Block 5, Rosslyn (RPC # 16-020-001); 3) a portion of the 19th Street North right-of-way abutting the southern boundaries of Lots 4 and 9, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006); and 4) a portion of the North Moore Street right-of-way abutting the western boundaries of Lots 9, 8, and 7, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006), with conditions (“Office Ordinance”). (Attachment 2)
- C. Authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the Deed(s) of Vacation, and all other documents necessary to effectuate the Ordinance(s) of Vacation, subject to approval as to form by the County Attorney.

ISSUES: The requested vacations are required to permit construction of the Rosslyn Gateway Site Plan (SP #419) concurrently under consideration by the County Board. There is community opposition to the vacations, which opposition is focused on the possibility that the placement of the Site Plan buildings will block the view of Georgetown currently available to residents of nearby buildings.

SUMMARY: In order to construct the Rosslyn Gateway project as presented to the Board, JBG/Rosslyn Gateway North, L.L.C. and JBG/Rosslyn Gateway South, L.L.C. (“Applicant”) have requested that the Board enact two ordinances of vacation, one for each phase of development approved by the County, to vacate areas of specified easements and public rights-of-way owned by the County in fee simple. The Applicant has agreed to pay compensation to the County, for the vacated areas, as determined by an independent appraisal.

BACKGROUND: The Applicant seeks approval to redevelop a 2.2 acre property, which includes of an entire block located within the Rosslyn Coordinated Redevelopment District, that is bounded to the north by eastbound Lee Highway, to the east by North Moore Street, to the south by 19th Street North, and to the west by Fort Myer Drive (“Site”) (See attached Exhibits B-1 and B-2 for vicinity maps). A loop road owned by the County encumbers a portion of the Site, which the Applicant has requested be vacated in association with the development proposal. Redevelopment of the subject property, including the area of the loop road, is recommended for this site by the Rosslyn Station Area Plan Addendum. The Rosslyn Gateway development proposal consists of a series of applications including the vacation of various public rights-of-way and easements constituting the loop road and small portions of adjacent public streets,

rezoning of the property to the “C-O-Rosslyn” zoning district, phased development site plan (PDSP) for three buildings consisting of 959,270 square feet and a final site plan, Site Plan #419 (“Site Plan”) consisting of 949,871 square feet comprised of the first two buildings of the PDSP and the retention of an existing office building.

The 95,927 (2.2 acres) PDSP and the Site Plan application areas are comprised of the Applicant’s property (72,105 square feet) and portions of County right-of-way (23,822 square feet) that are requested to be vacated as part of the development proposal. These portions of right-of-way contain the internal loop road, as well as a portion of Fort Myer Drive, and a small portion of North Moore Street. Regarding the presence of the internal loop road that is located on the subject block, the Rosslyn Station Area Plan Addendum states the following:

“The mini-loop road, the system of reverse flow lanes around these two blocks could be eliminated. The space thus gained could be used partially for additional sidewalk width and to provide additional buildable area. The end result would be a more attractive streetscape with reduced emphasis on the automobile and better spatial relationships block to block. (p. 47-48).”

The requested vacations are an integral component of the Rosslyn Gateway development proposal. In addition to providing additional land area for the development, the elimination of these internal loop roads is consistent with current and future plans for the redevelopment of Rosslyn, and is necessary to support the transformation of roads to two-way traffic patterns, which is a primary goal of the draft Rosslyn Multimodal Transportation Study.

DISCUSSION: In order to develop the Site as presented to the Board in the 4.1 Application for the Site Plan, the Applicant is requesting that the County vacate certain easements and fee rights-of-way depicted on a plat attached hereto as Exhibit A, and entitled, “Plat Showing the Vacation of a Portion of Ft. Myer Drive, 20th Street North, North Moore Street and 19th Street North (Deed Book 105, Page 275) and Vacation of Easement for Public Street and Utilities Purposes (Deed Book 1536, Page 374) (Deed Book 1699, Page 1, Arlington County, Virginia”, dated April 14, 2011, last revised June 29, 2012 and prepared by Bowman Consulting Group, Ltd. (“Plat”). The easement areas to be vacated are depicted on the Plat as: 1) “Area 1 (Hotel/Residential) Easement for Public Street and Utilities Purposes Hereby Vacated D.B. 1699, PG. 1 Area = 5,261 S.F.”; 2) “Area 2 (Hotel/Residential) Easement for Public Street and Utilities Purposes Hereby Vacated D.B. 1699, PG. 1 Area = 673 S.F.”; and 3) “Area 3 (Office) Easement for Public Street and Utilities Purposes Hereby Vacated D.B. 1536 PG. 374 Area = 6,737 S.F.” The total area for all three easement areas is 12,671 S.F. The area of right-of-way to be vacated is depicted on the Plat as: 1) “Area 1 (Office) Portion of Street to be Vacated Area =427 S.F.”; 2) “Area 2 (Office) Portion of Street to be Vacated Area = 5,745 S.F.”; and 3) “Area 3 (Hotel/Residential) Portion of Street to be Vacated Area = 17,650 S.F.” The total area for the street vacations is 23,822 S.F.

Two proposed ordinances of vacation, one for the northern area of the Site Plan (“Hotel/Residential Ordinance”) and one for the southern area of the Site Plan (“Office Ordinance”) (sometimes, collectively, (“Ordinances”) are attached to this report as “Attachment 1” (“Hotel/Residential Ordinance”) and “Attachment 2” (“Office Ordinance”). The Applicant is

proposing, and the Site Plan conditions permit the Applicant, to construct the Site Plan in two phases, either of which may be commenced first. In order to coordinate the fulfillment of the conditions of the Ordinances with the phasing of the Site Plan, Applicant proposes and staff has agreed to recommend that the Board enact two separate ordinances of vacation, one related to the development of the area of the proposed Residential/Hotel phase of the Site Plan and one related to the area of the proposed Office phase of the Site Plan. Enactment of two separate Ordinances thus enables the conditions of each Ordinance to be satisfied separately, prior to commencement of each corresponding phase. As a condition of each of the respective proposed Ordinances, and before the deed(s) of vacation associated with the respective phase can be recorded, the Applicant will pay to the County the compensation as described below, relocate all existing utilities, and provide easements to the County for the relocated utilities.

The site plan as presented and the proposed Ordinances require extensive relocation of public utilities. Because of the contemplated PDSP sequencing, and the likely phasing of the Site Plan, it would be difficult, if not impossible, for the Applicant to complete the utility relocations within three years. For these reasons, among others, the CPHD staff is recommending a five (5) year period for the PDSP and the Site Plan. Accordingly, Real Estate is recommending a concurrent time period within which the conditions of the Ordinances must be fulfilled and Deeds of Vacation recorded. If the conditions of each Ordinance of Vacation are not satisfied within three (3) years after the date that the applicable Ordinance of Vacation is enacted, then the compensation due from the Applicant will increase from the dollar amounts specified in the Ordinances in years four and five, consistent with the increases in the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area.

Legal and Physical Description: The physical area of the easements and rights-of-way to be vacated is depicted on the Plat, attached to this report as Exhibit A. The easements were conveyed to the County by deeds recorded among the Land Records of Arlington County, Virginia ("Land Records") in Deed Book 1536 at Page 374 and Deed Book 1699 at Page 1. The underlying property upon which the easements are located is owned by the Applicant by virtue of Special Warranty Deeds recorded among the Land Records at Deed Book 3475 Page 2810 and Deed Book 3475 at Page 2804. The public right-of-way was dedicated to the County by virtue of a Deed of Dedication recorded among the Land Records at Deed Book 105 Page 275.

Public Notice: Public notice of the enactment of the proposed Ordinance was given in accordance with the Code of Virginia. Notices were placed in the June 26, 2012 and the July 3, 2012 issues of the Washington Times for the County Planning Commission Meeting of July 9, 2012 and the County Board Meeting of July 21, 2012.

Compensation: The compensation to be paid by the Applicant to the County for the vacations was determined consistent with an appraisal report dated April 22, 2012, performed by the Robert Paul Jones Company ("Jones"). Jones valued the 23,822 square feet of fee rights-of-way to be vacated at \$5,992,424.00, and the 12,671 square feet of public street and utilities easement to be vacated at \$1,593,695.00. The Applicant has agreed to pay \$5,186,206.30 (17,650 S.F. of fee area and 5,934 S.F. of easement area) for the areas vacated by the "Hotel/Residential Ordinance". The Applicant has agreed to pay \$2,399,912.70 (6,172 S.F. of fee area and 6,737 S.F. of easement area) for the areas vacated by the "Office Ordinance". If the Applicant does not

satisfy the conditions of the respective Ordinance, including payment of compensation to the County, within three years from the date that the Ordinances are enacted, then the payment of compensation during years four and five will be increased from the dollar amount specified in the applicable Ordinance, consistent with the corresponding increase in the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area.

Community Notification: In response to the notices of the proposed vacations sent by the Applicant to surrounding property owners, the Real Estate Bureau has received 36 responses. Most of the responses appear to be from residents of Turnberry Towers. Of those responses, 20 were in opposition to the proposed vacations. Real Estate Bureau staff contacted the residents in opposition for whom they could locate telephone numbers. Most of the opposition centered on the fact that the vacations would permit the new SP #419 buildings to be situated where they would block views of Georgetown currently available to residents of existing buildings. These residents were referred to CPHD staff for further information concerning the proposed development and discussion of the applicable Rosslyn Station Area Plan.

FISCAL IMPACT: The Applicant has agreed to pay \$5,186,206.30 for the areas vacated by the “Hotel/Residential Ordinance”. The Applicant has agreed to pay \$2,399,912.70 for the areas vacated by the “Office Ordinance”. The amount(s) will be deposited into the General Fund.

CONCLUSION: It is recommended that the County Board enact the attached “Hotel/Residential Ordinance”, Attachment 1, and the attached “Office Ordinance”, Attachment 2.

**ATTACHMENT 1
("HOTEL/RESIDENTIAL ORDINANCE")**

AN ORDINANCE TO VACATE: 1) AN EASEMENT FOR PUBLIC STREET AND UTILITIES PURPOSES, RUNNING ALONG THE EASTERN BOUNDARIES OF LOTS, 3, 2, AND 1 AND ALONG THE WESTERN BOUNDARY OF LOT 6, BLOCK 5, ROSSLYN (RPC # 16-020-002); 2) A PORTION OF THE 20TH STREET NORTH RIGHT-OF-WAY ABUTTING THE NORTHERN BOUNDARIES OF LOTS 6, 5, AND 1, BLOCK 5, ROSSLYN (RPC # 16-020-002); 3) A PORTION OF THE FT. MYER DRIVE RIGHT-OF-WAY ABUTTING THE WESTERN BOUNDARIES OF LOT 6, BLOCK 5, ROSSLYN (RPC # 16-020-002); 4) A PORTION OF THE NORTH MOORE STREET RIGHT-OF-WAY ABUTTING THE WESTERN BOUNDARIES OF LOTS 3, 2 AND 1, BLOCK 5, ROSSLYN (RPC # 16-020-002), WITH CONDITIONS ("HOTEL/RESIDENTIAL ORDINANCE").

BE IT ORDAINED that, pursuant to a request by JBG/Rosslyn Gateway North, L.L.C., Owner and Applicant and JBG/Rosslyn Gateway South, L.L.C., Owner and Applicant (collectively, "Applicant"), on file with the Department of Environmental Services, the following described County property interests: 1) an Easement for Public Street and Utilities Purposes, running along the eastern boundaries of Lots, 3, 2, and 1 and along the western boundary of Lot 6, Block 5, Rosslyn (RPC # 16-020-002), created by a deed recorded among the land records of Arlington County, Virginia ("Land Records") in Deed Book 1699 at Page 1; 2) a portion of the 20th Street North right-of-way abutting the northern boundaries of Lots 6, 5, and 1, Block 5, Rosslyn (RPC # 16-020-002), created by a Deed of Dedication recorded among the Land Records in Deed Book 105, Page 275; 3) a portion of the Ft. Myer Drive right-of-way abutting the western boundaries of Lot 6, Block 5, Rosslyn (RPC # 16-020-002), created by a Deed of Dedication recorded among the Land Records in Deed Book 105, Page 275; 4) a portion of the North Moore Street right-of-way abutting the western boundaries of Lots 3, 2 and 1, Block 5, Rosslyn (RPC # 16-020-002), created by a Deed of Dedication recorded among the Land Records in Deed Book 105, Page 275, all as shown on a plat entitled "Plat Showing the Vacation of a Portion of Ft. Myer Drive, 20th Street North, North Moore Street and 19th Street North (Deed Book 105, Page 275) and Vacation of Easement for Public Street and Utilities Purposes (Deed Book 1536, Page 374), (Deed Book 1699, Page 1) Arlington County, Virginia", dated April 14, 2011, last revised June 29, 2012 prepared by Bowman Consulting Group, Ltd, and attached to the County Manager's Report dated July 1, 2012 ("Plat"), and labeled on the Plat as: 1) "Area 1 (Hotel/Residential) Easement for Public Street and Utilities Purposes Hereby Vacated D.B. 1699, PG. 1 Area = 5,261 S.F."; 2) "Area 2 (Hotel/Residential) Easement for Public Street and Utilities Purposes Hereby Vacated D. B. 1699, PG. 1 Area = 673 S.F."; and 3) "Area 3 (Hotel/Residential) Portion of Street to be Vacated Area = 17,650 S.F."; are hereby vacated subject to the following conditions:

1. The Applicant shall submit, for review and approval, to the Department of Environmental Services ("DES"), a utility relocation and engineering design plan for the construction, relocation, removal, and/or replacement of any and all utilities located in whole or in part, within the portion of the Easement for Public Street and Utilities Purposes, and the portions of the rights-of-way (20th Street North, Ft. Myer

- Drive and North Moore Street) vacated by this Ordinance of Vacation (“Plan”), which Plan shall be in compliance with the Arlington County Construction Standards and Specifications. The Plan shall be subject to approval by the Director of DES, or his designee.
2. The Applicant shall submit to the Director of DES, or his designee, a bond, letter of credit, or other security, acceptable to the County Manager, in an amount and in a form, as determined by and acceptable to the County Manager, or her designee, to secure the construction, relocation, removal, and/or replacement of any and all existing utilities pursuant to the approved Plan.
 3. The Applicant shall remove, relocate and reconstruct, or cause to be removed, relocated and reconstructed, at its sole cost and expense, all utilities of the County and of others existing at the time of recordation of the Deed(s) of Vacation within the areas vacated by this Ordinance, including but not limited to, sanitary sewer lines, storm sewer lines, water lines and any electric, gas and communication lines. All utilities removed shall be relocated or reconstructed with new utilities and related appurtenant facilities of size, dimension and location acceptable to the County, in accordance with the approved Plan as defined in Condition #1 of this Ordinance and in strict accordance with Arlington County Construction Standards and Specifications, all applicable laws, ordinances, regulations and policies, as provided in Site Plan #419, as approved by the County Board.
 4. The Applicant shall dedicate and convey, without compensation from the County, any and all new utility easements, required by the County Manager, in a form acceptable to the County Manager and approved by the County Attorney, and/or, if applicable, the Applicant shall obtain right-of-way permits. The Real Estate Bureau Chief is authorized to accept such utility easements on behalf of the County Board.
 5. The Applicant shall prepare and submit to the County for review and approval, the Deed(s) of Vacation, and all required Plats, subject to the approval thereof by the County Manager, or her designee, and approval of the deed(s) as to form by the County Attorney.
 6. The Applicant shall pay all fees, including the fees for plat review, approval and recordation of the Deed(s) of Vacation associated with this Ordinance of Vacation.
 7. The Applicant shall record the Deed(s) of Vacation and all plats, subject to the approval of the County Manager, or her designee, and approval as to form by the County Attorney.
 8. The Applicant shall pay to the County, by wire transfer, certified or cashier’s check, the amount of \$5,186,206.30, as compensation, before the Deed(s) of Vacation can be recorded. If the Applicant does not meet the conditions of this Ordinance of Vacation by noon on July 21, 2015, then the amount of the \$5,186,206.30 compensation shall increase, consistent with the corresponding increase in the Consumer Price Index, Washington-Baltimore Metropolitan Statistical Area, from July 21, 2015 until the date that all conditions of this Ordinance of Vacation are met.
 9. The Applicant shall record a copy of this Ordinance of Vacation among the Land Records.
 10. All conditions of this Ordinance of Vacation shall be met by noon on July 21, 2017, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

**ATTACHMENT 2
("OFFICE ORDINANCE")**

AN ORDINANCE TO VACATE: 1) AN EASEMENT FOR PUBLIC STREET AND UTILITIES PURPOSES, RUNNING ALONG THE WESTERN BOUNDARY OF LOT 4, ALONG THE SOUTHERN BOUNDARIES OF LOTS 4 AND 9, AND ALONG THE EASTERN BOUNDARIES OF LOTS, 9, 8, AND 7, BLOCK 5, ROSSLYN (RPC # 16-020-001 AND RPC # 16-020-006); 2) A PORTION OF THE FT. MYER DRIVE RIGHT-OF-WAY ABUTTING THE WESTERN BOUNDARIES OF LOT 4, BLOCK 5, ROSSLYN (RPC # 16-020-001); 3) A PORTION OF THE 19TH STREET NORTH RIGHT-OF-WAY ABUTTING THE SOUTHERN BOUNDARIES OF LOTS 4 AND 9, BLOCK 5, ROSSLYN (RPC # 16-020-001 AND RPC # 16-020-006); AND 4) A PORTION OF THE NORTH MOORE STREET RIGHT-OF-WAY ABUTTING THE WESTERN BOUNDARIES OF LOTS 9, 8, AND 7, BLOCK 5, ROSSLYN (RPC # 16-020-001 AND RPC # 16-020-006), WITH CONDITIONS ("OFFICE ORDINANCE").

BE IT ORDAINED that, pursuant to a request by JBG/Rosslyn Gateway North, L.L.C., Owner and Applicant and JBG/Rosslyn Gateway South, L.L.C., Owner and Applicant (collectively, "Applicant"), on file with the Department of Environmental Services, the following described County property interests: 1) an Easement for Public Street and Utilities Purposes, running along the western boundary of Lot 4, along the southern boundaries of Lots 4 and 9, and along the eastern boundaries of Lots, 9, 8, and 7, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006), created by a deed recorded among the land records of Arlington County, Virginia ("Land Records") in Deed Book 1546 at Page 374; 2) a portion of the Ft. Myer Drive right-of-way abutting the western boundaries of Lot 4, Block 5, Rosslyn (RPC # 16-020-001), created by a deed recorded among the Land Records in Deed Book 105, Page 275; 3) a portion of the 19th Street North right-of-way abutting the southern boundaries of Lots 4 and 9, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006), created by a deed recorded among the Land Records in Deed Book 105, Page 275; and 4) a portion of the North Moore Street right-of-way abutting the western boundaries of Lots 9, 8, and 7, Block 5, Rosslyn (RPC # 16-020-001 and RPC # 16-020-006), created by a deed recorded among the Land Records in Deed Book 105, Page 275; all as shown on a plat entitled, "Plat Showing the Vacation of a Portion of Ft. Myer Drive, 20th Street North, North Moore Street and 19th Street North (Deed Book 105, Page 275) and Vacation of Easement for Public Street and Utilities Purposes (Deed Book 1536, Page 374), (Deed Book 1699, Page 1) Arlington County, Virginia", dated April 14, 2011, last revised June 29, 2012, prepared by Bowman Consulting Group, Ltd., and attached to the County Manager's Report dated July 1, 2012 ("Plat"), and labeled on the Plat as: 1) "Area 3 (Office) Easement for Public Street and Utilities Purposes Hereby Vacated D.B. 1536 PG. 374 Area = 6,737 S.F."; 2) "Area 1 (Office) Portion of Street to be Vacated Area = 427 S.F."; and 3) "Area 2 (Office) Portion of Street to be Vacated Area = 5,745 S.F."; are hereby vacated subject to the following conditions:

1. The Applicant shall submit, for review and approval, to the Department of Environmental Services ("DES"), a utility relocation and engineering design plan for the construction, relocation, removal, and/or replacement of any and all utilities located in whole or in part, within the portion of the Easement for Public Street and

- Utilities Purposes, and the portions of the rights-of-way (20th Street North, Ft. Myer Drive and North Moore Street) vacated by this Ordinance of Vacation (“Plan”), which Plan shall be in compliance with the Arlington County Construction Standards and Specifications. The Plan shall be subject to approval by the Director of DES, or his designee.
2. The Applicant shall submit to the Director of DES, or his designee, a bond, letter of credit, or other security, acceptable to the County Manager, in an amount and in a form, as determined by and acceptable to the County Manager, or her designee, to secure the construction, relocation, removal, and/or replacement of any and all existing utilities pursuant to the approved Plan.
 3. The Applicant shall remove, relocate and reconstruct, or cause to be removed, relocated and reconstructed, at its sole cost and expense, all utilities of the County and of others existing at the time of recordation of the Deed(s) of Vacation within the areas vacated by this Ordinance, including but not limited to, sanitary sewer lines, storm sewer lines, water lines and any electric, gas and communication lines. All utilities removed shall be relocated or reconstructed with new utilities and related appurtenant facilities of size, dimension and location acceptable to the County, in accordance with the approved Plan as defined in Condition #1 of this Ordinance and in strict accordance with Arlington County Construction Standards and Specifications, all applicable laws, ordinances, regulations and policies, as provided in Site Plan #419, as approved by the County Board.
 4. The Applicant shall dedicate and convey, without compensation from the County, any and all new utility easements, required by the County Manager, in a form acceptable to the County Manager and approved by the County Attorney, and/or, if applicable, the Applicant shall obtain right-of-way permits. The Real Estate Bureau Chief is authorized to accept such utility easements on behalf of the County Board.
 5. The Applicant shall prepare and submit to the County for review and approval, the Deed(s) of Vacation, and all required Plats, subject to the approval thereof by the County Manager, or her designee, and approval of the deed(s) as to form by the County Attorney.
 6. The Applicant shall pay all fees, including the fees for plat review, approval and recordation of the Deed(s) of Vacation associated with this Ordinance of Vacation.
 7. The Applicant shall record the Deed(s) of Vacation and all plats, subject to the approval of the County Manager, or her designee, and approval as to form by the County Attorney.
 8. The Applicant shall pay, by wire transfer, certified or cashier’s check, to the County, the amount of \$2,399,912.70, as compensation, before the Deed(s) of Vacation can be recorded. If the Applicant does not meet the conditions of this Ordinance of Vacation by noon on July 21, 2015, then the amount of the \$2,399,912.70 compensation shall increase, consistent with the corresponding increase in the Consumer Price Index, Washington-Baltimore Metropolitan Statistical Area, from July 21, 2015 until the date that all conditions of this Ordinance of Vacation are met.
 9. The Applicant shall record a copy of this Ordinance of Vacation among the Land Records.

10. All conditions of this Ordinance of Vacation shall be met by noon on July 21, 2017, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

EASEMENT FOR PUBLIC STREET AND UTILITIES PURPOSES (HEREBY VACATED)

OFFICE	AREA 3	D.B. 1536, PG. 374	AREA=6,737 S.F.
HOTEL/RESIDENTIAL	AREA 1	D.B. 1699, PG. 1	AREA=5,261 S.F.
HOTEL/RESIDENTIAL	AREA 2	D.B. 1699, PG. 1	AREA=673 S.F.
TOTAL HOTEL/RESIDENTIAL AREA			AREA=5,934 S.F.
TOTAL EASEMENT VACATION			AREA=12,671 S.F.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 14°16'32" W	12.91'
L2	N 75°47'59" W	23.26'
L3	N 75°48'00" W	16.95'
L4	N 05°29'40" E	3.05'
L5	N 04°29'16" E	23.14'
L6	N 04°28'06" E	32.45'
L7	N 00°58'24" E	82.73'
L8	N 05°25'13" E	2.72'
L9	N 19°24'53" E	3.33'
L10	N 19°44'54" E	3.27'

EXHIBIT A

FT. MYER DRIVE
VARIABLE WIDTH

AREA 1 (OFFICE)
PORTION OF STREET
TO BE VACATED
AREA=427 S.F.

AREA 1 (HOTEL/RESIDENTIAL)
EASEMENT FOR PUBLIC STREET
AND UTILITIES PURPOSES
HEREBY VACATED
D.B. 1699, PG. 1
AREA=5,261 S.F.

AREA 2 (HOTEL/RESIDENTIAL)
EASEMENT FOR PUBLIC STREET
AND UTILITIES PURPOSES
HEREBY VACATED
D.B. 1699, PG. 1
AREA=673 S.F.

AREA 3 (OFFICE)
EASEMENT FOR PUBLIC STREET
AND UTILITIES PURPOSES
HEREBY VACATED
D.B. 1536, PG. 374
AREA=6,737 S.F.

AREA 2 (OFFICE)
PORTION OF STREET
TO BE VACATED
AREA=5,745 S.F.

LOTS 1, 2
AND PT 3 AND 4
BLOCK 9
ROSSLYN

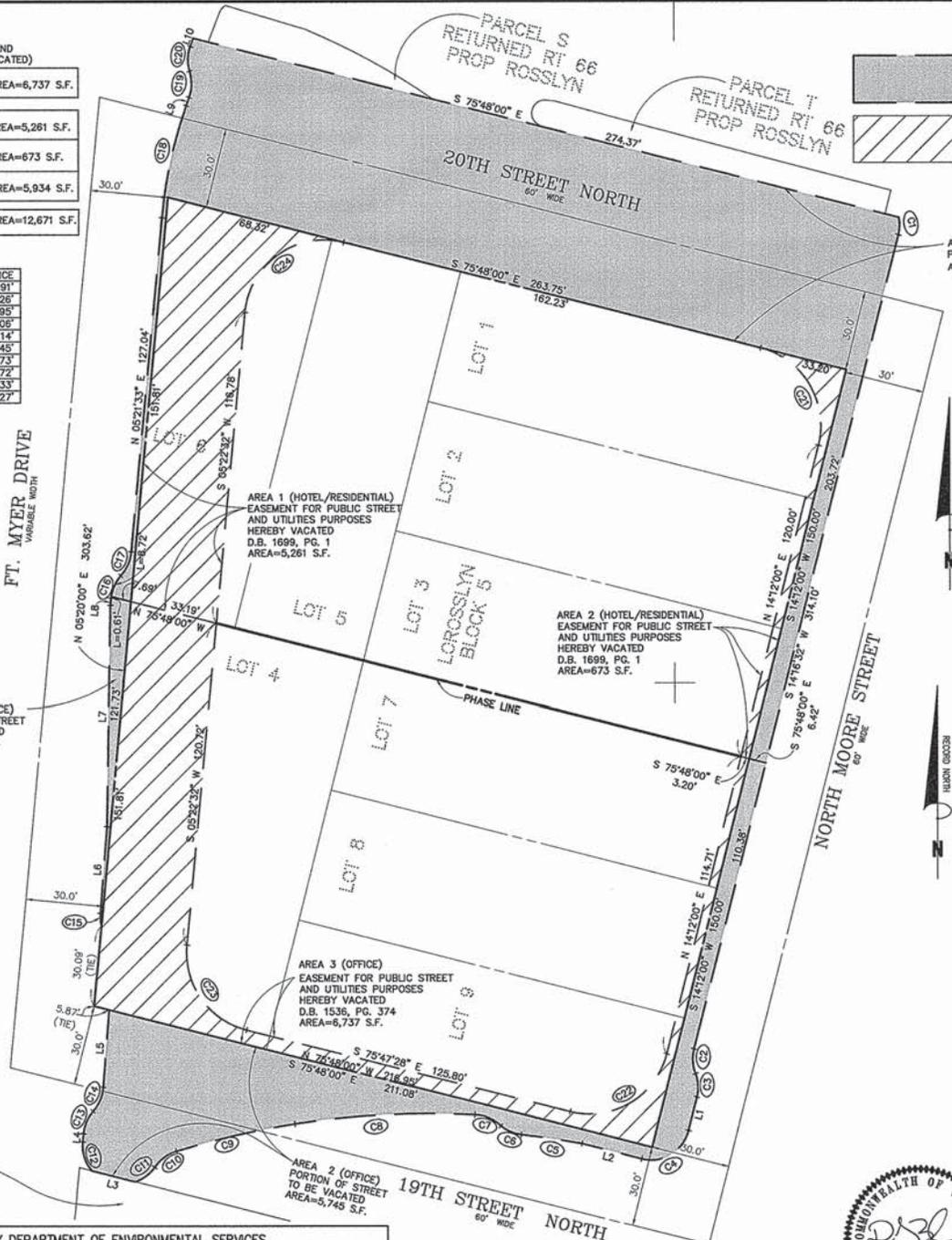
ARLINGTON COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF TRANSPORTATION

RECOMMENDED FOR APPROVAL:

APPROVED:

PLAT EXAMINER

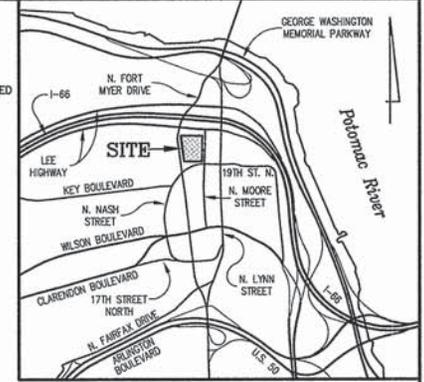
SUBDIVISION AND BONDS ADMINISTRATOR



■ DENOTES PORTION OF STREETS TO BE VACATED
AREA= 23,822 S.F.

▨ DENOTES EASEMENTS TO BE VACATED
AREA= 12,671 S.F.

AREA 3 (HOTEL/RESIDENTIAL)
PORTION OF STREET TO BE VACATED
AREA=17,650 S.F.



VICINITY MAP
NOT TO SCALE

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	14.50'	6.49'	S 01°26'47" W	6.44'	25°39'29"	3.30'
C2	15.50'	9.54'	S 03°20'53" E	9.39'	35°14'51"	4.92'
C3	14.50'	8.92'	S 03°20'53" E	8.78'	35°14'51"	4.61'
C4	14.50'	22.76'	S 59°14'16" W	20.49'	89°55'29"	14.48'
C5	329.37'	23.14'	N 81°44'04" W	23.14'	04°04'32"	11.58'
C6	14.50'	8.44'	N 66°51'21" W	8.32'	33°21'34"	4.34'
C7	15.50'	10.86'	N 66°49'10" W	10.64'	40°09'36"	5.67'
C8	329.70'	68.07'	S 87°11'09" W	67.95'	11°49'47"	34.16'
C9	331.37'	45.83'	S 77°18'32" W	45.79'	07°55'27"	22.95'
C10	15.50'	10.36'	S 54°12'01" W	10.17'	38°17'35"	5.38'
C11	14.50'	9.30'	S 53°25'52" W	9.14'	36°45'17"	4.82'
C12	14.50'	11.53'	N 17°16'38" W	11.22'	45°32'36"	6.09'
C13	14.50'	9.17'	N 23°37'09" E	9.02'	36°14'58"	4.75'
C14	15.50'	10.08'	N 23°06'57" E	9.90'	37°15'22"	5.22'
C15	14.50'	4.74'	N 04°53'48" W	4.72'	18°43'49"	2.39'
C16	14.50'	9.33'	N 23°51'19" E	9.17'	36°52'12"	4.83'
C17	15.50'	9.99'	S 23°49'29" W	9.82'	36°55'52"	5.18'
C18	175.00'	42.93'	N 12°23'13" E	42.82'	14°03'20"	21.57'
C19	15.50'	9.94'	N 01°03'03" E	9.77'	36°43'41"	5.15'
C20	14.50'	9.38'	N 01°15'03" E	9.22'	37°03'42"	4.86'
C21	30.00'	47.12'	S 30°48'00" E	42.43'	90°00'00"	30.00'
C22	30.00'	47.13'	S 59°12'16" W	42.43'	90°00'32"	30.00'
C23	30.00'	42.50'	N 35°12'28" W	39.03'	81°10'00"	25.70'
C24	30.00'	51.74'	N 54°47'16" E	45.56'	98°49'28"	35.02'

PORTION OF STREETS
TO BE VACATED

OFFICE	AREA 1	AREA=427 S.F.
OFFICE	AREA 2	AREA=5,745 S.F.
TOTAL OFFICE AREA		AREA=6,172 S.F.
HOTEL/RESIDENTIAL	AREA 3	AREA=17,650 S.F.
TOTAL STREET VACATION AREA		AREA=23,822 S.F.

NOTES

- THE PROPERTY DELINEATED HEREON IS SHOWN ON ARLINGTON COUNTY TAX ASSESSMENT MAP 44-4, IDENTIFIED BY REAL PROPERTY CODE (RPC) NUMBERS 16020001, 16020002 & 16020006.
- NO TITLE REPORT WAS FURNISHED.

PLAT SHOWING
THE VACATION OF A PORTION OF
FT. MYER DRIVE, 20TH STREET NORTH, NORTH MOORE STREET
AND 19TH STREET NORTH
(DEED BOOK 105, PAGE 275)

AND
VACATION OF EASEMENT FOR PUBLIC STREET AND UTILITIES PURPOSES
(DEED BOOK 1536, PAGE 374)
(DEED BOOK 1699, PAGE 1)

ARLINGTON COUNTY, VIRGINIA

SCALE: 1" = 30'

DATE: APRIL 14, 2011



REVISION	DATE	BY	CHK	QC
1/30/12 REVISE STREET VACATION				
3/12/12 REVISE STREET VACATION				
5/10/12 REVISE STREET VACATION				
6/29/12 COUNTY COMMENTS				

Bowman CONSULTING

Bowman Consulting Group, Ltd.
14020 Thunderbolt Place, Suite 300
Chantilly, Virginia 20151

Phone: (703) 464-9000
Fax: (703) 461-6720
www.bowmanconsulting.com

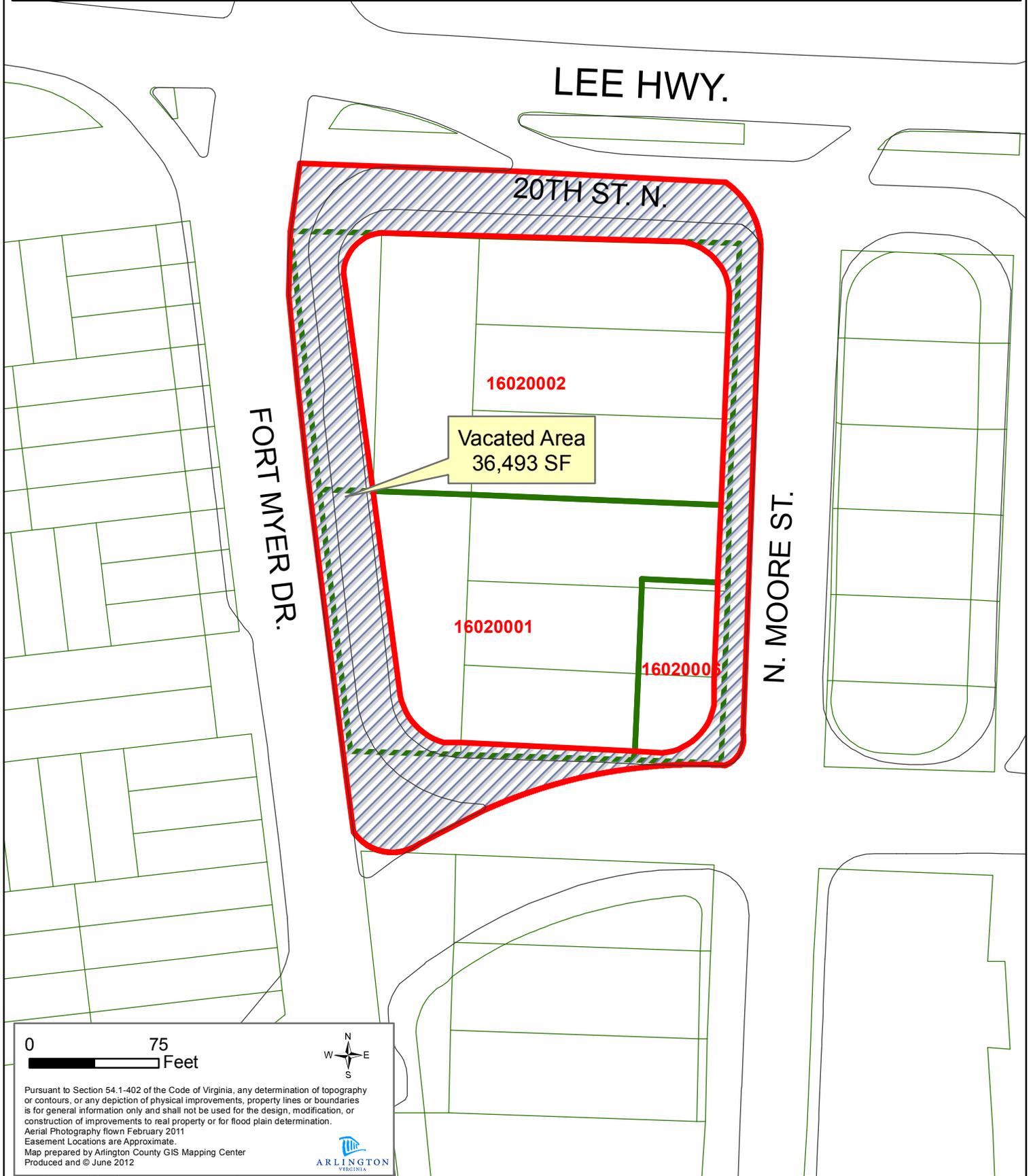
© Bowman Consulting Group, Ltd.

DWG: P:\6067 - Rosslyn Gateway\6067-01-001 (SUR)\Survey\Plats\6067-C-RP-007-1 BY: FK CHK: QC:
BCG PROJECT NO: 6067-01-009 TASK: 000018 COUNTY REF NO: SHEET 1 OF 1

6067-C-RP-007

Vicinity Map Gateway Place

RPC # 16020001, 160020002, & 16020006



0 75 Feet



Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.
Aerial Photography flown February 2011
Easement Locations are Approximate.
Map prepared by Arlington County GIS Mapping Center
Produced and © June 2012



Vicinity Map Gateway Place RPC # 16020001, 160020002, & 16020006



Vacated Area
36,493 SF

16020002

16020001

16020006

0 200 Feet



Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.
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