



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of June 17, 2008**

### **SUPPLEMENTAL REPORT**

**DATE:** June 24, 2008

**SUBJECT:** Enactment of Three Ordinances to Vacate Portions of Public Streets Abutting the Parcel Known as 4975 Columbia Pike, Arlington, Virginia (RPC No. 22001004), as Follows:

- 1) Enactment of an Ordinance to Vacate a Portion of Columbia Pike Running Along the Entire Southeasterly Property Line of RPC No. 22001004, with Conditions;
- 2) Enactment of an Ordinance to Vacate a Portion of South Dinwiddie Street Abutting and Running Along the Southwestern Property Line of RPC No. 22001004 From the Intersection of South Dinwiddie Street with Columbia Pike for a Distance of Approximately 130.29 feet, with Conditions; and
- 3) Enactment of an Ordinance to Vacate a Portion of South Arlington Mill Drive Running Southeast From the Northerly Corner of RPC No. 22001004, Toward Columbia Pike, for a Distance of Approximately 200.79 feet; with Conditions.

**Applicant:** Public Private Alliances, LLC

**Property Owner:** The County Board of Arlington County, Virginia

**By:** Nan E. Walsh  
Walsh Colucci Lubeley Emrich & Walsh PC  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, Virginia 22201

### **C. M. RECOMMENDATION:**

- A. Enact the attached Ordinance to Vacate a portion of Columbia Pike running along the entire southeasterly property line of RPC No. 22001004, with conditions (Attachment 1);
- B. Enact the attached Ordinance to Vacate a portion of South Dinwiddie Street abutting and running along the southwestern property line of RPC No. 22001004 from the intersection of South Dinwiddie Street with Columbia Pike for a distance of approximately 130.29 feet, with conditions (Attachment 2);

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Tim O'Hora, DES, Real Estate Bureau

- C. Enact the attached Ordinance to Vacate a portion of South Arlington Mill Drive running southeast from the northerly corner of RPC No. 22001004, toward Columbia Pike, for a distance of approximately 200.79 feet; with conditions (Attachment 3); and
- D. Authorize the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute, on behalf of the County Board, the Deeds of Vacation and other documents necessary to effectuate the Ordinances of Vacation, subject to approval as to form by the County Attorney.

**DISCUSSION:** Due to a technical error by Applicant's engineering firm in developing the plat designated as "Exhibit A – Vacation Plat" and attached to the original Board Report, the portions of Columbia Pike and South Dinwiddie Street proposed to be vacated were not properly measured and depicted. As corrected, the area of the proposed portion of Columbia Pike to be vacated is 1,938 square feet. The corrected area of the portion of South Dinwiddie Street to be vacated is 1,713 square feet.

A revised "Exhibit A – Vacation Plat" is attached to this Supplemental Report depicting the corrected portions of Columbia Pike and South Dinwiddie Street to be vacated. Also attached are revised Attachments 1, 2 and 3 (the proposed Ordinances of Vacation). A revision to each of these Attachments was necessary to change the plat references in the proposed Ordinances to reference the new, revised plat.

## ATTACHMENT 1

### **AN ORDINANCE TO VACATE A PORTION OF COLUMBIA PIKE RUNNING ALONG THE ENTIRE SOUTHEASTERLY PROPERTY LINE OF RPC #22001004, WITH CONDITIONS:**

**BE IT ORDAINED** that, pursuant to a request on file by Public Private Alliances, LLC (the “Applicant”) and the County Board of Arlington County, Virginia (“Property Owner”) in the Office of the Department of Environmental Services, a portion of Columbia Pike running along the entire southeasterly property line of RPC No. 22001004, established by a Deed dated August 31, 1964, and recorded in Deed Book 1591 at Page 11, among the land records of Arlington County, Virginia, which portion of Columbia Pike is shown on a plat dated May 22, 2008, revised June 24, 2008, prepared by VIKA Incorporated, entitled “Plat Showing the Vacation of a Portion of Arlington Mill Drive, D.B. 739, PG. 397 and the Vacation of a Portion of S. Dinwiddie Street, D.B. 1090, PG. 12, and the Vacation of a Portion of Columbia Pike #224, D.B. 1591 PG., 11 D.B. 655, PG. 15, Arlington Mills Center, Arlington County, Virginia”, attached to the June 24, 2008 Supplemental Report to the County Manager’s Report dated May 27, 2008, as Exhibit A, is hereby vacated subject to the following conditions:

1. The Applicant shall prepare and submit to Arlington County (“County”) for review and approval, the Deed of Vacation and all required plats, subject to approval thereof by the County Manager, or his designee, as to substance, and approval of the deeds, as to form, by the County Attorney.
2. The Applicant/Property Owner shall pay all fees, including the fees for review, approval, and recordation of the required documents associated with the Ordinance of Vacation.
3. The Applicant/Property Owner shall record all plats and the Deed of Vacation required by this Condition among the land records of the Clerk of the Circuit Court of Arlington County.
4. All conditions of this Ordinance of Vacation shall be met by noon on June 17, 2011, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

## ATTACHMENT 2

### **AN ORDINANCE TO VACATE A PORTION OF SOUTH DINWIDDIE STREET ABUTTING AND RUNNING ALONG THE SOUTHWESTERN PROPERTY LINE OF RPC #22001004 FROM THE INTERSECTION OF SOUTH DINWIDDIE STREET WITH COLUMBIA PIKE FOR A DISTANCE OF APPROXIMATELY 130.29 FEET, WITH CONDITIONS**

**BE IT ORDAINED** that, pursuant to a request on file by Public Private Alliances, LLC (the "Applicant") and the County Board of Arlington County, Virginia ("Property Owner") in the Office of the Department of Environmental Services, a portion of South Dinwiddie Street abutting and running along the southwestern property line of RPC No. 22001004 from the intersection of South Dinwiddie Street with Columbia Pike for a distance of approximately 130.29 feet, established by Deed of Dedication dated November 16, 1944, and recorded in Deed Book 655 at Page 15, among the land records of Arlington County, Virginia, which portion of South Dinwiddie Street is shown on a plat dated May 22, 2008, revised June 24, 2008, prepared by VIKA Incorporated, entitled "Plat Showing the Vacation of a Portion of Arlington Mill Drive, D.B. 739, PG. 397 and the Vacation of a Portion of S. Dinwiddie Street, D.B. 1090, PG. 12, and the Vacation of a Portion of Columbia Pike #224, D.B. 1591 PG., 11 D.B. 655, PG. 15, Arlington Mills Center, Arlington County, Virginia", attached to the June 24, 2008 Supplemental Report to the County Manager's Report dated May 27, 2008, as Exhibit A, is hereby vacated subject to the following conditions:

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2. The Applicant/Property Owner shall pay all fees, including the fees for review, approval, and recordation of the required documents associated with the Ordinance of Vacation.
3. The Applicant/Property Owner shall record all plats and the Deed of Vacation required by this Condition among the land records of the Clerk of the Circuit Court of Arlington County.
4. All conditions of this Ordinance of Vacation shall be met by noon on June 17, 2011, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

### ATTACHMENT 3

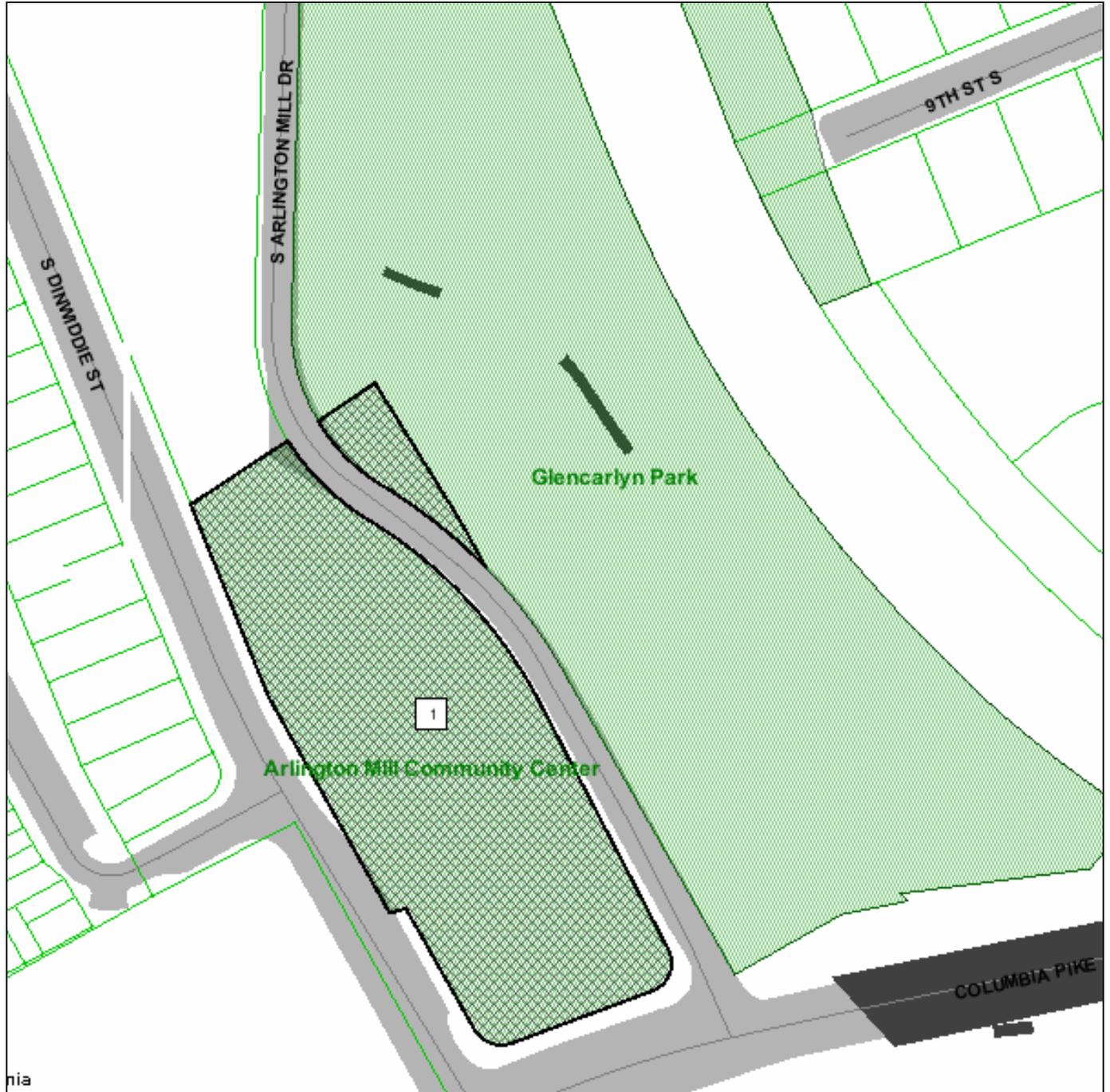
**ORDINANCE TO VACATE A PORTION OF SOUTH ARLINGTON MILL DRIVE RUNNING SOUTHEAST FROM THE NORTHERLY CORNER OF RPC #22001004 TOWARD COLUMBIA PIKE, FOR A DISTANCE OF APPROXIMATELY 200.79 FEET, WITH CONDITIONS:**

**BE IT ORDAINED** that, pursuant to a request on file by Public Private Alliances, LLC (the “Applicant”) and the County Board of Arlington County, Virginia (“Property Owner”) in the Office of the Department of Environmental Services, a portion of South Arlington Mill Drive running southeast from the northerly corner of RPC No. 22001004, toward Columbia Pike, for a distance of approximately 200.79 feet, established by a Deed of Dedication dated September 25, 1946, and recorded in Deed Book 739 at Page 397, among the land records of Arlington County, Virginia, which portion of South Arlington Mill Drive is shown on a plat dated May 22, 2008, revised June 24, 2008, prepared by VIKA Incorporated, entitled “Plat Showing the Vacation of a Portion of Arlington Mill Drive, D.B. 739, PG. 397 and the Vacation of a Portion of S. Dinwiddie Street, D.B. 1090, PG. 12, and the Vacation of a Portion of Columbia Pike #224, D.B. 1591 PG., 11 D.B. 655, PG. 15, Arlington Mills Center, Arlington County, Virginia”, attached to the June 24, 2008 Supplemental Report to the County Manager’s Report dated May 27, 2008, as Exhibit A, is hereby vacated subject to the following conditions:

1. The Applicant shall prepare and submit to Arlington County (“County”) for review and approval, the Deed of Vacation and all required plats, subject to approval thereof by the County Manager, or his designee, as to substance, and approval of the deeds, as to form, by the County Attorney.
2. The Applicant/Property Owner shall pay all fees, including the fees for review, approval, and recordation of the required documents associated with the Ordinance of Vacation.
3. The Applicant/Property Owner shall record all plats and the Deed of Vacation required by this Condition among the land records of the Clerk of the Circuit Court of Arlington County.
4. Prior to execution and delivery of the Deed of Vacation to the Applicant by the County, the Property Owner shall dedicate the fee simple interest for South Arlington Mill Drive specified in and required by Condition #28 of the Columbia Pike Form Based Code Use Permit # U-3199-08-2. All property dedications may be accepted, on behalf of the County Board, by the Real Estate Bureau Chief, and are subject to the approval, as to form, by the County Attorney. The Applicant shall, at Applicant’s expense, record all subdivision deeds and plats, deeds of dedication and easements in the Land Records of Arlington County, Virginia.
5. All conditions of this Ordinance of Vacation shall be met by noon on June 17, 2011, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

**EXHIBIT A - VACATION PLAT**

**ATTACHMENT 4 -VICINITY MAP**  
**4975 Columbia Pike, Arlington, Virginia (RPC No. 22001004)**



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