

ORDINANCE TO VACATE

An ordinance to vacate a portion of that Town public right-of-way known as alley to the rear of 105 Wilmar Place NW between Center Street North and Lawyers Road NW in the Town of Vienna, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VIENNA, VIRGINIA THAT:

Section 1. Pursuant to the provisions of Sec. 15.2-2006 et seq. of the Code of Virginia 1950, as amended, there is hereby vacated that portion of that public right-of-way known as alley to the rear of 101 Wilmar Place NW between Center Street North and Lawyers Road NW in the Town of Vienna, Virginia more particularly described as follows:

An unopened public alley starting at Center Street N and ending at Lawyers Road NW, between Ayr Hill Avenue NW and Wilmar Place NW

Section 2. The vacation herein provided for is conditioned upon the applicant, Mark D. & Patricia M. Esswein granting a Deed of Easement for Temporary Access across the vacated alley.

Section 3. The vacation herein provided for is conditioned upon payment to the Town of Vienna by Mark D. & Patricia M. Esswein the sum of \$1,125.00, pursuant to Sec. 15.2-2009 of the Code of Virginia 1950, as amended.

Section 4. Payment shall be made by Mark D. & Patricia M. Esswein to the Town of Vienna within 60-days (sixty days) of adoption of this ordinance by the Council of the Town of Vienna or such extension of time as may be authorized by the Town Council.

Section 5. Upon receipt of payment by the Town of Vienna, the Town shall cause this ordinance to be recorded among the land records of the County of Fairfax by the Town Council.

Section 6. In the event the petitioner for vacation, Mark D. & Patricia M. Esswein, shall not pay the purchase price to the Town, within the time periods hereinabove set forth in Section 3 hereof, this vacation shall be null and void and shall not be recorded among the land records of Fairfax County.

Passed and approved this _____ day of _____, 20__.

Laurie A. DiRocco, Mayor

ATTEST:

Melanie J. Clark, CMC
Town Clerk