VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

HISTORIC ALEXANDRIA FOUNDATION, et al.,

Petitioners,

v. : Case No.: CL19002249

CITY OF ALEXANDRIA, et al.,

Respondents.

DEMURRER OF RESPONDENTS THE CITY OF ALEXANDRIA, THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, AND THE ALEXANDRIA BOARD OF ARCHITECTURAL REVIEW

The City of Alexandria, the City Council of the City of Alexandria, and the Alexandria Board of Architectural Review (collectively "Respondents"), by and through undersigned counsel, and pursuant to Rule 3:8 of the Rules of Supreme Court of Virginia, hereby submit this Demurrer to the Petition filed by the Historic Alexandria Foundation, Yvonne Weight and Gail C. Rothrock (collectively "Petitioners"). The Respondents demur to the Petition on the bases that Petitioners have failed to state a claim that would entitle them to any relief as a matter of law; Petitioners each lack standing to pursue this appeal as a matter of law; and Petitioners have included parties to this appeal (specifically the City of Alexandria and the Alexandria Board of Architectural Review) that are improper as a matter of law. The factual and legal bases for this Demurrer are more fully set-forth in the accompanying "Brief in Support of Demurrer by Respondents the City of Alexandria, the City Council of the City of Alexandria, and the Alexandria Board of Architectural Review".

Dated: July 15, 2019

Respectfully submitted,

THE CITY OF ALEXANDRIA,
THE ALEXANDRIA CITY COUNCIL,
THE ALEXANDRIA
BOARD OF ARCHITECTURAL REVIEW

By Counsel,

Joanna C. Anderson, VSB # 65463 Travis S. MacRae, VSB # 78771 Travis.MacRae@alexandriava.gov Office of the City Attorney 301 King Street, Suite 1300 Alexandria, VA 22314

Tel.: (703) 746-3750 Fax: (703) 838-4810

Email: travis.macrae@alexandriava.gov

Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 2019, a true and correct copy of the foregoing was served and First Class U.S. Mail upon:

J. Chapman Petersen Chap Petersen & Associates, PLC 3970 Chain Bridge Road Fairfax, Virginia 22030 Counsel for Petitioners

Gifford R. Hampshire Blankingship & Keith, PC. 4020 University Drive, Suite 300 Fairfax, Virginia 22030 Counsel for Vowell, LLC

