

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of a portion of F Street, N.W., between 1st Street, N.W., and 2nd Street, N.W., and adjacent to Squares 567 and 569, in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of F Street, N.W., S.O. 99-70, Act of 2001".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), and notwithstanding any other provision of law, the Council finds that a portion of F Street, N.W., between 1st Street, N.W., and 2nd Street, N.W., adjacent to Squares 567 and 569, as shown on the revised Surveyor's plat filed under S.O. 99-70, is unnecessary for street purposes and orders it closed, with title to the land to remain unchanged and with an easement to be established as shown on the revised Surveyor's plat.

Sec. 3. The Council's order to close the street described in section 2 is contingent upon the filing, with the Recorder of Deeds Division of the Office of Tax and Revenue, of a covenant between the District government and the owner of the lots adjacent to the 100 block of F Street, N.W. (the "owner"). This covenant shall:

(1) Provide an easement on, over, and under the closed street to the owner of the lots adjacent to the 100 block of F Street, N.W.;

(2) Require the termination of the at-grade and above-grade portion of the easement upon the occurrence of certain events set forth in the covenant, to allow for the re-establishment of a street right-of-way, with the costs of such re-establishment to be borne by the owner;

(3) Require that the revised Surveyor's plat show the details of the street as it would revert to public use following the termination of the easement;

(4) Permit the landscaping of the closed street subject to historic preservation review and approval and subject to the requirement to remove any such landscaping in the event of the termination of the easement;

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(5) Prohibit the construction of any structure on the surface of the closed street so that there is no permanent obstruction of existing sightlines;

(6) Require compliance with the conditions required by the Department of Public Works and affected public utilities as set forth in the official file under S.O. 99-70, including the requirement that the owner pay the costs associated with the removal or relocation of the existing street lights if the owner elects to remove or relocate such lights; and

(7) Provide for the District of Columbia Water and Sewer Authority's ("WASA") continued access to the facilities that are located on or under the closed street, including WASA's right to install new facilities.

Sec. 4. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02).

Sec. 5. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor, the Deputy Mayor for Planning and Economic Development, the Director of the Office of Planning, and the District of Columbia Recorder of Deeds.

Sec. 6. This act shall take effect upon its approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia