

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of public alleys in Square 236, bounded by 13th Street, N.W., U Street, N.W., 14th Street, N.W., and V Street, N.W., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Alleys in Square 236, S.O. 00-36, Act of 2000".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982 ("Act"), the Council of the District of Columbia finds that the two public alleys in Square 236, as shown on the Surveyor's plat filed under S.O. 00-36, are unnecessary for alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. The closure of these public alleys is contingent upon the establishment of a 20-foot-wide easement for the relocation of the 15-foot-wide alley to be closed, and upon the satisfaction of other conditions required by the Department of Public Works as set forth in the official file on S.O. 00-36 and agreed to by the applicant in a October 10, 2000, letter to the Department, except that the pedestrian 4-foot-wide easement and the access to the rear of the 13th Street rowhouses will be by private easements between the applicant and the property owners. The closure of these public alleys is also contingent upon the execution of an agreement between the applicant and four abutting property owners, which incorporates the conditions set forth in a letter of understanding from the applicant to the Council, dated October 2, 2000.

Sec. 4. Notwithstanding section 212 of the Act, if an abutting property owner files an objection to these alley closings pursuant to sections 210 and 211 of the Act, the Surveyor shall record the alley closings plats prior to the payment of any damages assessed through an *in rem* proceeding. The objecting property owner shall retain the right to seek damages under section 211 of the Act, and the alley closing applicant shall be fully responsible for any damages that may be assessed by the court in an *in rem* proceeding.

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Sec. 5. 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 (84 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 6. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the District of Columbia Recorder of Deeds.

Sec. 7. 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia