

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To order the closing of Water Street, S.W., and limited portions of 7<sup>th</sup> Street, S.W., 9<sup>th</sup> Street, S.W., M Place, S.W., and N Street, S.W., for the redevelopment of the Southwest Waterfront in Ward 6, to provide for timing for said closure, and to provide for continued access to ongoing operations during the redevelopment of the Southwest Waterfront.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Water Street, S.W., S.O. 10-15906, Act of 2011."

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) ("Act"), the Council of the District of Columbia finds that Water Street, S.W., and limited portions of 7th Street, S.W., 9th Street, S.W., M Place, S.W., and N Street, S.W., as shown on the Surveyor's plat filed under S.O. 10-15906 ("Street Closing Plat"), are unnecessary for street purposes and orders them closed, with title to the land to vest as shown on the Street Closing Plat. This closure is required for the redevelopment of the Southwest Waterfront, pursuant to the Amended and Restated Land Disposition Agreement between Hoffman-Struever Waterfront L.L.C. and the District of Columbia dated May 13, 2009, as amended by that certain First Amendment to Amended and Restated Land Disposition Agreement dated June 11, 2010 and as may hereafter be further amended ("LDA"). The Council has approved the disposition of the project site in accordance with the terms of the LDA pursuant to the Southwest Waterfront Disposition Third Revised Emergency Approval Resolution of 2008, effective December 16, 2008 (Res.17-955; 56 DCR 744). The disposition of the project site is effectuated by the recordation of the Development Site Ground Lease as defined in the LDA ("Ground Lease") in the Land Records for the District of Columbia ("Land Records").

Sec. 3. Pursuant to section 209 of the Act, and notwithstanding any other provision of law, the Mayor shall record the Street Closing Plat in the records of the Office of the Surveyor for the District of Columbia ("Surveyor Records"), officially closing Water Street, S.W., and limited portions of 7th Street, S.W., 9th Street, S.W., M Place, S.W., and N Street, S.W., upon

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receipt of a certified copy of the recorded Ground Lease in the Land Records being delivered to the Surveyor.

Sec. 4. Upon recordation of the Street Closing Plat in the Surveyor's Records, reasonable access shall be provided to the following properties under the stated conditions:

(1) Police and Fire Harbor Patrol Office and related facilities located on Pier 5, as long as such office and facilities are in operation at that location.

(2) Washington Boat Lines and Spirit facilities, located on Lots 820, 842, and 844 in Square 473 and on Pier 4, as long as those facilities are leased to Washington Boat Lines, Inc., or to Spirit Cruises, L.L.C. or its successor, through the District of Columbia as successor to the Southwest Waterfront Development Corporation.

(3) The Maine Lobsterman Park, located on Lot 819 in Square 473, until such time as jurisdiction of said land is transferred from the National Park Service to the District of Columbia.

(4) St. Augustine's Episcopal Church, located on Lots 83 and 814 in Square 473.

Sec. 5. Notwithstanding any other provision of law, the Mayor may temporarily close Water Street, S.W., between 7th Street, S.W., and 9th Street, S.W., for special events prior to the recordation of the Street Closing Plat in the Surveyor's Records, without the requirement for public space permits or payment of rental, fees, or deposits.

Sec. 6. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, each to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 7. Fiscal impact statement.

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(c)(3)).

Sec. 8. Effective date.

This act shall take effect following 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

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24, 1973 (87 Stat. 813, D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia