

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To accept the dedication of land for public street purposes in Ward 6, to designate the dedicated land as New Jersey Avenue, S.E., 4th Street, S.E., and Tingey Street, S.E., to authorize improvement of the dedicated land for street purposes, and to authorize modifications to the permanent system of highways to facilitate development of a new headquarters building for the U.S. Department of Transportation in the Southeast Federal Center, as shown on the Surveyor's plat filed under S.O. 03-1420.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dedication and Designation of Portions of New Jersey Avenue, S.E., 4th Street, S.E., and Tingey Street, S.E., S.O. 03-1420, Act of 2004".

Sec. 2.(a) Pursuant to section 302 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 § D.C. Official Code § 9-203.02) ("Act"), and notwithstanding the requirements set forth in sections 303 and 304 of the Act, the Council accepts:

Note,
§ 9-203.02

(1) The dedication of land in fee for street purposes from the General Services Administration of portions of New Jersey Avenue, Tingey Street, and 4th Street; provided, that the General Services Administration, on behalf of the United States and its successors in interests, reserves by perpetual easement the right to:

(A) Use the below-grade space of the right-of-way without charge from the District and without the requirement for public-space permits, subject to the District's right to:

(i) Inspect the proposed plans to insure the integrity of the streets;
and

(ii) Install utilities in the below-grade space; and

(B) Construct street improvements at grade, such as curb cuts and lay-bys, within the area dedicated for street purposes, pursuant to the District Department of Transportation's standards governing such improvements;

(2) The dedication of land in fee for street purposes from JBG/SEFC Venture,

L.L.C., of portions of New Jersey Avenue, Tingey Street, and 4th Street;

(3) The dedication of land by easement for public space purposes from JBG/SEFC Venture, L.L.C., of a portion of New Jersey Avenue; and

(4) The dedication of below-grade space by easement for utility purposes from JBG/SEFC Venture, L.L.C., of a portion of New Jersey Avenue.

(b) The Council's acceptance of the dedication of land described in subsection (a) of this section is contingent upon the filing of covenants in the Land Records for the District of Columbia and the filing of the dedication plat in the Office of the Surveyor for the District of Columbia.

Sec. 3. Notwithstanding section 306 of the Act (D.C. Official Code § 9-203.06), the Mayor is authorized to:

(1) Accept street improvements made or to be made by the applicant to the area dedicated for street purposes; provided, that the District Department of Transportation confirms that the streets have been constructed in accordance with District Department of Transportation standards;

(2) Accept improvements to public space within the proposed 4th Street right-of-way as shown in the plans approved by the Zoning Commission in Order No.03-05C; and

(3) Waive all deposits related to paragraphs (1) and (2) of this section.

Sec. 4. Notwithstanding An Act To provide a permanent system of highways in that part of District of Columbia lying outside of cities, approved March 2, 1893 (27 Stat. 532; D.C. Official Code § 9-103.01 *et. seq*) and section 6 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), the Council approves the development of the Southeast Federal Center, including the new headquarters building for the U.S. Department of Transportation, by adding the area of land shown on the Surveyor's plat filed under S.O. 03-1420.

Sec. 5. Pursuant to section 401 and notwithstanding section 402 of the Act, the dedication of land as described in section 2 and on the Surveyor's plat filed under S.O. 03-1420, shall be designated as follows:

(1) The southern extension of New Jersey Avenue, S.E., shall be designated as New Jersey Avenue, S.E.

(2) The southern extension of 4th Street, S.E., shall be designated as 4th Street, S.E.

(3) The southern most street running east-west created by the dedication of land shall be designated as Tingey Street, S.E.

Sec. 6. 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. 7. The Secretary to the Council shall transmit a copy of this act, upon its effective date, each to the Office of the Mayor, the Office of the Surveyor of the District of Columbia, 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. 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 24, 1973 (87 Stat. 813, D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia