

COUNCIL OF THE DISTRICT OF COLUMBIA

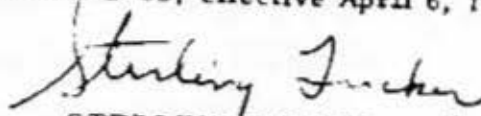
NOTICE

D. C. Law 2-65

"Street and Alley Closing Act of 1977"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 2-56, on first and second readings October 11, 1977 and October 25, 1977, respectively. Following the signature of the Mayor on January 27, 1978, this legislation was assigned Act No. 2-134, published in the February 17, 1978, edition of the D. C. Register and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired and, therefore, cites the following legislation as D. C. Law 2-65, effective April 6, 1978.


STERLING TUCKER
Chairman of the Council

(Vol. 24, D. C. Register, 6792, February 17, 1978)

2-65

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 1978

to protect certain property rights and interests created as a result of the closing of streets, minor streets, roads, highways, and alleys in the District of Columbia pursuant to resolutions previously adopted by the Council of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Street and Alley Closing Act of 1977".

Sec. 2. (a) The provisions of the following resolutions of the Council of the District of Columbia are hereby approved, affirmed and incorporated herein:

- (1) Resolution Ordering the Closing of Portions of Flint Place, N.E. (Res. 1-128, adopted October 7, 1975);
- (2) Resolution Ordering the Closing of Part of 10th Street, N.W. (Res. 1-129, adopted October 7, 1975);
- (3) Resolution Ordering the Closing of Public Alley In Square 619, Bound By M Street, First Street and New York Avenue N.W. (Res. 1-130, adopted October 7, 1975);
- (4) Charles Street, N.E. Resolution (Res. 1-131, adopted October 7, 1975);

- (5) Oregon Avenue and 30th Street N.W. Resolution (Res. 1-132, adopted October 7, 1975);
- (6) Resolution Ordering the Closing of Public Alley in Square 1939 (Res. 1-133, adopted October 7, 1975);
- (7) First and L Streets, N.W. Resolution (Res. 1-188, adopted January 27, 1976);
- (8) M Street, North Capitol Street, and Patterson Street, N.E. Resolution (Res. 1-189, adopted January 27, 1976);
- (9) Closing of Center Street, N.W. Resolution of 1976 (Res. 1-209, adopted February 24, 1976);
- (10) Closing of the Public Alley in Square 5196 Resolution of 1976 (Res. 1-210, adopted February 24, 1976);
- (11) Closing of the Public Alley in Square 2354 Resolution of 1976 (Res. 1-214, adopted March 9, 1976);
- (12) Closing of the Public Alley in Square 2670 Resolution of 1976 (Res. 1-215, adopted March 9, 1976);
- (13) Closing of Irving Street, N.E. Resolution of 1976 (Res. 1-216, adopted March 9, 1976);
- (14) Closing of the Public Alleys in Square 447 Resolution of 1976 (Res. 1-231, adopted March 23, 1976);
- (15) Closing of Part of Q Street, N.W. between 11th Street, N.W. and Rhode Island Avenue, N.W. Resolution of 1976 (Res. 1-245, adopted April 20, 1976);

(16) Closing of Part of the Public Alley in Square 2571

Resolution of 1976 (Res. 1-247, adopted April 20, 1976);

(17) Closing of the Public Alley in Square 118

Resolution of 1976 (Res. 1-248, adopted April 20, 1976);

(18) Closing of Part of I Street, N.W. Resolution of

1976 (Res. 1-249, adopted April 20, 1976);

(19) Closing of Public Alleys in Squares 425 and 426,

West of 7th Street, N.W. Resolution of 1976 (Res. 1-279,

adopted May 3, 1976);

(20) Closing of the Public Alley in Square 132

Resolution of 1976 (Res. 1-308, adopted June 1, 1976);

(21) Closing of Part of Arizona Avenue Resolution of

1976 (Res. 1-309, adopted June 1, 1976);

(22) Closing of John Marshall Place, N.W. Resolution of

1976 (Res. 1-310, adopted June 1, 1976);

(23) Closing of the Public Alley at the Rear of Lot 832,

Square 80 Resolution of 1976 (Res. 1-327, adopted June 29,

1976);

(24) Closing of Part of 45th Street, N.E. and Dedication

of Land in Square 5139 for Public Street Purposes Resolution

(Res. 1-328, adopted June 29, 1976);

(25) Closing of the Public Alley in Square 2964

Resolution of 1976 (Res. 1-342, adopted July 20, 1976);

(26) Closing of 9th Street, N.E. and Part of Newton Street, N.E. Resolution of 1976 (Res. 1-360, adopted July 17, 1976);

(27) Closing of Part of a Public Alley, Less than 10 feet wide, in Square 15 Resolution of 1976 (Res. 1-366), adopted July 27, 1976);

(28) Closing of the Public Alleys in Square 14 Resolution of 1976 (Res. 1-391, adopted October 12, 1976);

(29) Closing of Parts of 12th and D Streets, S.E. Disapproval Resolution of 1976 (Res. 1-416, adopted November 23, 1976);

(30) Closing of the Public Alleys in Square 86 Resolution of 1976 (Res. 1-453, adopted December 17, 1976);

(31) Closing of Part of Eighth Street, N.W. Resolution of 1976 (Res. 1-454, adopted December 17, 1976);

(32) Closing of a Public Alley in Square 398 Resolution of 1976 (Res. 1-455, adopted December 17, 1976); and

(33) Closing of a Public Alley in Square 422 Resolution of 1976 (Res. 1-456, adopted December 17, 1976).

(b) The provisions of said resolutions shall have the same legal force and effect as if such provisions had been set forth in an act of the Council of the District of Columbia which took effect on the date on which each of the said resolutions was adopted.

Sec. 3. Nothing contained in this act shall be construed to: (a) affect the rights or remedies of an interested party who has filed a valid objection pursuant to section 4 of "The Street Readjustment Act of the District of Columbia", approved December 15, 1932 (47 Stat. 749; D.C. Code, sec. 7-404) to a street, road, highway, or alley closing ordered by the Council of the District of Columbia resolutions identified in section 2 of this act; (b) to grant additional rights and remedies to an interested party who has not filed an objection to such closings in accordance with section 4 of "The Street Readjustment Act of the District of Columbia", approved December 15, 1932 (47 Stat. 749; D.C. Code, sec. 7-404); (c) to affect the requirement of a proceeding in rem for the closing of a street, road, highway, or alley under section 5 of "The Street Readjustment Act of the District of Columbia", approved December 15, 1932 (47 Stat. 749; D.C. Code, sec. 7-405) upon the filing of a valid objection by an interested party; (d) to affect the rights of any interested and affected property owner under section 3 of the act "To authorize the Commissioners of the District of Columbia to close certain alleys and to set aside land owned by the District of Columbia for alley purposes", approved June 14, 1932 (47 Stat. 303; D.C. Code, sec. 7-311); (e) or to affect

the rights of any property owner under sections 5 and 6 of "An Act To amend an Act of Congress", approved March second, eighteen hundred and ninety-three, entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of the cities, and for other purposes", approved June 28, 1893 (30 Stat. 520; D.C. Code, secs. 7-114 and 7-115).

Sec. 4. Nothing contained in this act shall be construed either as a determination or decision by the Council of the District of Columbia that a resolution duly adopted by the Council of the District of Columbia is legally insufficient to order the closing, abandonment, readjustment, modification, or changing of any street, minor street, road, highway, or alley in the District of Columbia or to order the acceptance of the dedication of any property for street, minor street, road, highway, alley, or other public purposes pursuant to sections 1 through 4 of "The Street Readjustment Act of the District of Columbia", approved December 15, 1932 (47 Stat. 747 through 749; D.C. Code, secs. 7-401 through 7-404), sections 1603a through 1608d of An Act to amend chapter fifty-five of an Act entitled "An Act to establish a code of law for the District of Columbia", approved February 23, 1905 (33 Stat. 733 and 734; D.C. Code, secs. 7-302 through 7-305), sections 1605 and 1608 of "An Act To

establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1428 and 1429; D.C. Code, secs. 7-306 and 7-308), section 1 of the act "To authorize the Commissioners of the District of Columbia to close certain alleys and to set aside land owned by the District of Columbia for alley purposes", approved June 14, 1932 (47 Stat. 303; D.C. Code, sec. 7-309), section 3 of "An Act To amend an Act of Congress, approved March second, eighteen hundred and ninety-three, entitled An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, and for other purposes", approved June 29, 1898 (30 Stat. 520; D.C. Code, sec. 7-113), or section 2 of "An Act To regulate the grades of Twentieth Street, and for other purposes", approved May 31, 1900 (31 Stat. 248; D.C. Code, sec. 7-117) or as an interpretation of section 412(a) of the "District of Columbia Self-Government and Governmental Reorganization Act", approved December 24, 1973 (97 Stat. 788; D.C. Code, sec. 1-146) by the Council of the District of Columbia to the effect that said Act requires the Council of the District of Columbia to pass an act in order to close, abandon, readjust, modify, or change any street, minor street, road, highway, or alley in the District of Columbia

or to accept the dedication of any property for street, minor street, road, highway, alley or other public purposes.

Sec. 5. All applications, petitions, and requests for the closing of any street, minor street, road, highway, or alley in the District of Columbia which have been transmitted to the Council of the District of Columbia by the Mayor of the District of Columbia on or before March 29, 1977 pursuant to the provisions of the "Emergency Street and Alley Closing Act of 1976", effective December 29, 1976 (Act 1-134) shall be approved or disapproved by the Council of the District of Columbia by resolution in accordance with the provisions of the "Emergency Street and Alley Closing Act of 1976", effective December 29, 1976 (Act 1-134).

Sec. 6. This act shall take effect at the end of the thirty (30) legislative day period provided for the Congressional review of acts of the Council of the District of Columbia in section 602(c)(1) of the "District of Columbia Self-Government and Governmental Reorganization Act", approved December 24, 1973 (37 Stat. 814; D.C. Code, sec. 1-147(c)(1)).