

COUNCIL OF THE DISTRICT OF COLUMBIA

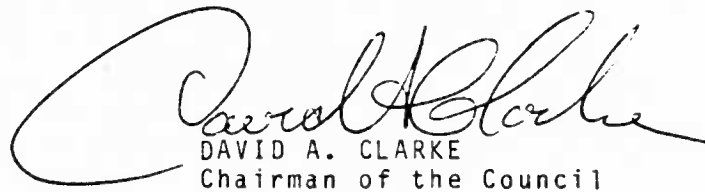
NOTICE

D.C. LAW 7-89

"District-WMATA Easement Act of 1987".

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. 7-232 on first and second readings, November 10, 1987, and November 24, 1987, respectively. Following the signature of the Mayor on January 13, 1988, this legislation was assigned Act 7-131, published in the January 22, 1988, edition of the D.C. Register, (Vol. 35 page 419) and transmitted to Congress on January 22, 1988 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 this enactment as D.C. Law 7-89, effective March 11, 1988.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 25, 26, 27, 28, 29

February 1, 2, 3, 4, 5, 8, 9, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29

March 1, 2, 3, 4, 7, 8, 9, 10

JAN 22 1988

DC Law 7-89

AN ACT

D.C. ACT 7 - 131

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 13 1988

To authorize the Mayor of the District of Columbia to grant certain easements on real property of the District of Columbia to the Washington Metropolitan Area Transit Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District-WMATA Easement Act of 1987".

Sec. 2. (a) The Mayor of the District of Columbia ("Mayor") is authorized to grant the following easements on real property to the Washington Metropolitan Area Transit Authority ("WMATA") for metrorail purposes in the District of Columbia:

(1) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 868 in Square 2082) shown on a plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 194, page 81, described as follows: "Beginning at a point S 24 degrees 26'00" E, 31.35 feet from the intersection of the westerly line of Connecticut Avenue, N.W., and the southerly line of Newark Street, N.W., and proceeding thence along said westerly line of Connecticut Avenue S 24 degrees 26'00" E, 45.55 feet, thence leaving said westerly line of Connecticut Avenue, along the arc of a circle deflecting to the right, the radius of which is 28.50 feet, an arc distance of 52.78 feet to the point of beginning, containing 361.93 square feet; said easement having an upper limit elevation of 157 feet above the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(2) A slope easement (on part of Lot 21 in Square 3711 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book County 24, page 25) shown on a plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 192, page 169, described as follows:

"Beginning at the intersection of the south line of Oglethorpe Street, N.E., and the northerly line of New Hampshire Avenue, N.E., and proceeding thence S 30 degrees 06'W, 32.78 feet, thence N 32 degrees 35'W, 33.65 feet, thence due east, 34.56 feet to the point of beginning, containing 490.06 square feet.";

(3) A slope easement (on part of Oglethorpe Street, N.E., and on part of Stotts Avenue, N.E.) shown on a plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 192, page 169, described as follows:

"Beginning at a point due East, 34.47 feet from the southwesterly corner of Lot 10, Square 3715, and proceeding thence due East, 32.71 feet; thence S 26 degrees 54'50"E, 78.45 feet; thence S 71 degrees 15'01" E, 62.36 feet; thence due West, 34.56 feet; thence S 32 degrees 35' E, 33.65 feet; thence S 31 degrees 48'52" W, 28.30 feet; thence northerly along the arc of a circle deflecting to the left, the radius of which is 4,602.75 feet, an arc distance of 171.71 feet, to the point of beginning, containing 3,940.16 square feet.";

(4) A permanent surface easement (on parts of Lots 49 to 54 in Square 3711 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book 64, page 83, and on part of Stotts Avenue, N.E., closed, recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book 127, page 41) shown on a plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 193, page 190, described as follows:

"Beginning at the intersection of the southeasterly line of said Lot 49, Square 3711, and the westerly line of Second Street, N.E., and proceeding thence S 19 degrees 34'30" W, 19.58 feet, thence S 57 degrees 25'00" W, 114.37 feet, thence N 07 degrees 45'45" E, 33.89 feet, thence N 41 degrees 01'51" W, 103.27 feet, thence N 57 degrees 25' E, 85.0 feet, thence S 85 degrees 37'00" E, 37.29 feet to the westerly line of Second Street, N.E., thence along said westerly line of Second Street, along the arc of a circle deflecting to the left, the radius of which is 70.0 feet an arc distance of 102.92 feet to the point of beginning, containing 12,701.39 square feet.";

(5) A permanent surface easement (on part of Lot 54 in Square 3711 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book 64, page 83, and on part of Stotts Avenue, N.E., closed, recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book 127, page 41) shown on a plat of computation recorded in the Office of the Surveyor for the

District of Columbia in Survey Book 193, page 190, described as follows:

"Beginning at the northwesterly corner of Lot 54, Square 3711, and proceeding thence along the easterly line of New Hampshire Avenue, N.E., N 30 degrees 06'00" E, 21.86 feet, thence leaving said line S 02 degrees 08'09" E, 74.31 feet, thence S 41 degrees 01'51" E, 103.27 feet, thence S 07 degrees 45'45" W, 33.89 feet, to the centerline of Stotts Avenue (closed), thence along said centerline N 32 degrees 35'00" W, 169.09 feet to the easterly line of New Hampshire Avenue, thence along said easterly line of New Hampshire Avenue, N 30 degree 06'00" E, 28.14 feet to the point of beginning, containing 2,880.32 square feet.";

(6) A permanent surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 850 in Square 1) shown on a plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 191, page 49, described as follows:

"Beginning at a point due North, 88.0 feet from the intersection of the north line of I Street, N.W. and the west line of 27th Street, N.W. and proceeding thence S 88 degrees 32'12" W, 52.38 feet; thence, southwesterly by a curve to the right, the radius of which is 54.0 feet, an arc distance of 80.05 feet; thence northwesterly by a curve to the left, the radius of which is 90.0 feet, an arc distance of 79.90 feet; thence northeasterly by a curve to the right the radius of which is 43.0 feet, an arc distance of 47.20 feet; thence, N 01 degrees 27'48" W, 53.66 feet, thence N 88 degrees 32'12" E, 132.0 feet to the west line of 27th Street; thence along the west line of 27th Street south 58.54 feet to the point of beginning, containing 12,444.02 square feet.";

(7) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 825 in Square 414) described as follows:

"Beginning at a point the two courses and distances from the intersection of the west line of 7th Street, S.W. and the south line of G Street, S.W. (1) due West, 248.66 feet, (2) due South, 181.82 feet to the point of beginning, and proceeding thence along said east property line of Lot 825, due South, 30.22 feet, thence along the arc of a curve to the right having a radius of 1,411.75 feet, an arc distance of 179.37 feet, on a chord of 179.25 feet, bearing S 55 degrees 04' 31.2" W, to a point on the south property line of the Lot 825, thence along said south property line, due West 46.34 feet, and thence leaving said line along the arc of a curve to the left having a radius of 1,388.25 feet, an arc distance of 234.83 feet, on a chord of 234.55 feet, bearing N 55 degrees 30' 14.3" E to the point of beginning, containing 4,863 square feet; the upper elevation of said

"Beginning at a point due West, 44.64 feet from the intersection of the west line of 7th Street, S.W. and the south line of G Street, S.W., and proceeding thence along the arc of a curve to the right having a radius of 811.75 feet, an arc distance of 63.00 feet, on a chord of 62.98 feet bearing S 36 degrees 44' 18.5" W, thence S 38 degrees 57' 42.2" W, 92.38 feet, thence S 50 degrees 12' 58.5" W, 110.58 feet, thence along the arc of a curve to the right having a radius of 1,410.99 feet, an arc distance of 30.04 feet, on a chord of 30.04 feet, bearing S 50 degrees 49' 33.0" W, to a point on the west property line of Lot 826, thence along said West Property Line, due North, 30.22 feet, thence leaving said line along the arc of a curve to the left having a radius of 1,387.49 feet, an arc distance of 10.70 feet, on a chord of 10.70 feet, bearing N 50 degrees 26' 13.4" E, thence N 45 degrees 06' 24.4" E, 197.38 feet, thence along the arc of a curve to the left having a radius of 788.25 feet, an arc distance of 44.89 feet, on a chord of 44.89 feet, bearing N 37 degrees 19' 48.1" E, to a point on the north property line of Lot 826, and thence along said north property line, due East, 28.72 feet to the point of beginning, containing 7,414 square feet; the upper elevation of said underground easement is 25.0 feet below the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(11) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 826 in Square 414) described as follows:

"Beginning at the intersection of the west line of 7th Street, S.W., with the south line of G Street, S.W., and proceeding thence with the west line of 7th Street, due South, 314.66 feet, thence due West, 42.91 feet, thence N 7 degrees 55' 06.2" E, 74.38 feet, thence along the arc of a curve to the left having a radius of 3,987.91 feet, an arc distance of 242.44 feet, on a chord of 242.40 feet, bearing N 6 degrees 12' 06.7" E, thence due East, 6.58 feet to the point of beginning, containing 7,213 square feet; the upper elevation of said underground easement is 8.0 feet above the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(12) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 827 in Square 414) described as follows:

"Beginning at a point the two courses and distances from the intersection of west line of 7th Street, S.W. and the north line of I Street, S.W. (1) due North, 314.66 feet, (2) due West, 395.63 feet, and proceeding thence along the arc of a curve to the right having a radius of 1,411.75 feet, an arc distance of 116.22 feet, on a chord of 116.19 feet, bearing S 61 degrees 04' 25.0" W to a point on the west property line of said Lot 827, thence along said west property line, due North, 26.33 feet, thence leaving said

line along the arc of a curve to the left having a radius of 1,388.25 feet, an arc distance of 62.90 feet, on a chord of 62.89 feet, bearing N 61 degrees 38' 52.7" E. to a point on the north property line of Lot 827, and thence along said north property line, due East 46.34 feet to the point of beginning, containing 2,109 square feet; the upper elevation of said underground easement is 28.0 feet below the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(13) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 827 in Square 414) described as follows:

"Beginning at a point the two courses and distances from the intersection of the west line of 7th Street, S.W. and the north line of I Street, S.W. (1) due North, 314.66 feet, (2) due West, 495.74 feet, to the point of beginning, and proceeding thence along the arc of a curve to the right having a radius of 1,410.99 feet, an arc distance of 1.84 feet, on a chord of 1.84 feet, bearing S 58 degrees 37' 13.9"W, to a point on the west property line of Lot 827, thence along said west property line, due North, 0.96 feet to the northwest corner of Lot 827, and thence along the north property line, due East, 1.58 feet to the point of beginning, containing 1 square foot; the upper elevation of said underground easement is 25.0 feet below the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(14) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 828 in Square 414) described as follows:

"Beginning at a point due West, 33.91 feet from the intersection of the west line of 7th Street, S.W. and the north line of I Street, S.W., and proceeding thence along the north line of Eye Street, due West 52.00 feet, thence leaving said line N 7 degrees 55' 06.2" E, 291.96 feet, thence N 82 degrees 04' 53.8" W, 0.76 feet, thence N 7 degrees 55' 06.2" E, 25.62 feet to a point on the north property line of Lot 828, thence along said north property line, due East, 42.91 feet to the northeast corner of Lot 828, thence along the east property line, due South, 70.88 feet, and thence leaving said line S 7 degrees 55' 06.2" W, 246.13 feet to the point of beginning, containing 16,031 square feet; the upper elevation of said underground easement is 5.0 feet above the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(15) A permanent surface easement (on parts of Lots 20 to 23 in Square 425 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book N.K., page 237) described as follows:

"Beginning at the northeast corner of said Lot 20 in Square 425, and proceeding thence along the west line of 7th Street, N.W. due South 83.72 feet to a point on said line,

line along the arc of a curve to the left having a radius of 1,388.25 feet, an arc distance of 62.90 feet, on a chord of 62.89 feet, bearing N 61 degrees 38' 52.7" E. to a point on the north property line of Lot 827, and thence along said north property line, due East 46.34 feet to the point of beginning, containing 2,109 square feet; the upper elevation of said underground easement is 28.0 feet below the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(13) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 827 in Square 414) described as follows:

"Beginning at a point the two courses and distances from the intersection of the west line of 7th Street, S.W. and the north line of I Street, S.W. (1) due North, 314.66 feet, (2) due West, 495.74 feet, to the point of beginning, and proceeding thence along the arc of a curve to the right having a radius of 1,410.99 feet, an arc distance of 1.84 feet, on a chord of 1.84 feet, bearing S 58 degrees 37' 13.9"W, to a point on the west property line of Lot 827, thence along said west property line, due North, 0.96 feet to the northwest corner of Lot 827, and thence along the north property line, due East, 1.58 feet to the point of beginning, containing 1 square foot; the upper elevation of said underground easement is 25.0 feet below the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(14) A permanent sub-surface easement (on part of a tract of land known for assessment and taxation purposes as Lot 828 in Square 414) described as follows:

"Beginning at a point due West, 33.91 feet from the intersection of the west line of 7th Street, S.W. and the north line of I Street, S.W., and proceeding thence along the north line of Eye Street, due West 52.00 feet, thence leaving said line N 7 degrees 55' 06.2" E, 291.96 feet, thence N 82 degrees 04' 53.8" W, 0.76 feet, thence N 7 degrees 55' 06.2" E, 25.62 feet to a point on the north property line of Lot 828, thence along said north property line, due East, 42.91 feet to the northeast corner of Lot 828, thence along the east property line, due South, 70.88 feet, and thence leaving said line S 7 degrees 55' 06.2" W, 246.13 feet to the point of beginning, containing 16,031 square feet; the upper elevation of said underground easement is 5.0 feet above the U.S.C. & G.S. Mean Sea Level, 1929 General Adjustment.";

(15) A permanent surface easement (on parts of Lots 20 to 23 in Square 425 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book N.K., page 237) described as follows:

"Beginning at the northeast corner of said Lot 20 in Square 425, and proceeding thence along the west line of 7th Street, N.W. due South 83.72 feet to a point on said line,

thence leaving said line and through Lot 23 N 89 degrees 57'03.8"W, 69.66 feet, thence through Lots 23, 22, 21 and 20, N-00 degrees 02'56.2"E, 83.66 feet to the south line of M Street, N.W., and thence along said line due East, 69.59 feet to the point of beginning, containing 5,827 square feet.";

(16) A permanent sub-surface easement (on part of Lot 14 in Square 5862 recorded in the Office of the Surveyor of the District of Columbia in Subdivision Book L.C.2, page 1) described as follows:

"Beginning at a point S 26 degrees 41'00" W, 39.12 feet from the northeasterly corner of said Lot 14, and proceeding thence S 26 degrees 41' 00"W, 67.51 feet, thence through Lot 14, N 19 degrees 28' 57.2"W, 135.21 feet, and thence S 48 degrees 18' 59.8"E, 100.97 feet to the point of beginning, containing 3,292 square feet; the upper elevation of said permanent underground easement is 23.20 feet above the U.S.C. and G.S. Mean Sea Level datum, 1929 General Adjustment.";

(17) A permanent surface easement (on part of Lot 113 in Square 448 recorded in the Office of the Surveyor for the District of Columbia in Subdivision Book 165, page 169) described as follows:

"Beginning at a point the two courses and distances from the northwest corner of Lot 113 in Square 448 (1) due South, 90.0 feet, (2) due East, 8.25 feet, and proceeding thence due North 47.50 feet, thence due East 34.00 feet, thence due South 47.50 feet, and thence due West 34.00 feet to the point of beginning, containing 1,615 square feet.";

(18) A permanent utility easement (on part of Lot 113 in Square 448 recorded in the Office of the Surveyor for the District of Columbia in Subdivision Book 165, page 169) described as follows:

"Beginning at the northwest corner of said Lot 113 in Square 448, and proceeding thence due East 10.00 feet thence due South 42.50 feet, thence due West 1.75 feet, thence due South 47.50 feet, thence due West 8.25 feet, and thence due North 90.00 feet to the point of beginning, containing 817 square feet.";

(19) A permanent utility easement (on part of Lot 113 in Square 448 recorded in the Office of the Surveyor for the District of Columbia in Subdivision Book 165, page 169) described as follows:

"Beginning at a point due East, 37.50 feet from the northwest corner of said Lot 113, and proceeding thence due East 10.00 feet thence due South 80.00 feet, thence due West 5.25 feet, thence due North 37.50 feet, thence due West 4.75 feet, thence due North 42.50 feet to the point of beginning, containing 622 square feet."; and

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(20) A permanent access easement (on part of Lot 113 in Square 448 recorded in the Office of the Surveyor for the District of Columbia in Subdivision Book 165, page 169) described as follows:

"Beginning at a point due East 10.0 feet from the northwest corner of said Lot 113, and proceeding thence due East 15.00 feet, thence due South 42.50 feet, thence due West 15.00 feet, thence due North 42.50 feet to the point of beginning, containing 637.5 square feet."

(b) The Mayor is authorized to grant the interests described in subsection (a) of this section to WMATA for metrorail purposes in exchange for:

(1) Fair market value as determined by the Mayor;

or
(2) Reimbursement for the acquisition costs if reimbursement is required by the Master Agreement between WMATA and the District of Columbia for Highway Facilities, dated November 20, 1969 ("Master Agreement No. MA-002"), and Supplement No. 2 to Master Agreement No. MA-002, dated September 5, 1972 ("Supplement No. 2. to Master Agreement No. MA-002").

(c) The Mayor is authorized to execute a proper deed or deeds granting the easements authorized by subsection (a) of this section.

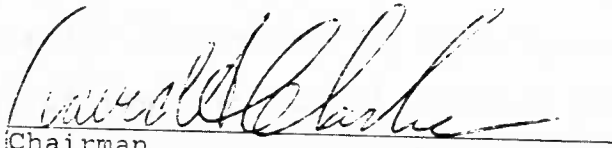
(d) The Mayor is authorized to pay the reasonable and necessary expenses of each grant authorized by this act if the payment has not been provided for by Master Agreement No. MA-002 and Supplement No. 2 to Master Agreement No. MA-002.

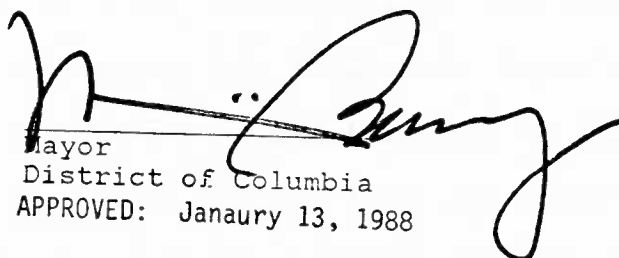
(e) The Mayor shall deposit the net proceeds of each grant authorized by this act in accordance with section 448 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 801; D.C. Code, sec. 47-310).

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the

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Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED: January 13, 1988

Adopted Unanimously by Voice Vote
on 11-24-87
Absent: Ray and Jarvis