

ENROLLMENT(S)

5



COUNCIL OF THE DISTRICT OF COLUMBIA

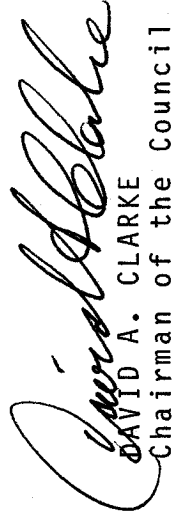
NOTICE

D.C. LAW 8-82

"Conveyance of Real Property Act of 1989".

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. 8-282 on first and second readings, November 21, 1989, and December 5, 1989, respectively. Following the signature of the Mayor on December 21, 1989, this legislation was assigned Act No. 8-132, published in the January 5, 1990, edition of the D.C. Register, (Vol. 37 page 37) and transmitted to Congress on January 23, 1990 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 8-82, effective March 15, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 23,24,25,26,29,30,31

February 1,2,5,6,7,8,20,21,22,23,26,27,28

March 1,2,5,6,7,8,9,12,13,14

MAR 15 1990

AN ACT

Codification,
District of Columbia Code
(1990 Supplement)

D.C. ACT 8 - 132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC 21 1989

To authorize the conveyance of certain real property owned by the government of the District of Columbia located at 2025 2nd Street, N.E., near 675 Taylor Street, N.E., and near 19th and M Streets, N.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Conveyance of Real Property Act of 1989".

Note,
9-401

Sec. 2. (a) The Mayor is authorized, notwithstanding the provisions of section 1 of an Act authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Code, sec. 9-401), or any other provision of law, to convey in fee simple through a negotiated sale, subject to the provisions of subsection (b) of this section, all the rights, title, and interest of the District of Columbia in the property located at Lot 13 in Square 4446.

(b) The Mayor may negotiate whatever terms for the sale of the property referred to in subsection (a) of this section as the Mayor determines shall achieve the objective of allowing for the sale of the property to the record owners of Lot 12 in Square 4446. Upon completion of the transaction, the owner in fee simple shall be entitled to use the property or sell, convey, or otherwise dispose of the property for use in a manner that is consistent with the designation of the real property on:

(1) The Generalized Land Use Maps, adopted pursuant to section 1136 of the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Code, sec. 1-246); and

(2) The Official Zoning Map of the District of Columbia, adopted pursuant to section 1 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk and uses of buildings and other structures and of the uses of land in

the District of Columbia, approved June 20, 1938 (52 Stat. 797; D.C. Code, sec. 5-413).

Sec. 3. (a) The Mayor is authorized, notwithstanding the provisions of section 1 of an Act authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Code, sec. 9-401), or any other provision of law, either to convey in fee simple through a negotiated sale, subject to the provisions of subsection (c) of this section, all the rights, title, and interest of the District of Columbia ("District") in the property located at 2025 2nd Street, N.W., Lot 800 in Square 3115 (part of Record Lot 23), commonly referred to as the Gage School, or to enter into a long-term agreement for the lease of the Gage School.

(b) The Mayor may negotiate whatever terms for the sale or long-term lease of the property referred to in subsection (a) of this section as the Mayor determines shall achieve the following objectives:

(1) Allow for the sale or long-term lease of the property to a non-profit organization or a combination of non-profit organizations that is tax-exempt pursuant to section 501(c) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. 501(c)); and

(2) Develop the property for use as a museum and regional headquarters with a possible senior citizen housing component.

(c) If the property referred to in subsection (a) of this section is no longer used for its authorized purposes, the District of Columbia ("District") shall have an option to cancel the lease or, should the property be sold, to repurchase the property at the originally negotiated purchase price plus any additional amounts agreed upon as part of the negotiated purchase agreement. If the District does not exercise its option to cancel the lease or to repurchase the property, the lessee, should the property have been leased by the District, shall be entitled to use the property for the remainder of the lease period, or the owner in fee simple, should the property have been sold by the District, shall be entitled to use the property or sell, convey, or otherwise dispose of the property, in a manner that is consistent with the designation of the real property on:

(1) The Generalized Land Use Maps adopted pursuant to section 1136 of the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Code, sec. 1-246); and

(2) The Official Zoning Map of the District of Columbia adopted pursuant to section 1 of An Act Providing

for the zoning of the District of Columbia and the regulation of the location, height, bulk and uses of buildings and other structures and of the uses of land in the District of Columbia, approved June 20, 1938 (52 Stat. 797; D.C. Code, sec. 5-413).

Sec. 4. (a) The Mayor is authorized, notwithstanding the provisions of section 1 of an Act authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Code, sec. 9-401), or any other provision of law, to convey in fee simple through a negotiated sale, subject to the provisions of subsection (b) of this section, all the rights, title, and interest of the District of Columbia in the property located near 675 Taylor Street, N.E., part of Lot 80 in Square 3820.

(b) The Mayor may negotiate whatever terms for the sale of the property referred to in subsection (a) of this section as the Mayor determines shall achieve the objective of allowing for the sale of the property to Ottenberg's Bakers, Inc., the owners of Lot 82 in Square 3820, or to the principals of Ottenberg's Bakers, Inc. for use as a parking lot for employees.

(c) If the property referred to in subsection (a) of this section is no longer used for the authorized purpose, the District shall have an option to repurchase the property at the negotiated purchase price plus any additional amounts agreed upon as part of the negotiated purchase agreement. If the District does not exercise the option to repurchase the property, the owner in fee simple shall be entitled to use the property or sell, convey, or otherwise dispose of the property for use in a manner that is consistent with the designation of the real property on:

(1) The Generalized Land Use Maps adopted pursuant to section 1136 of the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Code, sec. 1-246); and

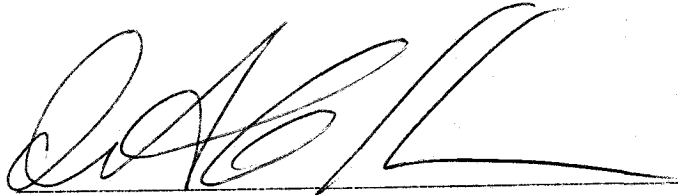
(2) The Official Zoning Map of the District of Columbia adopted pursuant to section 1 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk and uses of buildings and other structures and of the uses of land in the District of Columbia, approved June 20, 1938 (52 Stat. 797; D.C. Code, sec. 5-413).";

Sec. 5. The Mayor shall have 1 year from the effective date of this act to complete negotiations and transfer the deed on the real property referred to in section 2 or section 4, or, in the case of the property referred to in section 3, either to transfer the deed or enter into a

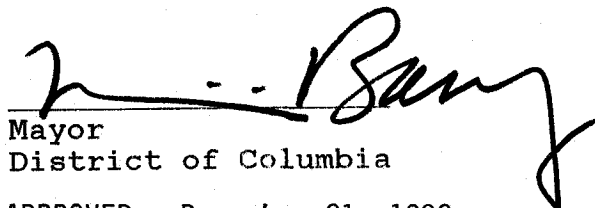
long-term lease agreement. If the transactions are not completed at that time, the properties shall remain as surplus to the needs of the District government and shall be disposed of in accordance with section 1 of an Act authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Code, sec. 9-401).

Sec. 6. The Mayor shall take whatever steps are necessary to ensure continuous community input in the disposition of the properties referred to in sections 2, 3, and 4, which shall include providing notice to any affected Advisory Neighborhood Commission of the final terms and conditions of the negotiated sale or long-term lease of the property, for review and comment in accordance with section 13 of the Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Code, sec. 1-261), prior to the disposition of the property.

Sec. 7. 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 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)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 21, 1989



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-282

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 11-21-89

☒ VOICE VOTE: Approved, Member Jarvis voted yes

Recorded vote on request

Absent: Chairman Clarke

☐ ROLL CALL VOTE: — RESULT _____ (____ / ____ / ____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Roseleen Suter
Secretary to the Council

12-13-89
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 12-5-89

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Thomas

☐ ROLL CALL VOTE: — RESULT _____ (____ / ____ / ____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Roseleen Suter
Secretary to the Council

12-13-89
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT _____ (____ / ____ / ____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date