

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of a portion of an alley in Square 628, bounded by F Street, N.W., E Street, N.W., North Capitol Street, N.W., and New Jersey Avenue, N.W., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 628, S.O. 00-96, Act of 2002".

Sec. 2. (a) 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 the portion of a public alley in Square 628, as shown on the Surveyor's plat filed under S.O. 00-96, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this closing is contingent upon:

(1) The establishment of easements and satisfaction of other conditions required by the Department of Public Works, including the extinguishment of a 5-foot-wide easement that was previously established along the southern edge of the alley to be closed, as set forth in the official file on S.O. 00-96;

(2) The satisfaction of conditions required by the Water and Sewer Authority and affected public utilities, as set forth in the official file on S.O. 00-96; and

(3) The satisfaction of the housing linkage and retail conditions set forth by the Office of Planning in its memorandum dated November 9, 2001, as set forth in the official file on S.O. 00-96.

Sec. 3. Notwithstanding section 212 of the Act (D.C. Official Code § 9-202.12), if an abutting property owner files an objection to this alley closing pursuant to sections 210 and 211 of the Act (D.C. Official Code § 9-202.10 and §9-202.11, respectively), the Surveyor shall record the alley closing plat prior to the payment of any damages assessed through an *in rem* proceeding. The objecting property owner shall retain the right to seek damages under section 211 of the Act, and the alley closing applicant shall be fully responsible for any damages that may be assessed by

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the court in an *in rem* proceeding.

Sec. 4. 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. 5. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor, 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. 6. This act shall take effect upon its 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