

**A RESOLUTION**

**Proposed  
Resolution  
20-96**

*To approve the disposition of District-owned real property located at 903 Franklin Street, N.E., known for tax and assessment purposes as Lot 0829, Square 3841.*

**903 Franklin  
Street, N.E.  
Property  
Disposition  
Approval  
Resolution of  
2013**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “903 Franklin Street, N.E. Property Disposition Approval Resolution of 2013”.

**Sec. 2. Definitions.**

For the purposes of this resolution, the term:

(1) “CBE Agreement” means an agreement with the District governing certain obligations of the Purchaser or the developer of the Property under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) (“CBE Act”), including the equity and development participation requirements set forth in section 2349a of the CBE Act.

(2) “Certified business enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) “First Source Agreement” means an agreement with the District governing certain obligations of the Purchaser or any developer of the Property pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, issued November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) “Purchaser” means Morgans, Inc., a District of Columbia corporation or its successor.

(5) “Property” means the real property located at 903 Franklin Street, N.E. in Washington, D.C., known for tax and assessment purposes as Lot 0829, Square 3841.

**Sec. 3. Approval of disposition.**

(a) Pursuant to subsections 1(b) and (b-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b) and (b-1)) (“Act”), the Mayor transmitted to the Council a request for the Council to authorize the sale of the Property to the Purchaser.

(b) The proposed disposition would occur through a sale to Purchaser, whose primary address is 900 Rhode Island Avenue, N.E., Washington, D.C. 20018.

(c) The Purchaser was chosen as the successful respondent to a competitive solicitation issued by the District in June of 2012.

(d) The proposed disposition is expected to include the following terms and conditions, in addition to such other terms and conditions as the Mayor considers necessary or appropriate:

(1) The Purchaser shall acquire the Property in its “as is” condition for the sum of \$230,000.00.

(2) The Purchaser shall enter into a CBE Agreement with the District. The CBE Agreement shall require the Purchaser to contract with certified business enterprises for at least 35% of the contract dollar volume of the redevelopment of the Property, if any, and if possible, will require at least 20% equity and development participation of local, small, and disadvantaged business enterprises.

(3) The Purchaser shall enter into a First Source Agreement with the District.

(e) The Council finds that the Property is not required for public purposes.

(f) The Council finds that the Mayor’s analysis of economic and other policy factors supporting the disposition of the Property justifies the sale proposed by the Mayor.

(g) All documents submitted with this resolution shall be consistent with the real property purchase agreement term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act .

(h) The Council approves the disposition of the Property.

**Sec. 4. Transmittal.**

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor, the Department of General Services, and the Chief Financial Officer.

**Sec. 5. 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. 6. Effective date.**

This resolution shall take effect immediately.