

2014 DEC 12 AM 9:46

OFFICE OF THE
SECRETARY

VINCENT C. GRAY
MAYOR

DEC 12 2014

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration by the Council is a resolution entitled the "125 O Street, S.E. and 1402 1st Street, S.E. Second Emergency Surplus Declaration Resolution of 2014", which clarifies conditions of the surplus, and its accompanying emergency declaration, "125 O Street, S.E. and 1402 1st Street, S.E. Second Surplus Emergency Declaration Resolution of 2014".

This resolution will declare District owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E. and known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS and consisting of approximately 235,130 square feet of land, as no longer required for public purposes, pursuant to D.C. Official Code §10-801.


Although introduced as an emergency, the surplus declaration for this property followed the full process pursuant to D.C. Official Code §10-801, including a public hearing held on November 20, 2014 at The Yards Boilermaker Building at 300 Tingey Street, S.E.

Approval of this resolution will declare the Property surplus and allow for the disposition to a private developer to redevelop the space in a manner consistent with the Anacostia Waterfront Initiative Framework Plan, adopted by the Council in 2003.

As always, I am available to discuss any questions you may have regarding this resolution. I look forward to prompt and favorable consideration of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray".
Vincent C. Gray


Chairman Phil Mendelson
at the request of the Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare and approve as surplus, on an emergency basis, the District-owned real property, located at 125 O Street, S.E. and 1402 1st Street, S.E. and known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “125 O Street, S.E. and 1402 1st Street, S.E. Second Emergency Surplus Declaration Resolution of 2014”.

Sec. 2. Findings.

(a) The Property is located at 125 O Street, S.E. and 1402 1st Street, S.E. and known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS and consisting of approximately 235,130 square feet of land, as determined by the Mayor (the “Property”). The Property is currently improved with several low-scale structures and surface parking that are used by DC Water for light industry uses in connection with their fleet services and sewer services operations.

(b) The Property is no longer required for public purposes because the Property’s condition no longer viably accommodates a District agency use or other public use. The most pragmatic solution for activating this space is to relocate the DC Water

1 parking and sewer services operations, declare the Property surplus, and dispose of the
2 Property for redevelopment.

3 (c) The declaration of the Property as surplus will be conditioned on:

4 (1) DC Water receiving rights to occupy suitable relocation/replacement
5 property(ies);

6 (2) Encumbered funding for activities necessary to allow DC Water to
7 relocate to and operate on such relocation/replacement property(ies); and

8 (3) Approval by an independent engineer procured by DC Water of an
9 operational plan during and after relocation.

10
11 (d) Pursuant to An Act Authorizing the sale of certain real estate in the
12 District of Columbia no longer required for public purposes (“Act”), approved August 5,
13 1939 (53 Stat. 1211; D.C. Official Code § 10-801 (a-1)(4)), a public hearing was held on
14 November 20, 2014, at the Boilermaker Shops located at 300 Tingey Street, S.E., Unit
15 140, regarding the finding that the Property is no longer required for public purposes.

16 Sec. 3. Pursuant to D.C. Official Code §10-801 (a-1), the Council determines that
17 the Property is no longer required for public purposes.

18 Sec. 4. Fiscal impact statement.

19 The Council adopts the attached fiscal impact statement as the fiscal impact
20 statement required by section 602 (c)(3) of the District of Columbia Home Rule Act,
21 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

22 Sec. 5. Transmittal of resolution.

23 The Secretary to the Council shall transmit a copy of this resolution, upon its
24 adoption, to the Mayor.

1 Sec. 6. Effective date.

2 This resolution shall take effect immediately.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL**

Legal Counsel Division



MEMORANDUM



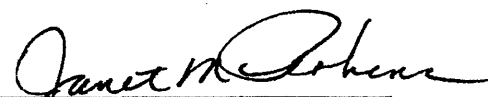
**TO: Lolita S. Alston
Director
Office of Legislative Support**

**FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division**

DATE: November 19, 2014

**SUBJECT: Certification of Legal Sufficiency of Resolution, the "125 O Street,
S.E. and 1402 1st Street, S.E. Disposition Approval Resolution of
2014" and Accompanying Surplus Declaration Resolution
(AE-14-743)**

This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 624-5524.



Janet M. Robins