



MURIEL BOWSER  
MAYOR

9/8/2020

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia, Suite 504  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson,

Enclosed for consideration by the Council are (1) the "Transfer of Jurisdiction over Lot 901 within Square 620 Emergency Declaration Resolution of 2020" and (2) the "Transfer of Jurisdiction over Lot 901 within Square 620 Emergency Approval Resolution of 2020." These Resolutions authorize the transfer of administrative jurisdiction from the United States to the District of Columbia over Lot 901 within Square 620 (the "Lots").

The transfer of administrative jurisdiction for Lots 896 and 897 was initially authorized by the Council pursuant to the "Transfer of Jurisdiction over U.S. Reservation 724 (Lots 896 and 897 within Square 620) Emergency Approval Resolution of 2017." Subsequently, the Council enacted the "Revised Transfer of Jurisdiction over U.S. Reservation 724 (Lots 896 and 897 within Square 620) and Extinguishment of Covenants Act of 2018," which authorized the transfer of administrative jurisdiction over Lot 896, less the northern portion of Lot 896 that was retained by the District, and Lot 897.

In October 2016, the Council passed the "Omnibus Sursum Corda Development Act of 2016, effective December 8, 2016" (D.C. Law 21-173; 63 DCR 13351), which closed certain streets, including First Terrace, N.W. The closed portion of First Terrace, N.W. abutting Lot 896 became Record Lot 901 and reverted to the United States, which desires to include Lot 901 in the previously approved transfer of administrative jurisdiction. Lot 901 is approximately 1,950 square feet of land area.


The transfer of administrative jurisdiction of Lot 901 will support the redevelopment of the former site of the Sursum Corda housing cooperative as a planned unit development ("PUD"). The PUD, which will include 199 affordable units, up to 136 of which will be reserved for Sursum Corda Households, was granted first-stage approval pursuant to Zoning Commission Order No. 15-20. The second-stage approval for Phase 1 of the PUD was approved by the Zoning Commission on October 21, 2019. Redevelopment of the site is underway.

Pursuant to federal and District of Columbia law, the transfer of jurisdiction of Lot 901 has been approved by the National Capital Planning Commission. The transfer of jurisdiction will support a long-awaited redevelopment, and I urge the Council to take prompt and favorable action on the enclosed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser

  
Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, the transfer of administrative jurisdiction over a portion of U.S. Reservation 724 (Lot 901 within Square 620) in the District of Columbia, from the United States of America, acting by and through the Department of the Interior, National Park Service, to the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Transfer of Jurisdiction over Lot 901 within Square 620 Emergency Approval Resolution of 2020."

Sec. 2. (a) Pursuant to section 1 of An Act To authorize the transfer of public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161: D.C. Official Code § 10-111), the Council of the District of Columbia approves the transfer of jurisdiction of approximately 1,950 square feet of land area that was part of the former First Terrace, N.W. (Lot 901 within Square 620), which is now part of U.S. Reservation 724, which also includes Lots 896 and 897 within Square 620, from the United States, acting by and through the Department of the Interior, National Park Service, to the District of Columbia.

(b) This approval restricts the use of Lot 901 to recreational purposes;

(c) Only administrative jurisdiction over Lot 901 is hereby transferred and that title to the transfer remains vested in the United States of America;

(d) The District of Columbia shall not transfer administrative jurisdiction of Lot 901 without the prior written approval of the National Park Service. The National Park Service shall concur or object in writing 45 days after the receipt of any proposed transfer; and

(e) If, in the opinion of the National Park Service, facts or circumstances arise that appear to be a material violation of any restriction, the National Park Service shall promptly so notify the District in writing. The National Park Service and the District shall then use diligent good-faith efforts to reach agreement regarding what, if any, corrective actions are necessary and a schedule for completing such corrective actions, and the District shall initiate corrective action within one hundred twenty (120) days of the notice of violation; and

(f) Nothing in this resolution shall be construed as binding the United States or the District to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose or to involve the United States or the District in any contract or other obligation for this further expenditure of money in excess of such appropriations, as prohibited by 31 U.S.C. §1341(a)(1). In addition, all obligations of the District provided herein shall be subject to the limitations set forth in applicable federal law, D.C. Official Code § 47-105, the District of Columbia Anti-Deficiency Act, D.C. Official Code §§ 47-355.01 *et seq.* (as the foregoing statutes may be amended from time to time), and section 446 of the District of Columbia Home Rule Act;

(g) The restrictions contained in this resolution shall bind the National Park Service and the District and their assigns;

(h) The National Park Service and the District have the right specifically to enforce the restrictions in this subsection. Nothing in this resolution is intended to confer upon any entity

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL  
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone  
Director  
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers  
Deputy Attorney General  
Legal Counsel Division

DATE: March 19, 2020

SUBJECT: Transfer of Jurisdiction over Lot 901 within Square 620 Emergency  
Approval Resolution and Accompanying Emergency Declaration  
Resolution (Sursum Corda)  
(AE-20-161; xref AE-17-509)

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**This is to Certify that** this Office has reviewed the  
“Transfer of Jurisdiction over Lot 901 within Square 620 Emergency Approval  
Resolution of 2020” and the “Transfer of Jurisdiction over Lot 901 within Square  
620 Emergency Declaration Resolution of 2020”, and found them to be legally  
unobjectionable. If you have any questions, please do not hesitate to call me at 724-  
5524.

*Brian K. Flowers*

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Brian K. Flowers



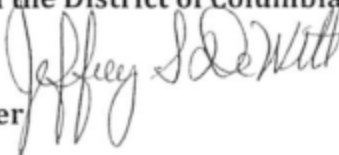
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** April 15, 2020

**SUBJECT:** Fiscal Impact Statement – Transfer of Jurisdiction over Lot 901 within  
Square 620 Emergency Approval Resolution of 2020

**REFERENCE:** Draft Proposed Resolution as provided to the Office of Revenue  
Analysis on March 13, 2020

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**Conclusion**

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the proposed resolution.

**Background**

The District assumed administrative jurisdiction over two federally owned parcels of land<sup>1</sup> known as parts of Reservation 724 in 2017<sup>2</sup> in connection with a larger redevelopment of the Sursam Corda public housing development. The two parcels, located at the northeast corner of First Street, N.W. and L Street, N.W., are controlled by the District and operated as pedestrian walkways and recreational spaces.

The bill transfers the administrative control over a third parcel of Reservation 724, located directly east of the first two parcels,<sup>3</sup> from the United States to the District. This transfer is conditioned on the District using the parcel as recreational space. As with the first two parcels transferred in 2017, the United States will retain ownership of the parcel.

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<sup>1</sup> Known for assessment and tax purposes as Square 620, Lots 896 and 897.

<sup>2</sup> Transfer of Jurisdiction over U.S. Reservation 724 (Lots 896 and 897 within Square 620) Emergency Approval Resolution of 2017, effective November 7, 2017 (Resolution 22-299; 64 DCR 12563).

<sup>3</sup> Known for assessment and tax purposes as Square 620, Lot 901.

The Honorable Phil Mendelson

FIS: "Transfer of Jurisdiction over Lot 901 within Square 620 Emergency Approval Resolution of 2020," Draft Proposed Resolution as provided to the Office of Revenue Analysis on March 13, 2020

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the proposed resolution. The third parcel, Lot 901, is located on a portion of the recently closed First Terrace, N.W. and is now available for transfer of administrative control to the District as part of Reservation 724. There are no costs associated with the administrative transfer of control over Lot 901 from the United States to the District. The District will enter into an agreement with the developer of the Sursam Corda redevelopment project to construct the recreational and pedestrian spaces across the entirety of Reservation 724 as required in the developer's Planned Unit Development.