

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 10.
PARKS, PUBLIC BUILDINGS, GROUNDS,
AND SPACE.

CHAPTER 9.
EXCHANGE OF DISTRICT-OWNED LAND.

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CHAPTER 9. EXCHANGE OF DISTRICT-OWNED LAND.

§ 10-901. COUNCIL EMPOWERED TO EFFECT EXCHANGE.

Where 2 lots or parcels of land abut each other and 1 of such lots or parcels belongs to the District of Columbia, the Council of the District of Columbia, in accordance with § 10-801, is hereby authorized and empowered, when in its judgment and discretion it is for the best interest of the District of Columbia, to exchange such District-owned land, or part thereof, for the abutting lot or parcel of land, or part thereof.

(Aug. 1, 1951, 65 Stat. 150, ch. 283; Mar. 15, 1990, D.C. Law 8-96, § 7, 37 DCR 795.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-501.

1973 Ed., § 9-401.

Legislative History of Laws

Law 8-96, the "Disposal of District Owned Surplus Real Property Amendment Act of 1989," was introduced in Council and assigned Bill No. 8-302, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on November 21, 1989, and December 19, 1989, respectively. Approved without the signature of the Mayor on January 18, 1990, it was assigned Act No. 8-148 and transmitted to both Houses of Congress for its review.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402 (193) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

Miscellaneous Notes

Disposal of surplus real property: Section 2 of D.C. Law 8-96 provided that for the purposes of this act, the term "real property" means land titled in the name of the District of Columbia ("District") or in which the District has a controlling interest and includes all structures of a permanent character erected thereon or affixed thereto, any natural resources located thereon or thereunder, all riparian rights attached thereto, or any air space located above or below the property or any street or alley under the jurisdiction of the Mayor.

Mayor to establish centralized automated database containing inventory of real property owned by District: Section 4 of D.C. Law 8-96 provided that the Mayor shall establish a centralized automated database containing an inventory of all real property owned by the District, with the information to include certain data as specified in § 10-807.

§ 10-902. PUBLICATION OF INTENDED EXCHANGE.

No such exchange shall be made unless the Council of the District of Columbia shall, 30 days prior thereto, publish in a newspaper of general circulation in the said District a notice of its intention to make such exchange and such notice shall include a description by lot or parcel number or otherwise of all lots or parcels to be exchanged and the appraised value thereof.

(Aug. 1, 1951, 65 Stat. 150, ch. 283.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-502.

1973 Ed., § 9-402.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402 (193) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-903. MAYOR AUTHORIZED TO EXECUTE AND ACCEPT DEED.

The Mayor of the District of Columbia is hereby authorized to execute a proper deed of conveyance for the land belonging to the District to be conveyed and to accept a proper deed of conveyance from the owner of such abutting real estate.

(Aug. 1, 1951, 65 Stat. 150, ch. 283.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-503.

1973 Ed., § 9-403.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-904. MAYOR AUTHORIZED TO PAY OR RECEIVE AMOUNTS AS PART OF CONSIDERATION FOR EXCHANGE.

If, in the opinion of the Mayor of the District of Columbia, the value of the land to be conveyed to the District is in excess of the value of the land to be conveyed by the District, the Mayor is authorized to pay, within the limitation of appropriations therefor, to the abutting property owner the amount of such excess as determined by the Mayor, on the basis of an appraisal, and, if the value of the land to be conveyed by the District is in excess of the value of the land to be conveyed to the District, the Mayor shall require the abutting property owner to pay such excess as determined by the Mayor, on the basis of an appraisal, as part of the consideration for the said exchange.

(Aug. 1, 1951, 65 Stat. 150, ch. 283.)

Prior Codifications

1981 Ed., § 9-504.

1973 Ed., § 9-404.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.