

SUBJECT: EXTENSION OF APPROVAL FOR PURCHASE OF PROPERTY AT DC VILLAGE

2009-51
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, On May 28, 2009, the Board of Directors approved the purchase of property at DC Village as a replacement site for the Southeastern Bus Garage with the understanding that closing on the purchase would occur shortly following approval by the District of Columbia Council, but no later than thirty (30) days after the Board of Director's approval; and

WHEREAS, Metro and District of Columbia staff used their best efforts to complete all the due diligence items related to the closing within the thirty (30) day period following approval by the Board of Directors and the District of Columbia Council; and

WHEREAS, Completion of due diligence by the District of Columbia and Metro staff has identified the need for a Covenant and Easement Agreement to perfect WMATA's right to enter and exit the property; and

WHEREAS, Metro staff has worked diligently with staff of the Federal Transit Administration (FTA) to obtain the required approvals, but FTA has not yet cleared the purchase of the DC Village site; now, therefore be it

RESOLVED, That the Board of Directors extends the approval for the purchase of the DC Village site based on the conditions approved by the Board of Directors in Resolution 2009-41, for the additional period required to obtain the Federal Transit Administration approvals; and be it further

RESOLVED, That the General Manager is authorized to execute a Covenant and Easement Agreement as part of the property purchase; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel