

# Consent Item (A) 04-23-2020

Washington Metropolitan Area Transit Authority  
**Board Action/Information Summary**

☒ Action ☐ Information

MEAD Number:  
202164

Resolution:  
☐ Yes ☒ No

**TITLE:**

Potomac Yard Easements

**PRESENTATION SUMMARY:**

Request Board approval to acquire temporary and permanent easements required for the construction and maintenance of the Potomac Yard Metro Station.

**PURPOSE:**

Request Board approval to acquire temporary and permanent easements required for Potomac Yard Metro Station, collectively valued over \$1 million.

**DESCRIPTION:**

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**Key Highlights:**

- Temporary and permanent easements are necessary to enable staging, construction and the ongoing access and maintenance of the new Potomac Yard Metro Station on the Yellow/Blue Line.
- Four temporary easements are necessary for construction and two permanent easements are required for access and maintenance once the station is complete.
- Board approval is required because the easements are valued over \$1 million. Metro will be reimbursed for the costs by the City of Alexandria.

**Background and History:**

The Potomac Yard Metro Station is a new infill station funded by the City of Alexandria. Most of the real estate needs for this Metro station have been or will be provided by the City of Alexandria, and the North Pavilion on Potomac Avenue will be located on property donated by JBG-Smith.

However, in order to construct the Potomac Yard Metro Station and to provide continued access for maintenance by Metro in the future, Metro requires temporary and permanent easements through an existing JBG-Smith property. The legal entity that owns the property is titled, CPYR Theaters, LLC, which is a special purpose entity of JGB-Smith.

**Discussion:**

Metro requires four temporary construction easements, one permanent maintenance easement, and one permanent access easement from CPYR Theaters, LLC. The easements will encumber a portion of a site with an address of 3601 Potomac Avenue in Alexandria, Virginia.

The temporary easements are necessary for the construction staging and construction of the new Potomac Yard Metro Station. The permanent easements are necessary for the future and on-going maintenance and access to the Metro Station by Metro.

Metro has negotiated the price to acquire the easements and will pay fair market value to CPYR Theaters, LLC. The total price for all required easements from one seller exceeds \$1 million, which requires Board approval. Metro will be reimbursed for these acquisition costs by the City of Alexandria.

**FUNDING IMPACT:**

Program:	Capital Reimbursement Project
Project:	Potomac Yard Station CRB0013

Project Manager:	Anabela Talaia		
Project Department/Office:	CFO/LAND		
	Year One	Year Two & Beyond	Total
Budget:			\$269M
This Action:	\$1.5		\$1.5
Prior Approval:	N/A	N/A	N/A
Remaining Budget:	N/A	N/A	N/A
Remarks:	CRB0013 has been fully funded.		
Operating Budget Impact:	None		

**TIMELINE:**

<b>Previous Actions</b>	<p>April 2018 – Board approves budget for Potomac Yard Metro Station project.</p> <p>October 2018 – Board approves ground lease with neighboring property owners for use of property during project construction.</p>
<b>Anticipated actions after presentation</b>	May 2020 – Closing on easements acquired.

**RECOMMENDATION:**

Approval to acquire temporary and permanent easements required for Potomac Yard Metro Station, collectively valued over \$1 million.

**Presented and Adopted: April 23, 2020**

**SUBJECT: APPROVAL TO PURCHASE EASEMENTS FOR THE POTOMAC YARD METRO STATION**

**2020-15**

**RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, Resolution 2011-30 requires Board approval to purchase property valued over \$1 million; and

WHEREAS, WMATA must construct a portion of the Potomac Yard Metro Station on property owned by CPYR Theaters, LLC; and

WHEREAS, WMATA must obtain from CPYR Theaters temporary easements for the staging and construction of the Metro station, and permanent easements for ongoing access to and maintenance of the Metro station (collectively, the "Easements"); and

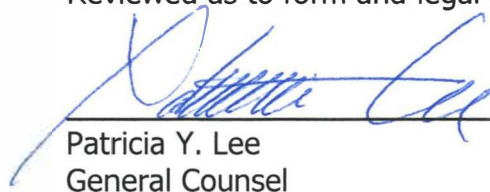
WHEREAS, In the aggregate, the Easements are valued over \$1 million;

NOW, THEREFORE, be it

*RESOLVED*, That the Board approves the purchase of the Easements from CPYR Theaters, LLC; and be it finally

*RESOLVED*, That this Resolution shall be effective immediately to accommodate the Potomac Yard Metro Station construction schedule.

Reviewed as to form and legal sufficiency,



Patricia Y. Lee  
General Counsel

WMATA File Structure Nos.:  
21.1.2. Acquisition of Less-Than-Fee Permanent Interest

**Motioned by Mr. Smedberg, seconded by Ms. Gidigbi  
Ayes: 8- Mr. Smedberg, Ms. Gidigbi, Mr. Goldman, Mr. Horner, Mr. Letourneau, Mr. Marootian, Mr. Slater  
and Mr. McMillin**