

104TH CONGRESS
1ST SESSION

H. R. 1508

To require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 1995

Ms. NORTON introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Children's
5 Island Act of 1995".

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act, the following terms shall
3 have the following meanings:

4 (1) “District” shall mean the District of Co-
5 lumbia.

6 (2) The “Islands” shall mean Heritage Island
7 and all of that portion of Kingman Island located
8 south of Benning Road and within the District of
9 Columbia and the Anacostia River, being a portion
10 of United States Reservation 343, Section F, as
11 specified and legally described on the Survey (as de-
12 fined in paragraph (5) hereof).

13 (3) “National Children’s Island” shall refer to
14 a proposed cultural, educational, and family-oriented
15 recreation park, together with a children’s play-
16 ground available to the public free of charge.

17 (4) The “Secretary” shall mean the Secretary
18 of the Department of the Interior.

19 (5) The “Survey” shall refer to the ALTA/
20 ACSM Land Title Survey prepared by Dewberry &
21 Davis and dated February 12, 1994.

22 **SEC. 3. PURPOSE.**

23 The purpose of this Act is to transfer fee simple title
24 to the Islands to the District to facilitate the construction,
25 development, and operation of National Children’s Island.

1 **SEC. 4. PROPERTY TRANSFER.**

2 (a) TRANSFER OF TITLE.—The Secretary shall, in
3 the name and on behalf of the United States of America,
4 no later than 30 days after the date of enactment of this
5 Act, transfer to the District, without compensation, all
6 right, title, and interest of the United States in and to
7 the Islands, together with all and singular the improve-
8 ments, ways, easements, rights, privileges, hereditaments,
9 and appurtenances belonging thereto, or in any way apper-
10 taining thereto, and all the estate, right, title, interest, and
11 claim, either to or out of the Islands and premises.

12 (b) GRANT OF EASEMENTS.—The Secretary shall, in
13 the name and on behalf of the United States of America,
14 within 30 days after the date of enactment of this Act,
15 grant to the District, without compensation, permanent
16 easements, which shall be for the use of the District and
17 any lessees, sublessees, and/or operator of the Island and
18 their respective sublessees, licensees, and invitees, and
19 which shall be assignable by the District to any lessee,
20 sublessee, and/or operator of the Islands, across the water-
21 ways and bed of the Anacostia River as described in the
22 Survey as Leased Riverbed Areas A, B, C, and D, and
23 across the shoreline of the Anacostia River as depicted on
24 the plat map recorded in the Office of the Surveyor of
25 the District as S.O. 92–252 for the purposes of—

1 (1) constructing, reconstructing, maintaining,
2 operating, and otherwise using such bridges, roads,
3 and other improvements necessary or desirable for
4 vehicular and pedestrian egress and ingress to and
5 from the Islands;

6 (2) installing, reinstalling, maintaining, and op-
7 erating utilities (including, without limitation, all
8 necessary electricity, water, sewer, gas, refuse dis-
9 posal, and other similar services) and other facilities
10 necessary or desirable for the construction, recon-
11 struction, maintenance, and operation of the Islands
12 and any and all improvements located thereon from
13 time to time; and

14 (3) constructing, reconstructing, maintaining,
15 operating, and otherwise providing visitor support
16 services, rest areas, restrooms, shopping, and infor-
17 mational kiosks and the like for the Islands.

18 **SEC. 5. EFFECT OF PROPERTY TRANSFER.**

19 Upon the transfer of the Islands to the District pur-
20 suant to this Act:

21 (1) The Transfer of Jurisdiction concerning the
22 Islands from the National Park Service to the Dis-
23 trict dated February 1993, as depicted on the plat
24 map recorded in the Office of the Surveyor of the
25 District as S.O. 92-252 and as approved by the

1 Council of the District by Resolution 10–91, shall
2 become null and void and of no further force and ef-
3 fect.

4 (2) The Islands shall no longer be considered to
5 be part of Anacostia Park and shall not be consid-
6 ered to be within the park system of the District;
7 therefore, the provisions of District of Columbia
8 Code section 8–104 shall not apply to the Islands,
9 and the District shall have exclusive charge and con-
10 trol over the Islands and easements transferred.

11 (3) The Islands shall cease to be property “of
12 the United States” for the purposes of title 40, sec-
13 tion 68 of the United States Code and of District of
14 Columbia Code, section 8–128.

15 (4) The Islands shall not be burdened by the
16 navigational servitude, to the extent that such navi-
17 gational servitude would otherwise apply.

18 (5) All existing permits, licenses, and other en-
19 cumbrances that may burden the Islands prior to
20 the transfer of title required by this Act shall be ex-
21 tinguished.

22 **SEC. 6. MISCELLANEOUS.**

23 Notwithstanding any other provision of law, the Dis-
24 trict is hereby authorized to grant to a nongovernmental
25 individual or entity an easement, license, sublease, or

1 other right to use the lands currently being leased by the
2 United States to the District pursuant to the District of
3 Columbia Stadium Act of 1957 (Public Law 85-300, Sep-
4 tember 7, 1957, 71 Stat. 619) for parking and other pur-
5 poses as the Mayor of the District in his discretion may
6 determine necessary or appropriate in connection with or
7 in support of National Children's Island.

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