

No. 10275

UNITED STATES OF AMERICA
and
UNION OF SOVIET SOCIALIST REPUBLICS

Agreement on the reciprocal allocation for use free of charge of plots of land in Moscow and Washington (with annexes, maps and exchanges of notes). Signed at Moscow on 16 May 1969

Authentic texts: English and Russian.

Registered by the United States of America on 3 February 1970.

ÉTATS-UNIS D'AMÉRIQUE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES

Accord relatif à la concession réciproque, aux fins d'utilisation à titre gratuit, de parcelles de terrain sises à Moscou et à Washington (avec annexes, cartes et échanges de notes). Signé à Moscou le 16 mai 1969

Textes authentiques : anglais et russe.

Enregistré par les États-Unis d'Amérique le 3 février 1970.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE RECIPROCAL ALLOCATION FOR USE FREE OF CHARGE OF PLOTS OF LAND IN MOSCOW AND WASHINGTON

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics have agreed to make available to each other for use free of charge, on a long-term basis, the plots of land described below in the cities of Moscow and Washington, designated for the construction of complexes of Embassy buildings, including living quarters and other structures.

The allocated plots of land and the buildings constructed on them shall be considered by both Parties as servicing diplomatic missions. Neither Party will create nor permit conditions that will interfere with full access to them and their proper use and enjoyment.

Article I

1. The Government of the Union of Soviet Socialist Republics shall make available to the Government of the United States of America, for the construction of a complex of American Embassy buildings in Moscow, a plot of land with an area of 10.1558 acres (4.1100 hectares) located on Konyushkovskaya Ulitsa in the Krasnopresnenskiy District of the city of Moscow. A description of the plot and its boundaries is contained in Attachment I.

2. The Government of the Union of Soviet Socialist Republics shall also make available to the Government of the United States of America for use a plot of land with an area of 1.7915 acres (0.7250 hectares), located on Spasopeskovskaya Ploshchad in the Kiyevskiy District of the city of Moscow. A description of the plot and its boundaries is contained in Attachment II. Questions concerning the use and rent of the buildings located on this site shall be settled separately in accordance with an understanding embodied in notes exchanged simultaneously with the conclusion of the present Agreement.

¹ Came into force on 16 May 1969 by signature, in accordance with article X.

Article II

The Government of the United States of America shall make available to the Government of the Union of Soviet Socialist Republics for the construction of a complex of Soviet Embassy buildings in Washington a plot of land with an area of 12.5258 acres (5.0692 hectares), known as "Mount Alto", in the city of Washington, District of Columbia. A description of the plot and its boundaries is contained in Attachment III.

Article III

1. The plots of land mentioned in Articles I and II of this Agreement shall be made available reciprocally for use free of charge for a period of 85 years.

2. The period of use of the plots of land mentioned in Article I, Paragraph 1, and in Article II of this Agreement shall begin from the date both sides concurrently accept the plots as being ready for construction. The date of the beginning of the period of use will be established by an exchange of notes.

3. The period of use of the plot of land mentioned in Article I, Paragraph 2, of this Agreement shall begin on the same date indicated in Article III, Paragraph 2, above.

4. The period of use of the plots may be extended by written agreement between the two Governments not later than one year before the expiration of the period stipulated in Paragraph 1 of this Article.

Article IV

The plots of land on Konyushkovskaya Ulitsa in Moscow and Mount Alto in Washington shall be cleared by the Parties making the plots available, at their expense and with the removal of all buildings and municipal service installations above and underground, by dates which must be determined within a period of 120 days after the signing of the present Agreement.

Article V

1. The buildings constructed on the plot mentioned in Article II of this Agreement at the expense of the Soviet side will be the property of the Union of Soviet Socialist Republics.

2. The buildings constructed on the plot mentioned in Article I, Paragraph 1, of this Agreement at the expense of the American side will be the property of the United States of America.

3. After the expiration of the period of use of the plots and any agreement on an extension, the question of the further ownership of anything erected and left on the plots will be the subject of discussion between the Parties.

Article VI

The plots of land made available for use, as well as the buildings and other structures erected on the plots mentioned in Article I, Paragraphs 1 and 2, and in Article II of this Agreement shall be exempted from taxation of any kind established by the host country or any of its states or local authorities, with the exception of payments for specific types of services.

Article VII

The plots of land made available for use and the buildings constructed on them will not be transferred to anyone without the consent of the other Party.

Article VIII

1. Each Party agrees to facilitate the construction of the complex of buildings of the other Party. Questions related to the construction of buildings on the respective plots will be determined by a separate Agreement on Conditions of Construction, which shall be concluded not later than 120 days after the signing of this Agreement.

2. Actual construction on the plots will not begin until agreement has been reached on the conditions for construction mentioned in Paragraph 1 of this Article, and until a mutually acceptable date for the commencement of the period of use of the plots has been agreed upon as provided in Article III of this Agreement. This must not prevent work relating to the planning of buildings on these plots.

Article IX

The American Embassy will vacate the premises rented by it at 19-21-23 Ulitsa Chaykovskogo as promptly as possible after the new buildings of the Embassy of the United States of America at Konyushkovskaya Ulitsa are ready for occupancy. It is envisaged that the move to the Konyushkovskaya premises will occur within four months following completion of construction of the buildings.

Article X

The present agreement shall enter into force on the day of its signing.

SIGNED on May 16, 1969, in the city of Moscow in two copies, each in the English and Russian languages, both texts being equally authentic.

For the Government
of the United States of America:

Jacob D. BEAM

For the Government
of the Union of Soviet
Socialist Republics:

N. FIRYUBIN

ATTACHMENT I

DESCRIPTION OF THE PLOT OF LAND ON KONYUSHKOVSKAYA ULITSA

The plot of land on Konyushkovskaya Ulitsa with an area of 10.1558 acres (4.1100 hectares) is located in the Krasnopresnenskiy District of the city of Moscow and is shown on the attached plan ¹ and described below.

The description of the plot begins from point "A", located on the north side of Devyatinskiy Bolshoy Pereulok, at a distance of 36.51 meters from the east corner of the 16-story apartment house at No. 5 Devyatinskiy Bolshog Pereulok and 34.79 meters from the west corner of the building. The boundary of the plot runs to the west from point "A" for a distance of 162.66 meters to point "B", along the north side of Devyatinskiy Bolshoy Pereulok which is 22.97 meters wide.

At point "B", located to the east of the intersection of Devyatinskiy Bolshoy Pereulok and Konyushkovskaya Ulitsa which is 40.00 meters wide, the boundary turns to the northeast at an angle of 78°03.9' and runs along the east side of Konyushkovskaya Ulitsa for a distance of 315.81 meters to point "B", located on the south side of Konyushkovskiy Malyy Pereulok.

At point "B" the boundary of the plot turns to the southeast at an angle of 83°08.7' and proceeds along the south side of Konyushkovskiy Malyy Pereulok for a distance of 144.16 meters to point "T".

At point "T" the boundary of the plot turns to the southwest at an angle of 90°12.5' for a distance of 122.79 meters and runs parallel to the 6-story apartment house at a distance from it of 21.17 meters to point "D".

¹ See insert in a pocket at the end of this volume.

From point "Д" the boundary of the plot runs to the south at an angle of $198^{\circ}34.9'$ for a distance of 146.18 meters to point "А".

At point "А" the lines of the boundaries of the plot join at an angle of $90^{\circ}00.0'$.

All figures are given in accordance with computation carried out by Mosgorgeotrest according to order No. 2817 of November 22, 1968 of the Administration for Services to the Diplomatic Corps.

ATTACHMENT II

DESCRIPTION OF THE PLOT OF LAND ON SPASOPESKOVSKAYA PLOSHCHAD

The plot of land with an area of 1.7915 acres (0.7250 hectares) at 10 Spasopeskovskaya Ploshchad is located in the Kiyevskiy District of the city of Moscow and is shown on the attached plan ¹ and described below.

Its description begins from point "В" (the southwest corner of the existing fence), located on the east side of Spasopeskovskaya Ploshchad, from which the boundary runs along the fence to the northwest along the east side of Spasopeskovskaya Ploshchad to point "Г" for a distance of 24.49 meters.

From point "Г" the boundary of the plot runs to the northwest at an angle of $175^{\circ}55.3'$ to point "Д" (the corner of the existing fence) for a distance of 22.99 meters, thence to the northeast at an angle of $91^{\circ}01.2'$ for a distance of 37.93 meters to point "Е".

At point "Е" the boundary of the plot turns to the northwest at an angle of $267^{\circ}17.7'$ and runs to point "Ж" for a distance of 4.64 meters. Point "Ж" is the corner of the 4-story stone apartment house.

From point "Ж" the boundary runs to the northwest for a distance of 13.91 meters at an angle of $177^{\circ}30.8'$ along the east wall of the said house to point "О".

From point "О" the boundary runs to the northwest at an angle of $177^{\circ}56.8'$ to point "З" for a distance of 48.75 meters.

At point "З" the boundary of the plot turns to the east at an angle of $77^{\circ}01.8'$ and runs to point "И" for a distance of 53.35 meters.

At point "И" the boundary of the plot turns to the southeast at an angle of $103^{\circ}11.3'$ and runs for a distance of 25.88 meters to point "К".

¹ See insert in a pocket at the end of this volume.

From point "K" the boundary, with a slight deflection to the east, runs to point "Д" at an angle of 180°35.5' for a distance of 31.51 meters.

From point "Д" the boundary, with a slight deflection to the east, runs to point "M" at an angle of 182°37.0' for a distance of 35.49 meters.

At point "M" the boundary turns to the southwest at an angle of 89°02.9' and runs for a distance of 1.12 meters to point "H".

At point "H" the boundary of the plot turns to the southeast at an angle of 270°00.0' and runs towards point "A" for a distance of 4.54 meters.

At point "A" the boundary of the plot turns to the southwest at an angle of 91°09.4' and runs along the existing fence for a distance of 8.03 meters toward point "Б".

From point "Б" the boundary runs at an angle of 183°15.2' to the southwest along the existing fence for a distance of 76.17 meters to point "B", from which the description of the plot begins.

At point "B" the lines of the boundaries of the plot join at an angle of 93°25.1'.

All figures are given in accordance with computation carried out by Mosgorgeotrest according to order No. 7540 of December 7, 1967 of the Administration for Services to the Diplomatic Corps.

ATTACHMENT III

DESCRIPTION OF THE PLOT OF LAND KNOWN AS "MOUNT ALTO"

The plot of land known as "Mount Alto" is located in the city of Washington, District of Columbia being Lot 938, Square 1300, of a Subdivision recorded in Survey Book 186, Page 163, in the District of Columbia Surveyor's Office and is described below and shown on the attached plot plan: ¹

The description of the plot begins at the intersection of the northerly line of Tunlaw Road, NW., and the east line of 39th Street; the boundary proceeds thence along said east line of 39th Street, due north, 84.11 feet to the south line of a public alley 15.00 feet wide;

thence along said south line of the 15.00 foot public alley, due east, 455.00 feet to the west line of a public alley 15.00 feet wide;

¹ See insert in a pocket at the end of this volume.

thence along the west line of said 15.00 foot public alley, due south, 60.00 feet;

thence due east, 235.00 feet to the east line of 38th Street;

thence along a said east line of 38th Street, due north, 20.00 feet;

thence due east, 143.92 feet to the west line of a public alley 15.00 feet wide;

thence, along the west line of said 15.00 foot public alley, due south, 283.16 feet;

thence, S.68°51'00"E., 186.21 feet to the west line of Wisconsin Avenue;

thence along the west line of Wisconsin Avenue, due south, 460.11 feet;

thence, still along the west line of Wisconsin Avenue, S.3°07'30"E., 9.39 feet;

thence, S.71°37'30"W., 436.11 feet to the easterly line of Tunlaw Road;

thence along the easterly line of Tunlaw Road, N.23°56'30"W., 831.92 feet;

thence still along the easterly line of Tunlaw Road, N.26°02'30"W., 73.62 feet;

thence along the northerly line of Tunlaw Road, N.68°51'00"W., 240.51 feet to the point of beginning containing 545,621.80 square feet or 12.5258 acres (5.0692 hectares), all as shown on a plat of computation recorded in the Office of the Surveyor of the District of Columbia in Survey Book 186, page 163.

EXCHANGES OF NOTES

No. 733

I, a

The Embassy of the United States of America, referring to Paragraph 2 of Article I of the "Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Reciprocal Allocation for Use Free of Charge of Plots of Land in Moscow and Washington", signed in Moscow on May 16, 1969, proceeds on the basis that the use of the buildings leased as the residence of the Ambassador of the United States of America at 10 Spasopeskovskaya Ploshchad, Kiyevskiy District, Moscow, will be in accordance with the provisions of the lease agreement between the Secretary of State of the United States of America and the Administration for Services to the Diplomatic Corps signed in 1960 for a term of 25 years, insofar as the lease agreement relates to the use and rent of the buildings.

It is also intended that the right of the Government of the United States of America to such use is preserved throughout the entire period of 85 years and any extensions of the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Reciprocal Allocation for Use Free of Charge of Plots of Land in Moscow and Washington on condition that the amount of the annual rent from July 1, 1985, and after that date will then be determined anew by means of negotiations at a level not exceeding the then existing level of rent for similar diplomatic buildings in Moscow, excluding any factor for land. The annual rent, beginning July 1, 1985, and after that date, will be determined through negotiations for periods of not less than 5 years.

If these proposals are acceptable to the Soviet side, the Embassy of the United States of America proposes that the present note of the Embassy and the note of reply of the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics constitute an agreement between the Parties on this question, this agreement coming into force on the date of the exchange of the notes.

Embassy of the United States of America
Moscow, May 16, 1969

Сторонами по данному вопросу, причем эта договоренность вступает в силу в день обмена нотами».

Министерство Иностранных Дел Союза Советских Социалистических Республик сообщает, что оно рассматривает вышеуказанную ноту Посольства Соединенных Штатов Америки и настоящий ответ Министерства как договоренность между Сторонами по этому вопросу, причем эта договоренность вступает в силу в день обмена нотами.

Москва, 16 мая 1969 года

Посольству Соединенных Штатов Америки
г. Москва

[TRANSLATION¹ — TRADUCTION²]

31/USA

MINISTRY OF FOREIGN AFFAIRS OF THE USSR

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics refers to note No. 733 dated May 16, 1969, from the Embassy of the United States of America containing the following:

[See note I, a]

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics communicates that it considers the above-mentioned note of the Embassy of the United States of America and the Ministry's present reply as an agreement between the Parties on this question, this agreement entering into force on the day of the exchange of notes.

Moscow, May 16, 1969

Embassy of the United States of America
Moscow

I, b

№ 734

The Embassy of the United States of America would be grateful for the confirmation of the Ministry of Foreign Affairs that during the period of validity

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

of the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the reciprocal Allocation for Use Free of Charge of Plots of Land in Moscow and Washington of May 16, 1969 the territory which is situated along the southwest border of the Embassy's plot of land at the juncture of Konyushkovskaya Ulitsa and Bolshoy Devyatinskiy Pereulok and which is being set aside as a green area will not be built upon.

Embassy of the United States of America
Moscow, May 16, 1969

II, b

[RUSSIAN TEXT — TEXTE RUSSE]

32/оспа

Министерство Иностранных Дел Союза Советских Социалистических Республик, ссылаясь на ноту Посольства Соединенных Штатов Америки № 734 от 16 мая 1969 года, подтверждает, что в период действия Соглашения между Правительством Союза Советских Социалистических Республик и Правительством Соединенных Штатов Америки о взаимном предоставлении в бесплатное пользование земельных участков в Москве и Вашингтоне от 16 мая 1969 года территория, расположенная вдоль югозападной границы выделяемого Посольству участка на стыке Конюшковской улицы и Большого Девятинского переулка и отводимая под зеленые насаждения, застраиваться не будет.

Москва, 16 мая 1969 года

Посольству Соединенных Штатов Америки
г. Москва

[TRANSLATION ¹ — TRADUCTION ²]

No. 32/USA

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics, referring to note No. 734 dated May 16, 1969, from the Embassy of the United

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

States of America, confirms that during the period of validity of the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America on the Reciprocal Allocation for Use Free of Charge of Plots of Land in Moscow and Washington dated May 16, 1969, the territory which is situated along the southwest border of the Embassy's plot of land at the juncture of Konyushkovskaya Ulitsa and Bolshoy Devyatinskiy Pereulok, and which is being set aside as a green area will not be built upon.

Moscow, May 16, 1969.

Embassy of the United States of America
Moscow