



Manning Sossamon

February 4, 2009

Mr. Marc Loud, Chairperson
DC Board of Zoning Adjustment
441 4th Street NW, Room 210
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2010 FEB -5 AM 8:35

RE: BZA Appeal No. 18029
Consent Agreement regarding Hearing Date

Dear Mr. Loud,

Attached please find, for submission to the Board of Zoning Adjustment ("BZA"), a Consent Agreement ("Agreement") executed by the parties to the BZA Appeal No. 18029.

This matter is on the BZA agenda for next Tuesday, February 9, 2010 at 1 p.m. The parties agree that this matter may be postponed and rescheduled for the next available date and time due to the heavy schedule on February 9, 2010 and the likelihood that this matter may need to be postponed, either because other matters will not be completed or because the BZA may not be able to fully hear this matter at the present scheduled time. The parties understand that the next available time may be February 23, 2010 at 1 p.m.

Thank you in advance for your time and consideration of this request and Agreement. I look forward to hearing from you.

Kind regards,

Constance Miller
Legal Counsel for ANC2A

1120 20th Street NW North Building Suite 700 Washington DC 20036
202 973-2686 202 973-1212 f

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18029
Board of Zoning Adjustment
District of Columbia
CASE NO. 18029
EXHIBIT NO. 15

RECEIVED
OFFICE OF ZONING
2010 FEB -5 AM 8:35**CONSENT AGREEMENT****BZA Appeal No. 18029**

This Consent Agreement ("Agreement") is entered into this 4 day of February, 2010, ("Effective Date") by and on behalf of the following parties in Board of Zoning Adjustment ("BZA") Appeal No. 18029:

DCRA and the Zoning Administrator,
Matt LeGrant
Represented by Acting General Counsel,
Melinda Bolling

Charles E. Smith / Vornado
Represented by David Avitabile,
Pillsbury Winthrop Shaw Pittman LLP

Friends of Francis Field
Represented by Gary Griffith,
Secretary of Friends of Francis Field

ANC2A (Rebecca Coder, President)
Represented by Constance Miller,
Manning Sossamon, PLLC

Recitals

WHEREAS, BZA Appeal No. 18029 is currently scheduled for hearing at 1:00 p.m. on February 9, 2010;

WHEREAS, the parties have been informed by Clifford Moy, Secretary of the BZA, that (i) other matters scheduled for the same time and date are likely to require most or all of the time set aside for hearings before the BZA on the afternoon of February 9, 2010, (ii) this BZA Appeal No. 18029 may not be heard or that time available after other matters are heard will be insufficient for the parties to complete their respective presentations of the issues and testimony before the BZA, and (iii) therefore BZA Appeal No. 18029 may need to be postponed entirely or that the presentation of the case may begin and require postponement for completion at a later date;

WHEREAS, the parties have been informed that the next available date for hearing in this matter is February 23, 2010 at 1:00 p.m.; and

WHEREAS, the parties have conferred with each other and have reached the following Agreement.

Agreement

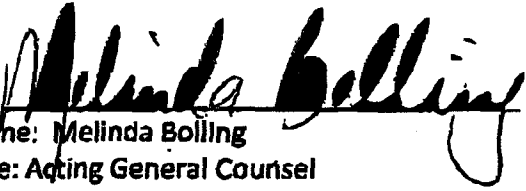
1. **Postponement.** The parties hereby agree that BZA Appeal No. 18029 be postponed to the next available hearing date and time before the BZA; and
2. **Execution In Counterparts.** This Agreement may be executed in one or more counterparts (including without limitation, by fax), with the same effect as if the parties

had signed the same document. Each counterpart so executed shall be deemed to be an original, and all such counterparts shall be construed together and shall constitute one and the same Instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

DCRA and the Zoning Administrator,
Matt LeGrant

Friends of Francis Field

By: 

Name: Melinda Bolling
Title: Acting General Counsel

By: _____

Name: Gary Griffith
Title: Secretary, Friends of Francis Field

Charles E. Smith / Vornado

ANCZA (Rebecca Coder, President)

By: _____

Name: David Avitabile
Title: Legal Counsel
Pillsbury Winthrop Shaw Pittman LLP

By: _____

Name: Constance J. Miller
Title: Legal Counsel
Manning Sossamon, PLLC

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Matt LeGrant**

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By: _____
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Title: Secretary, Friends of Francis Field

Charles E. Smith / Vornado

ANC2A (Rebecca Coder, President)

By: David Avitabile
Name: David Avitabile
Title: Legal Counsel
Pillsbury Winthrop Shaw Pittman LLP

By: _____
Name: Constance J. Miller
Title: Legal Counsel
Manning Sossamon, PLLC

2. Execution in Counterparts. This Agreement may be executed in one or more counterparts (including without limitation, by fax), with the same effect as if the parties had signed the same document. Each counterpart so executed shall be deemed to be an original, and all such counterparts shall be construed together and shall constitute one and the same instrument.

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