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BOARD OF ZONING ADJUSTMENT
District of Columbia
Exhibit No. 13

EVANS DOLPHIN
STAFFORD & WEBBER
100 MICHIGAN STREET, N.W.
WASHINGTON, D.C. 20001
DC 7-5432

THIS AGREEMENT, made and entered into this 23 day of November, 1971 by and between CHARLES H. EPPS, JR., M. D., ROSELYN P. EPPS, M. D. and MAJOR P. GLADDEN, M. D., hereinafter referred to as "Owners", and the DISTRICT OF COLUMBIA, a municipal corporation, hereinafter referred to as "District";

WITNESSETH:

WHEREAS, Charles H. Epps, Jr., M. D., and his wife, Roselyn P. Epps, M. D., are the record owners in fee simple as tenants by the entirety of land situated in the District of Columbia, described as follows: Lot 881 in Square 2877 (building area); and

WHEREAS, said Charles H. Epps, Jr., M. D. and Major P. Gladden, M. D. are the record owners, in fee simple as joint tenants, of land situated in the District of Columbia, described as follows: Lots 877, 935 and 936 in Square 2877; and

WHEREAS, said Lot 881 in Square 2877 (building area) is improved with a building to be used as medical offices; and

WHEREAS, the Zoning Regulations of the District of Columbia require the provision of off street parking spaces for the medical office building; and

WHEREAS, the Zoning Regulations also permit the establishment of such accessory parking on a lot or lots other than that on which the structure to be served is located, if approved by the Board of Zoning Adjustment (Section 7205.3); and

WHEREAS, it is not practicable to locate the accessory parking spaces on Lot 881 in Square 2877 (building area); and owners are desirous of using the land described as Lots 877, 935 and 936 in Square 2877 for the purpose of permanent accessory parking for occupants, tenants, invitees and guests of the medical offices to be located on Lot 881 in Square 2877; and

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18684

EXHIBIT NO. 13

Board of Zoning Adjustment
District of Columbia
CASE NO.18684
EXHIBIT NO.13

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all of the lots mentioned are located in a C-M-2 District; and

WHEREAS, on July 23, 1971, in Appeal No. 10844, pursuant to authority contained in the Zoning Regulations of the District of Columbia, the Board of Zoning Adjustment found that accessory parking on Lots 877, 935 and 936 in Square 2877 to serve the use located at Lot 881 in Square 2877 will not create any dangerous or otherwise objectionable traffic conditions, that the present character and further development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity, and the Board of Zoning Adjustment granted the appeal for permission to provide such accessory parking; and

WHEREAS, the Board of Zoning Adjustment of the District of Columbia has required, as a condition to the issuance of a certificate of occupancy, that the appellant provide a covenant for the accessory parking;

NOW THEREFORE, in consideration of the authorization for accessory parking granted by the Board of Zoning Adjustment on July 23, 1971, in Appeal No. 10844, and pursuant thereto, Owners, for themselves, their successors and assigns do hereby covenant to and with the District as follows:

1. That the Owners will, and by these presents do constitute said Lots 877, 935 and 936 in Square 2877 as an area for accessory automobile parking spaces for the use and convenience of the occupants, tenants, invitees and guests of the medical office building to be established on Lot 881 in Square 2877, and for no other purpose, and do further covenant that the aforesaid easement and right to use said Lots 887, 935 and 936 in Square 2877 for accessory automobile parking spaces shall be appurtenant to Lot 881 in Square 2877, so long as said lot and the improvement thereon is used as a medical office building or similar use requiring the provision of off-street parking spaces in accordance with the Zoning Regulations of the District of Columbia.

CASE
DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

EVANS DOLPHIN
STAFFORD & WEBSTER
FOR DELIVERY TO THE DISTRICT
BY TELEPHONE SERVICE
APPROVED 10 16 1981
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2. That Owners (Charles H. Epps, Jr. M. D. and Major P. Gladden, M. D.), so long as they own Lots 877, 935 and 936 in Square 2877, and thereafter each subsequent owner thereof, will at all times keep the same unobstructed and will maintain the same in a condition suitable for the purpose for which it is herewith constituted.

3. That the said Lots 877, 935 and 936 in Square-2877 will be used for no other purpose than for accessory automobile parking spaces, for the use and benefit of said Lot 881 in Square 2877.

4. That each tenant and occupier of the medical office building to be established on said Lot 881 in Square 2877 is hereby given a direct right to enforce all of the covenants and agreements herein as a third party beneficiary hereof.

5. That every conveyance of said Lots 877, 935 and 936 in Square 2877, and of said Lot 881 in Square 2877, or any parts thereof, including conveyance to Trustees to secure indebtedness, shall be made subject to and together with the aforesaid easement, and shall contain a covenant by the grantee or grantees therein that said grantee or grantees shall be bound by, and will observe and carry out, each and every covenant made herein by said Owners and the District.

6. That the covenants herein contained are, and shall be construed as, real covenants and shall run with the land and shall bind the Owners and the District and their grantees, successors and assigns.

IN WITNESS WHEREOF, the Owners have hereunto set their hands and affixed their seals effective as of the day and year hereinbefore written.

In Presence of-

31 July 71
Francis E. Coley
Witness

Charles H. Epps, Jr.
Charles H. Epps, Jr. M. D.

BOOK OF RECORDS
District of Columbia
CASE: 13305-231
EXHIBIT: 13305-231

EVANS DOLPHIN
STAFFORD & WESSER
100 WASHINGTON STREET, N.W.
WASHINGTON, D.C. 20001
DC 7-8433

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July 31, 1971
Frances E. Coley
Witness

Roselyn P. Epps
Roselyn P. Epps, M. D.

July 31, 1971
Frances E. Coley
Witness

Major P. Gladden
Major P. Gladden, M. D.

DISTRICT OF COLUMBIA, ss:

I Frances E. Coley, a Notary Public in and for
the District of Columbia, do hereby certify that Charles H. Epps, Jr., M. D.,
Roselyn P. Epps, M. D. and Major P. Gladden, M. D. who are personally
well known to me as the persons who executed the foregoing Covenant,
personally appeared before me in said District and acknowledged the said
Covenant to be their acts and deeds.

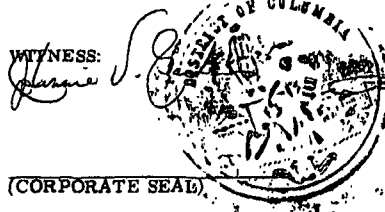
Given under my hand and seal this 31st day of July

1971.

Frances E. Coley
Notary Public

"IN WITNESS WHEREOF, the commissioner of the District of
Columbia, appointed under Reorganization Plan No. 3 of 1967, having first
considered and approved the foregoing covenant, has directed the execution
thereof in the name of said District of Columbia, by the Executive Secretary
D. C., who has hereunto set his hand and affixed the seal of the District of
Columbia hereto under authority of the Act of Congress entitled 'An Act
to Relieve the Commissioners of the District of Columbia of Certain
Ministerial Duties', approved February 11, 1932."

WITNESS:



DISTRICT OF COLUMBIA
(A Municipal Corporation)

Charles K. Schaller
Executive Secretary, D. C.

(CORPORATE SEAL)

Exhibit

Case

Notary Public for the District of Columbia

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DISTRICT OF COLUMBIA, SS:

I, Pauline P. Pione, a Notary Public in and
for the District of Columbia, do hereby certify that William R. Schaller
who is personally well known to me as the person named as Executive
Secretary to the Commissioner of the District of Columbia in the foregoing
covenant bearing date on the 23 day of November, 1971, and hereunto
annexed, personally appeared before me in said District, and as Executive
Secretary aforesaid, and by virtue of the authority in him vested acknowledged
the same to be the act and deed of the Commissioner of the District of
Columbia.

GIVEN under my hand and seal this 21 day of December,

1971.



APPROVED

W. R. Schaller
Assistant Corporation Counsel

Pauline P. Pione
Notary Public, D. C.

My commission expires: Jan. 14, 1973

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mail to:

PAUL R. WEBBER III
606 11TH ST. N.W. #500
7375432 - 20001
(MRS)

01092

RECEIVED FOR RECORD on the
day of A.D. 19 at

M and recorded in Liber No. 13305
Folio 209 at Sec. one of the land
Record of the District of Columbia

John S. Reddy

Jan 19 1972 PM 172

44-111-72 HCC 265 C • 1092 -- 10-1

J&M Abstracts, Inc.

Your Case Number:

Full Search

Examined Thru: 7/9/2013

Our Case Number: 13-2344

007357.00036

Property:

Lot 967 (p/o 38), Square 2877, Plat , Washington D.C.

Address: 8th Street, NW

Fee Simple Vested in:

Howard University

By Deed Dated 2/15/1989

Rec.: 2/15/1989

Lib.:

Fol.

Ins #: 9173

Subject To:NONE From (Fee ☐) FREE AND CLEAR---please verify same

To: _____

Dated: _____ Rec.: _____ Lib.: _____ Fol. _____ Ins #: _____ Amt.: _____

Securing: _____

Eq., Judg., and Liens:

NONE OF RECORD

Restrictions on Plat:

NONE OF RECORD

Rights Of Way:

See Covenants below

Covenants:

1. Covenant 1092 rec. 1-14-1972, in Liber-folio 13305-229.
2. Specifications of the Urban Renewal Plan for the Shaw School Urban Renewal Area.

Remarks:

1. Articles of Incorporation of current own should be obtained.
2. An accurate survey should be obtained to confirm the metes and bounds legal description of subject property.
3. PLEASE NOTE: J & M Abstracts, Inc. bears no responsibility for items indexed incorrectly at the Recorder of Deeds.

Fee: \$215.00

Copies: \$16.00

Misc: \$0.00

Recording: \$0.00

Total: \$231.00

*This does not represent an opinion of title.***Examination Report**

Abstracted By: Jeff House

For: Shulman, Rogers, Gandal, etc.

Mailing Address:522-B 8th Street, S.E. 3rd Floor
Washington, D.C. 20003

Phone: (202) 547-6632 Fax: (202) 547-6708

NOTE. Real Estate Taxes, Special Assessments, Water/Sewer Service charges and domestic relations have not been determined and are not a subject of this report.

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