GREENSTEIN DELORME & LUCHS, P.C.

1620 L STREET, N.W., SUITE 900
WASHINGTON, D.C. 20036-5605

TELEPHONE (202) 452-1400
FACSIMILE (202) 452-1410

FACSIMILE TRANSMITTAL

Today's Date: May 6, 2002 Time: As Sent

TRANSMITTAL TO:

Individual: Marie Sansone, Esq.
Company: Office of the Corporation Counsel
Direct Phone#: (202) 724-6657
Fax/Telecopier #: (202) 727-6014

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TRANSMITTAL FROM:

Individual: Lyle M. Blanchard, Esq.
Phone Number: (202) 452-1400
Billing Code:
Message: Re: BZA App. 16854 (315 East Capitol Street, S.E.)

Marie:

As promised, attached are the (1) Application to Grant Trustee Writ of Possession with exhibits and (2) Writ of Possession. As discussed, Mr. Warlick was evicted by the US Marshalls on April 26, 2002 per Marc Albert, Esq., Attorney for the Trustee.

Sincerely, Lyle

If there is a problem with this transmission, it is important that you notify:

Name: Phone #: (202) 452-1400

182244

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BZA
Case No. 16854
Exhibit No. 63

Board of Zoning Adjustment
District of Columbia
CASE NO.16854
EXHIBIT NO.63

ENTERED
APR 02 2002
U.S. BANKRUPTCY COURT
DISTRICT OF MARYLAND
GREENBELT

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

IN RE:	
DIVERSIFIED LENDING SERVICES, INC.	Case No: 00-15475-PM
and	01-10366-PM
JACOB I. KRAMPF	Chapter 7 (consolidated)
Debtors.	

FILED
2002 MAR 28 P 1:19
U.S. BANKRUPTCY COURT
DISTRICT OF MARYLAND
GREENBELT

WRIT OF POSSESSION IN AID OF COURT ORDER

This matter came before this Court on Janet Nesse's ("Trustee") Application to Grant Writ of Possession in Aid of Court Order; on January 23, 2002 this Court entered an Order approving the settlement regarding the 313 East Capitol Street, SE Washington, DC ("Property") between James D. Warlick and the Trustee; pursuant to that Order the Trustee was entitled to immediate possession of the Property if closing did not occur by March 15, 2002; the Court has reviewed the record of this matter; the Court being fully apprised finds that good cause exists to grant the Application; it is therefore

ORDERED that the Application be and the same hereby is **GRANTED**; and it is

FURTHER ORDERED that the Trustee is entitled to immediate possession of the Property; and it is

FURTHER ORDERED that the U.S. Marshals are forthwith authorized to take any steps necessary to assist the Trustee in recovering possession of the Property; and it is

FURTHER ORDERED that the U.S. Marshals are forthwith authorized to take any steps necessary to evict Warlick and his personal property from the Property; and it is

262-1

FURTHER ORDERED that the Trustee is authorized to take any steps necessary to secure the Property after Warlick is removed, including change locks.

DATED: April 1, 2002

Paul Mannes

Paul Mannes Judge
United States Bankruptcy Court
for the District of Maryland

Copies to:

Janet M. Nesse, Esq.
Morrison & Hecker L.L.P.
1150 18th Street NW, Suite 800
Washington, D.C. 20036

Office of the U.S.Trustee
6305 Ivy Ln., Rms. 620-21
Greenbelt, MD 20770

James M. Greenan, Esq.
Greenan, Walker & Billman, LLP
6411 Ivy Lane, Suite 706
Greenbelt, MD 20770

James D. Warlick
313 East Capital Street, SE
Washington, D.C. 20003

Scott C. Borison, Esq.
Legg Law Firm, LLC
5500 Bukeystown Pike
Fredrick, MD 21703

::ODMA\PCDOCS\WDCDOCS\39284\1

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

IN RE:	
DIVERSIFIED LENDING SERVICES, INC.	Case No: 00-15475-PM
	01-10366-PM
and	Chapter 7 (consolidated)
JACOB I. KRAMPF	
Debtors	

FILED
2002 MAR 28 P 1:18
CLERK'S OFFICE
U.S. BANKRUPTCY COURT
DISTRICT OF MARYLAND
GREENBELT

APPLICATION TO GRANT TRUSTEE WRIT OF POSSESSION IN AID OF COURT ORDER

COMES NOW, Janet M. Nesse, Chapter 7 Trustee for Diversified Lending Services and Jacob I. Krampf ("DLS" and "Krampf" or collectively "Debtors"), by and through her undersigned counsel, Morrison & Hecker L.L.P., and in support of her Application to Grant Trustee Writ of Possession in Aid of Court Order respectfully states as follows:

1. Krampf owned a piece of property known as 313 East Capitol Street, SE Washington, D.C. (the "Property") prior to filing bankruptcy. The Property is now property of the estate.

2. Krampf had entered an installment land contract with James D. Warlick ("Warlick") to sell Warlick the Property prior to filing bankruptcy.

3. The Trustee and Warlick eventually reached a settlement as to how to contract would be disposed of in the bankruptcy.

261-1
262-2

4. The Trustee filed a Motion to Approve Settlement, and an order granting that Motion was entered on January 23, 2002 (the "Order"). A copy of the Order is attached hereto and incorporated herein by reference as **Exhibit A.**

5. Pursuant to the Court approved Settlement, Warlick was to purchase the Property from the Trustee with closing to occur no later than March 15, 2002.

6. Closing did not occur by March 15, 2002, and upon information and belief Warlick is still residing on the Property.

7. On March 18, 2002, the Trustee sent a letter to Warlick's attorney, Scott Borison, advising Mr. Borison that if Warlick would cooperate with the Trustee and leave voluntarily, he could have until April 1, 2002 to vacate the Property. The Trustee gave Warlick twenty-four hours to respond to the letter, and Mr. Warlick still has not responded that he will vacate the Property by April 1, 2002. The letter is attached here to and incorporated herein by reference as **Exhibit B**.

8. The Trustee has contacted the U. S. Marshals for the District of Columbia (the "Marshals") for their assistance in evicting Warlick from the Property and presented them with a copy of the Order.

9. The Marshals have requested that the attached Writ of Possession be signed by the Court authorizing them to assist the Trustee in removing Warlick and his personal property from the Property.

10. Therefore the Trustee requests that this Court enter the attached, proposed Writ of Possession entitling the Trustee to immediate possession of the Property and authorizing the Marshals to take any necessary steps to assist the Trustee in recovering possession of the Property.

WHEREFORE, the Trustee respectfully requests that this Court enter a Writ of Possession:

A. Clarifying that the Trustee is entitled to immediate possession of the Property;

B. authorizing the U.S. Marshals to assist the Trustee in removing Warlick and his personal property from the Property;

C. authorizing the Trustee to secure the Property once Warlick has been removed therefrom; and

D. granting such other and further relief as is just and proper.

Dated: March 27, 2002

Respectfully submitted,

Marc E. Albert, Esq.
MORRISON & HECKER L.L.P.
1150 18th Street, N.W., Suite 800
Washington, DC 20036-3816
Tel: (202) 785-9100
Counsel for Trustee

::ODMA\PCDOCS\WDCDOCS\39284\1

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Application to Grant Trustee Writ of Possession in Aid of Court Order and Proposed Order was served by first class mail, postage prepaid, on the 28 day of March, 2002, upon the following:

Office of the U.S.Trustee
6305 Ivy Ln., Rms. 620-21
Greenbelt, MD 20770

James M. Greenan, Esq.
Greenan, Walker & Billman, LLP
6411 Ivy Lane, Suite 706
Greenbelt, MD 20770

James D. Warlick
313 East Capital Street, SE
Washington, D.C. 20003

Scott C. Borison, Esq.
Legg Law Firm, LLC
5500 Bukeystown Pike
Fredrick, MD 21703



Katherine M. Sutcliffe Becker

::ODMA\PCDOCS\WDCDOCS\39284\1

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

IN RE:	
DIVERSIFIED LENDING SERVICES, INC.	Case No: 00-15475-PM and 01-10366-PM
and	
JACOB I. KRAMPF	Chapter 7 (consolidated)
Debtors	

ENTERED
JAN 23 2002
US BANKRUPTCY COURT
DISTRICT OF MARYLAND
GREENBELT

CONSENT ORDER APPROVING SETTLEMENT
(313 EAST CAPITOL SETTLEMENT)

This matter came before the Court upon the Motion to Approve Settlement ("Motion") filed by Janet M. Nesse, Chapter 7 Trustee ("Trustee") for Diversified Lending Services, Inc. and Jacob I. Krampf ("Debtors") as to the proposed settlement for the sale of 313 East Capitol Street, SE Washington, DC 20003 (the "Property") to Warlick for $652,100.00; such sale to close no later than March 15, 2002; Warlick to pay all closing costs; and if the sale does not close by such date the Trustee will have an Order of Possession and Warlick will have no claim against the estate; the Court being satisfied that the terms of the proposed settlement, as represented in the Motion are fair, reasonable, and in the best interest of the Debtors' estate and its creditors; the Court finds that notice of said Motion is adequate as given; the Court has reviewed the record of this matter; the Court being fully apprised finds that good cause exists to grant the Motion; it is therefore

ORDERED that the Motion be and the same hereby is **GRANTED**; and it is

245-1

243

002-176

FURTHER ORDERED that the sale of the Property proposed in the Motion close no later than March 15, 2002; and it is

FURTHER ORDERED that Warlick will pay the estate $652,100.00 at the time of closing and will pay all closing costs, including all outstanding real estate taxes, water and sewer charges, and recordation and transfer fees; and it is

FURTHER ORDERED that if the sale does not close by March 15, 2002, Warlick will have no further claim against the estate and waives any and all claims against the estate he may have had including any interest in the Property; and it is

FURTHER ORDERED that if the sale does not close by March 15, 2002 the Trustee will have an Order of Possession, the Trustee will be entitled to immediate possession of the Property, the Trustee may enter the Property and change the locks, and have the U.S. Marshals to assist him in removing Warlick and his personal property from the Property; and it is

FURTHER ORDERED that the Trustee pay the first mortgage of Washington Mutual Bank, F.A. out of the proceeds of the sale; and it is

FURTHER ORDERED that the Trustee is authorized to do all things and take all steps necessary and reasonable to consummate the settlement approved hereby.

DATED: Jan. 22, 2002

Paul Mannes Judge
United States Bankruptcy Court
for the District of Maryland

SEEN AND AGREED TO BY:

Scott Borison by consent — Dated: December 6, 2001
Scott Borison, Esq.
Attorney for James D. Warlick

Marc Albert — Dated: December 18, 2001
Marc Albert, Esq.
Attorney for Trustee

Copies to:

Janet M. Nesse, Esq.
Morrison & Hecker L.L.P.
1150 18th Street NW, Suite 800
Washington, D.C. 20036

Office of the U.S.Trustee
6305 Ivy Ln., Rms. 620-21
Greenbelt, MD 20770

James M. Greenan, Esq.
Greenan, Walker & Billman, LLP
6411 Ivy Lane, Suite 706
Greenbelt, MD 20770

Geoffrey S. Gavett, Esq.
Gavett and Datt, P.C.
15850 Crabbs Branch Way
Rockville, MD 20855

James D. Warlick
313 East Capital Street, SE
Washington, D.C. 20003

Jacob L. Krampf
12230 Rockville Pike Suite 200
Rockville, Maryland 20852-1672

Scott C. Borison, Esq.
Legg Law Firm, LLC
5500 Bukeystown Pike
Fredrick, MD 21703

::ODMA\PCDOCS\WDCDOC\936861

EXHIBIT B

MORRISON & HECKER L.L.P.
ATTORNEYS AT LAW

1150 18th Street N.W., Suite 800
Washington, D.C. 20036-3816
Telephone (202) 785-9100
Telefax (202) 785-9163
www.moheck.com

March 18, 2002

VIA FASCIMILE AND FIRST CLASS MAIL 301.620.1018

Scott C. Borison, Esq.
Legg Law Firm, LLC
5500 Bukeystown Pike
Fredrick, MD 21703

Re: 313 East Capitol Street

Dear Mr. Borison:

On Friday March 15, 2002 I received the enclosed letter from your client requesting additional time to obtain financing and close on the 313 East Capitol property. As the Trustee indicated to you on Friday, the court order is clear that closing had to take place by Friday March 15, 2002. You client's offer to obtain financing and close on the property in the next two weeks is not in compliance with the agreement which was approved by the court.

In light of the amount of furnishings your client has in the property, if he will agree in writing to leave the property voluntarily, the Trustee will let him stay until April 1, 2002. If your client does not confirm within 24 hours that he will leave voluntarily, we will immediately enlist the assistance of the Court and the U.S. Marshals to remove him from the property.

In the meantime the Trustee is listing the property with a realtor. As a result I need your client to provide me with a set of keys to the property immediately. I am still waiting for instructions as to how your client would like for me to dispose of the original check he sent to pay the arrearages on the rent. Thank you for your cooperation and assistance.

Sincerely,

MORRISON & HECKER L.L.P.

Marc E. Albert

Enclosure

::ODMA\PCDOCS\WDCDOCS\39012\1

MORRISON & HECKER L.L.P.
ATTORNEYS AT LAW

1150 18th Street N.W., Suite 800
Washington, D.C. 20036-3816
Telephone (202) 785-9100
Telefax (202) 785-9163

FAXED By

TELEFAX REQUEST

DATE: 3/18/02 TIME RECEIVED: _____ OPERATOR: _____ TIME TRANSMITTED: _____

TRANSMIT TO: Scott C. Borison, Esq. COMPANY NAME: _____

TELEFAX PHONE #: 301.620.1018 COMPANY PHONE #: _____

FROM: Marc Albert # OF PAGES: 2 (including cover sheet)

CLIENT/ MATTER #: 67595-0071 (use nine digit client/matter #)

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Document2

March 15, 2002

Marc Albert
Morrison & Hecker L.L.P.
1150 18th Street, NW
Suite 800
Washington, D.C. 20036

Dear Mr. Albert;

I am writing you with regard to my home at 313 East Capitol St. SE. My agreement with you and the court was for me to purchase the home as of this date the 15th of March. I had hoped that would have been completed by today but for reasons to follow the timing of other actions has delayed that until approximately two weeks.

You will recall that the lot next to 313 was going to be developed for an apartment building which would have to receive a variance because of the narrow width. The owner of that lot originally received permits by the city but those permits were overturned after the neighbors and myself pointed out the original variance was 12 years old which were used to get the permits. He has subsequently gone before three community meetings here on Capitol Hill to get permission to receive a new variance. His building design was to extend because of the narrow width to nearly 80% of the lot covering 19 windows on my property with a 45 foot high wall. After three community meetings and a vote by the Capitol Hill ANC we were able on Tuesday night to the get a unanimous vote against granting a variance to 315. The attached article reports on the vote.
http://www.voiceofthehill.com/anc_6b_march.htm

The possibility of this building going up against my house and enclosing 16 windows made it difficult to get financing until there was some indication that the building could be stopped. My property would have been severely devalued because of the size of the structure and construction work to ensue and my mortgage company could not commit until the vote last Tuesday night. After the vote in our favor I now have the letter of intent needed to process the loan immediately. Pacific Guaranteed Mortgage needs two weeks for processing the title work and closing.

Due to these extraordinary circumstances I would hope you would extend me the courtesy of the next two weeks for completion of the closing phase of this purchase. I have put a lot of money and much work and effort in maintaining the value of this property It would be a terrible end result if I'm not able to keep my home now that I have the letter of intention the financing.. Your understanding and consideration is appreciated.

Sincerely yours,

Jim Warlick
313 East Capitol St. SE
Washington, DC 20003
202-302-0243
jimmywarlick@yahoo.com