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RECEIVED
D.C. OFFICE OF ZONING
2005 JAN 31 AM 9:00

January 28, 2005

BY HAND
Mr. Geoffrey Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: BZA Application No. 17276
2101 Foxhall Road, N.W.; Square 1346, Lot 822

Dear Mr. Griffis:

Please be advised that the contract purchaser of the Property, First Capital Trust, LLC, has assigned its interest to Phillips Park, L.L.C. We will be providing a new agent authorization from the owner of the Property in advance of the hearing date of February 15, 2005, as well as a copy of the assignment agreement.

Section 3113.3 of the zoning regulations provides that an "owner of property for which application is made may file an application with the Board." Section 3113.4 provides that:

> *An authorized agent* may file an application on behalf of the owner. The application shall include a letter signed by the owner authorizing the agent to act on the owner's behalf in respect of the application. The Board may at any time require additional evidence demonstrating the authority of the agent to act for the owner.

11 D.C.M.R. § 3113.4 (emphasis added).

To clarify who is the authorized agent for this application, the attached original agent authorization unequivocally states that the contract purchaser of the Property, at the time of the filing of the application, was First Capital Trust, LLC. Through inadvertent error, we referenced T.M. Visnic Custom Home Builders, L.L.C. ("Visnic") as part of the contract purchaser. However, Visnic was never on the contract to purchase the Property, and was not authorized by the owner to pursue the application. As Visnic was never authorized by the owner of the Property to pursue this application, Visnic is no longer part of the application.

Word 45667747.1

BZA
Case No. 17276
Exhibit No. 20

Board of Zoning Adjustment
District of Columbia
CASE NO. 17276
EXHIBIT NO. 20

Thank you for your attention to this matter.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad

Enclosures (as stated)
cc: Mr. Felipe Paraud (overnight; w/encl.)
ANC 3D c/o Ms. Alma Gates (by hand; w/encl.)
ANC 3D06 Commissioner Ms. Ann Heuer (by email)
Ms. Ann Haas (w/encl.)

RAHA III, INC.

c/o 7501 Wisconsin Avenue
Suite 720
Bethesda, MD 20814

TELEPHONE: 301-652-4682 *FAX: 301-652-4686*

October 14, 2004

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

Re: 2101 Foxhall Rd., NW; Lot 822, Square 1346

Dear Mr. Griffis:

This letter, on behalf of Raha III, Inc. ("Raha"), the owner of the above-referenced Property, is to authorize First Capital Trust, LLC ("First Capital"), the contract purchaser of the above-referenced property, to file and prosecute a BZA Application for the Property on its own behalf and not as a representative of Raha. This letter shall further authorize the law firm of Robins, Kaplan, Miller & Ciresi L.L.P. to act as land use counsel on behalf of First Capital regarding this application. It is acknowledged that First Capital is solely responsible for any representations and/or indemnifications required by the filing of the BZA Application and any and all liability in connection therewith.

Sincerely,

Raha III, Inc.

By: Rafic A. Bizri
Its: President

BZA
Case No. 17276
Exhibit No. 4