

Dawn Lea PhD RN
4459 MacArthur Blvd NW
Washington, DC 20007
Lea.washingtondc@gmail.com
202-714-0174

April 26, 2021

BY IZIS

Mr. Frederick L. Hill
Chairperson
Board of Zoning Adjustment
One Judiciary Square
441 4th Street, N.W.
Suite 210 – South
Washington, DC 20001

RE: BZA Application No. 20380
4457 MacArthur Boulevard, N.W.
Washington, D.C. 20007
Square 1363, Lot 57 (formerly Lot 962) (“4457 Property”)

Dear Chairperson Hill and Members of the Board,

The owners of property 4459 MacArthur Boulevard, N.W., adjacent to subject property at 4457 MacArthur Boulevard are representing themselves in opposition to case 20380. The 4457 Property is part of the *same structure* as the 4459 Property. Given the age and unique unitary construction of the 4457 - 4459 structure, the construction of the proposed project will physically involve and impact the 4459 Property in ways that are currently under review. Therefore, the proposed redevelopment and extreme expansion in occupancy load and density of the 4457 Property cannot be viewed in isolation from the 4459 Property.

The Application for case 20380 provides no discussion or analysis of the proposed project’s impact on the 4459 Property. Typically, a responsible developer would have engaged the adjacent property owners prior to filing an application on September 14, 2020; yet no one representing the application contacted the owners of the 4459 Property directly regarding the proposed project.

The two properties were constructed as a single structure circa 1905. There is a common single flat metal roof, common attic (meaning we can access both properties by going into the attic space of one of the properties and emerging inside the other property), and a common undivided front porch and front façade. The electrical wiring and plumbing for 4457 and 4459 run through the simple common wall between the properties and have joint connections with plumbing and air vents to the roof.



Figure 1 Electric, plumbing, vent inside the common wall 4457-4459

The stone foundation was constructed for a *single* building in a square configuration. At one time, there were interior doors connecting what is now the 4457 and 4459 MacArthur Boulevard, N.W. addresses. The properties constitute a single structure and remain inextricably linked together.

Regarding the application (case 20380) by Polygon Holdings LLC, the design of the proposed 4457 Property, heavily impacts the continued use, enjoyment, privacy and occupancy of the 4459 Property in violation of *Section F-5201 of the Zoning Regulations provides that an application for a special exception "shall not have a substantially adverse effect on the use or enjoyment of*

any abutting or adjacent dwelling or property, in particular: . . . the privacy of use and enjoyment of neighboring properties shall not be unduly compromised.” The proposed project will totally overwhelm the 4459 Property by the scale and proximity of the proposed multi-family development.

As previously mentioned, there is but a simple common wall between 4457 and 4459 that shares ventilation, plumbing, and electrical wiring (Figure 1). Please address specific actions planned to address the shared ventilation systems to the roof; actions to maintain the proper function of ventilation, plumbing, and electrical wiring for the 4459 Property since the common wall will be disturbed from the 4457 side of the structure; and actions to provide soundproofing for the eight unit condominium building which will be attached to the 4459 Property. Relocation of a bathroom away from the common wall to the master bedroom of the 4459 Property on level 2 of the proposed structure is requested. Please address the impact of the 4457 Property blocking sun at 4459. The deck identified in Figure 4 at the rear of the 4457 building as shown in Exhibit 33c page 2, directly overlooks the patio at 4459 located between the house and the detached garage which is currently surrounded by seven foot fencing – the currently proposed placement of the rear deck eliminates any privacy for the 4459 Property. The garage building at 4457 which is slated to be demolished will impact the garage on the 4459 Property; when the 4457 garage was constructed, prior owners of 4457 asked permission to tie into the garage roof at the 4459 Property by eight (8) inches. Please detail how the overlap will be mitigated. Owners at the 4459 Property respectfully request that previously identified issues (as cited in Exhibits 44, 45, 46) in addition to other issues not yet identified be addressed going forward as there are no project management nor construction plans available for visualization by the owner of the 4459 Property.

The application for case 20380 states there are grocery stores within walking distance, the nearest grocery store is an up and down hill 30 minute walk to 1855 Wisconsin Avenue N.W. The only public transportation serving this address is the WMATA D6 bus. There is no access to a metro station without that bus. This leads to an increased dependence on automobiles. The application does mention a Bike Share on Q Street NW, and it is likely that any bike or scooter share when residents return to 4457 will be left out front on the sidewalk, causing congestion of the sidewalk, leading to potentially hazardous conditions. Parking on this area of MacArthur Boulevard NW has a rush hour lane going toward downtown and vehicles must be moved by 7 a.m.. Pre-pandemic traffic was congested due to cars being parked in the rush hour lanes because there is usually no parking on the opposite side of the street as people return home from work. DDOT’s solution to construction equipment on MacArthur Boulevard NW is to have them park at the rear and this non-solution will be addressed later in this document.

During the ANC meeting, January 6, 2021, owners at 4459 Property commented on the difficulties of redeveloping one-half of a common structure. Since then, the owners engaged a structural engineer to assess the impact to the 4459 Property with the proposed redevelopment of the 4457. The synopsis of a structural engineer’s report is below and the full ten page report is submitted as Exhibit 46.

“Dear Ms. Lea,

Further to your request, I visited your property located at 4459 MacArthur Blvd NW, Washington, DC 20007. I checked the existing structure for applicable loads. Per my observation, the existing roof of the building is constructed with 2x6 @ 24” O.C. joists. The joists span approximately 14 ft between the supports. Per my attached calculations, the joists can barely carry the existing applicable snow load. The future development on the neighboring property will certainly add more snowdrift load to the roof which will be beyond the roof structural capacity.

Therefore, the roof structure will not be able to carry the future increased snow load and must be reinforced and strengthened if any additional load will be added.

Thank you for providing us with the opportunity to be of service.

Sincerely,
Yahya Aliabadi, PhD, PE
A & A Structures LLC”

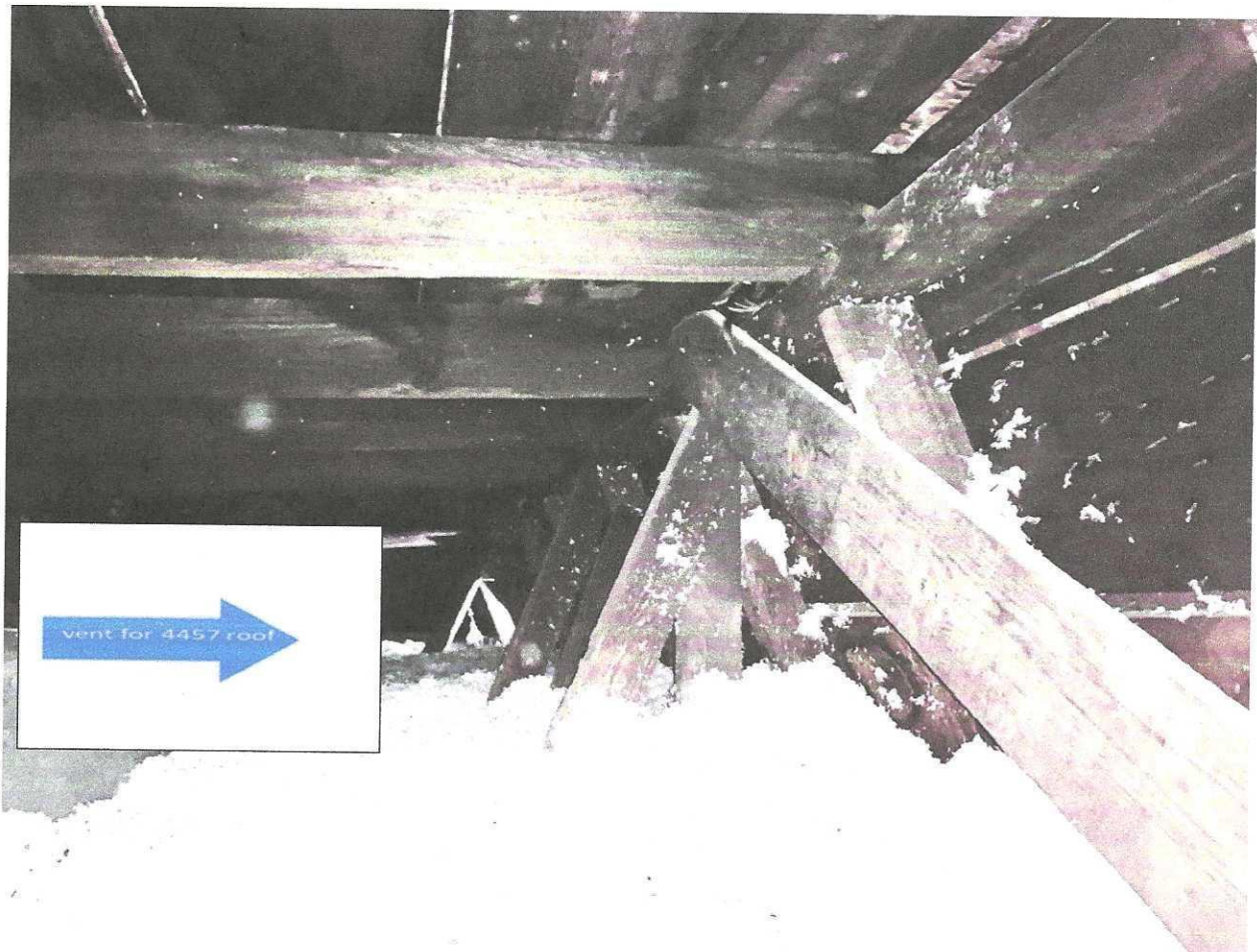


Figure 2 Common attic of 4457 – 4459 with arrow indicating the attic vent for 4457 when viewed through 4459 side of the attic.

Referencing an opposition letter (Exhibit 45) dated April 14, 2021, from Greenstein, DeLorme & Luchs, P.C. as legal counsel for Foxhall Terrace LLC,

“The 4457 and 4459 Properties are landlocked and have no direct vehicular access to MacArthur Boulevard or any public alley. The only access to the rear of the 4457 and 4459 Properties is limited to a ten-foot driveway right-of-way over the 4465 Property.”

Please reference attachment A – Deed for Foxhall Terrace LLC as submitted in the aforementioned April 14, 2021 letter.

“This right of way is utilized by 4457, 4459, 4461 (Square 1363, Lot 849) MacArthur Boulevard as the only means to access their respective single-family dwellings.”

There is very limited size, scope and required reciprocal access to the 4457 Property, it is landlocked and there is no area to turn around vehicles unless they utilize the driveway at 4461 MacArthur and/or also back down into the parking lot of Foxhall Terrace. *Logically, a potential solution may to place the driveway and access for parking for the 4457 Property on the eastern portion of the property for which a special exception for the side yard is being considered by the BZA.*

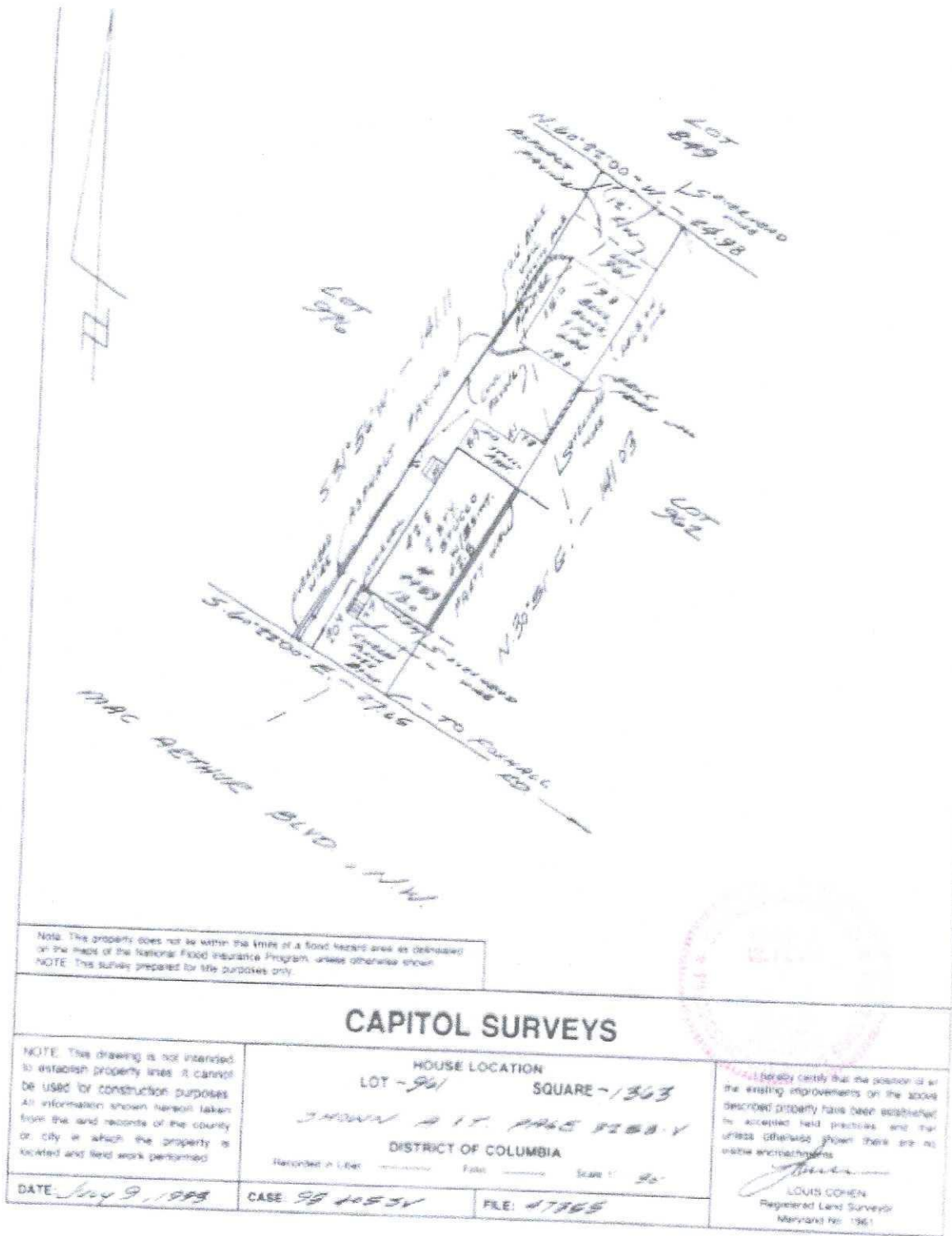


Figure 3 Lot 961 Square 1363: 4459 Property Survey (reference Attachment A)

Contrary to the above survey image, the drawing in Exhibit 33c, page 2, does not distinguish a 12 foot right of way at the rear of 4457 and 4459 and leads one to believe no easement exist behind the properties. Yet, "a twelve (12) foot wide reciprocal right of way running along the

northern or rear property lines of the 4457 and 4459 Properties will be encroached upon by at least two of the proposed required parking spaces at the 4457 Property.”

Also, evidenced in the drawing below is a deck for the 4457 Property is a deck overlooking the patio which is identified.

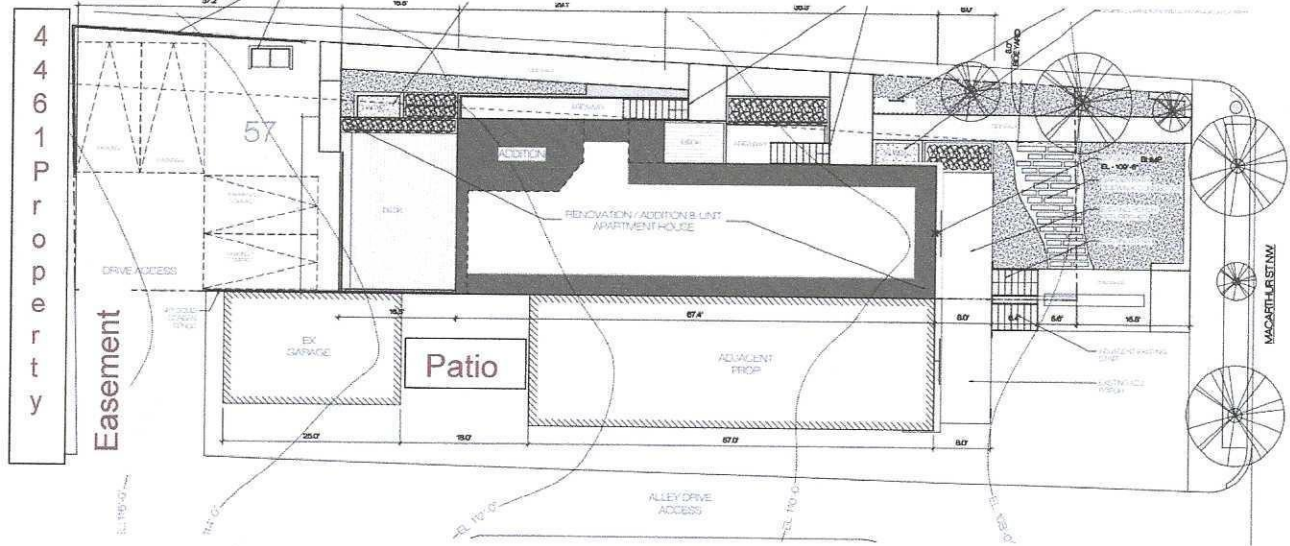


Figure 4 from Exhibit 33c Application documents

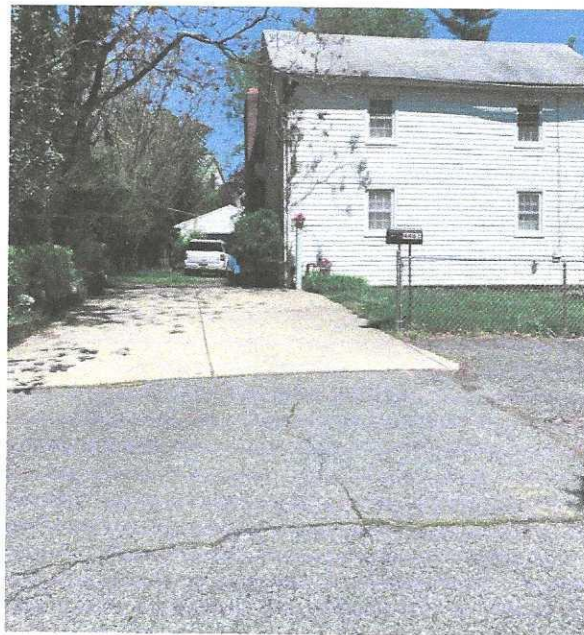


Figure 5 Private driveway to 4461 MacArthur used by residents of 4457 as a turn around

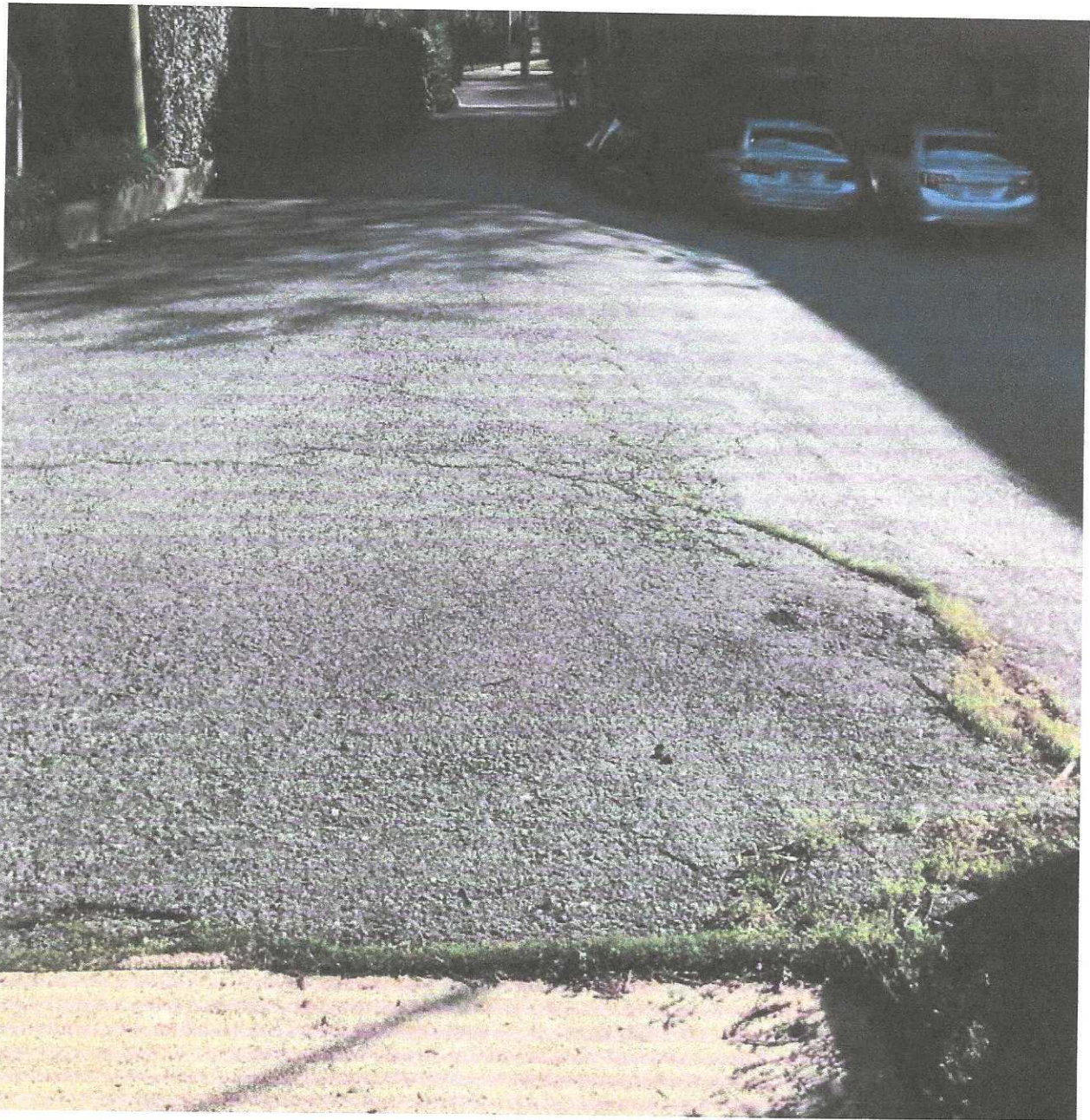


Figure 6 Private parking lot of 4465 MacArthur used as a turn around, note cement driveway of 4461 at bottom of photograph

The Office of Planning (BZA Exhibit 35) and the District Department of Transportation (BZA Exhibit 37) specifically relied upon the 10-foot driveway/easement of Foxhall Terrace LLC and the 12-foot rear reciprocal right of way at the rear of the 4459 Property to provide off street vehicular and truck access, parking, multiple residents moving in/out, contracted trash truck service (there is no clearly defined area for garbage receptacles large enough to accommodate 8 units [see Figure 4] and the proposed parking would make it near impossible for trash service to occur at the rear of the property), other service vehicles, and demolition/construction staging. Based upon Exhibit 37 submitted by DDOT,

“DDOT’s practice is to accommodate vehicle loading in a safe and efficient manner, while at the same time preserving safety across non-vehicle mode areas and limiting any hindrance to traffic operations. For new developments, DDOT requires that loading take place in private space and that no back-up maneuvers occur in the public realm. *In this case, loading can take place in the rear of the property via the easement across 4459 and 4465 MacArthur Boulevard NW. Access to this building for loading and unloading, delivery and trash pick-up is an important consideration, and DDOT expects the Applicant to comply with DDOT’s standards for loading. Per Subtitle C § 901.1 of the Zoning Regulations, buildings with fewer than 50 units are not required to provide a loading berth. As such, future residents should use the rear of the property for move-in/moveouts or obtain “emergency no parking” signs from DDOT to reserve an on-street parking space. Since the site has more than three (3) units, the Applicant must contract a private trash collection service. Trash should be stored entirely on private property, out of the view of the sidewalk, and collected at the rear of the property via the easement.*”

The owners of the 4459 Property are strongly opposed to recommendations related to the responses by the Office of Planning (BZA Exhibit 35) and the District Department of Transportation (BZA Exhibit 37). The 10-foot driveway belonging to Foxhall Terrace experiences heavy vehicular and bicycle traffic and also serves as the primary pedestrian walkway to MacArthur Boulevard for a large number of pedestrians; the additional traffic during demolition/construction and following completion of the property will create hazardous situations. As cited in the letter of opposition from Foxhall Terrace LLC, “these rights of way were created and maintained to provide limited single family access, not for an eight-unit multifamily dwelling at the 4457 Property.”

There are at least three historical facts related to the easement at the 4459 Property:

(1) The owners of the 4459 Property have sustained damages to property by large vehicles doing construction at the 4457 Property with prior owners. The garage roof and gutter have been damaged and the asphalt destroyed by large vehicles turning their wheels and grinding the asphalt into pebbles on the 4459 Property (not on the easement). Large vehicular traffic nor construction equipment can be accommodated in the twelve foot right of way without damage to the 4459 Property.



Figure 7 Damage to garage/gutter at 4459 from prior construction at 4457

(2) Historically, previous residents/tenants of the 4457 Property have had many frequent visitors and the entire easement and the non-easement personal property behind the garage would be filled with cars and access was denied to the 4459 Property.

(3) Moving trucks for 4457 (Figure 8) occupy the property at the rear of 4459 in excess of the allowed 12 foot easement. The easement behind the 4459 Property garage will certainly be violated by multiple residents of the 4457 Property which proposes eight (8) units rather than a single family home. Again, leading to loss of access to 4459 Property by owners, with the same consequences. As one can see (Figure 8), moving in/out vehicles or any large vehicle cannot rely

on the easement as proposed by DDOT and those vehicles park on the private property of 4459 and block the owner access to garage and residence. The owners of 4459 Property request that DDOT reconsider the general recommendations as detailed above.

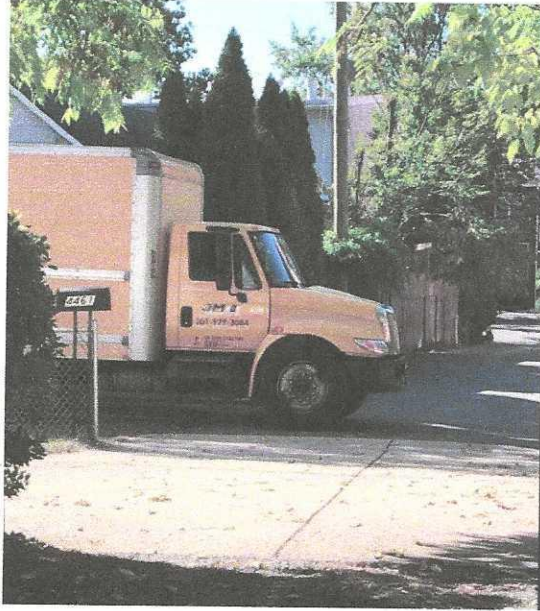


Figure 8 Resident of 4457 moving truck to the rear of the garage at 4459, in violation of the easement for both 4459 and 4465.

(3) A six inch diameter steel post embedded deeply into the ground at the very corner of the 4459 Property and is continually violated due vehicles accessing the ten (10) foot 4465 easement. If the steel post weren't there, this would result in vehicles further damaging the 4459 Property.



Figure 9 Evidence of limited easement width

Polygon Holdings LLC actions identified below cannot be viewed in isolation from the Application for case 20380. I plead with the Board to take the following information into account in making your decisions.

As cited in Exhibit 22 (ANC3D letter to the BZA)

“Advisory Neighborhood Commission 3D respectfully requests that the Board of Zoning Adjustment cancel the hearing scheduled for February 10, 2021 hearing and require Applicant Polygon Holdings LLC to begin the application process anew once, and only if, it properly registers its Limited Liability Company with the District of Columbia Department of Consumer and Regulatory Affairs and obtains the authority to transact business in the District of Columbia and also if Applicant Polygon Holdings LLC obtains a Basic Business License with a Single Family Home Rental Endorsement since it is currently leasing the subject property to residential tenants.”

- It is my current understanding that the Board of Zoning Adjustment will now require business applicants to demonstrate they're properly authorized to operate in the District before considering their applications.

As noted in an ANC3D letter to the BZA dated April 7, 2021 (Exhibit 44) no one representing the application for case 20380 contacted the owners of 4459 Property to discuss the project prior to or since purchasing the property in July 2020. In this same letter, there exist a hyperlink of a February 3, 2021, ANC3D letter to Attorney General Racine and Acting Director Palacio requesting an investigation for Alleged Fair Housing Violations, (https://resolutions.anc.dc.gov/AttachmentsFiles/13/OAG_OHR%20Letter%20-%20Final_TM_20210302052732PM.pdf) in addition to the Equal Rights Center (ERC) requesting an investigation by the DC Office of the Attorney General. In a response letter to the ERC, this developer documented developing multiple properties in Washington, D.C. (while never having been registered in the District of Columbia); Polygon Holdings LLC was never registered until after this Application (20380) was filed - when the ANC3D sent a letter (Exhibit 28) to the BZA. Cyrus Damavandi, the real estate agent, which Polygon states has not been involved since facilitating the purchase property in July 2020 has in effect incriminated himself in an interview with The City Paper when admitting he was responsible for placing a sign in front of the 4457 Property. <https://washingtoncitypaper.com/article/507704/virginia-based-developer-accused-of-blockbusting-in-ward-3/>

The owners of 4459 Property strongly oppose the development of 4457 MacArthur Blvd NW by Polygon Holdings LLC, on ethical grounds and a potential violation of the Fair Housing Act of 1968. The Office of the Attorney General (OAG) and the Office of Human Rights (OHR) have been asked to investigate by separate parties. The OAG does not comment on cases under investigation. *The applicant's behavior referenced in Exhibit 44 (ANC letter to the BZA) is indicative of the divisive and disrespectful behavior of this developer, Polygon Holdings LLC, towards regulatory bodies in Washington DC, my community, and myself.*

In conclusion, this proposed development would be in violation of Zoning Regulations Section F-5201 which says that an application for a special exception

"shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular: . . . the privacy of use and enjoyment of neighboring properties shall not be unduly compromised."

Thank you for your time and consideration related to this letter in opposition to case 20380.

At the public hearing, this letter is a formal request for not less than thirty (30) minutes for presentation, including testimony of witnesses, Mr. Stephen duPont, Jr. RA, and Judah Millgram, PhD.

Sincerely,



Dawn Lea

Cc:

Mr. Jonathon Kirschenbaum (Jonathon.kirschenbaum@dc.gov)

Mr. J.P. Szymkowitz, ANC3D Commissioner (3D09@anc.dc.gov)

Martin P. Sullivan, Esq. (msullivan@sullivanbarros.com) representing Polygon Holdings LLC

Mr. John Patrick Brown, jpb@gdlaw.com representing Foxhall Terrace

Mr. Stephen duPont, Jr. RA (architecture@sdpra.net)

ATTACHMENT A

1/3

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BOOK

11291

PAGE
416
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THIS AGREEMENT

Made this *3rd* day of *August* A.D. 1959, by and between HAROLD D. JOHNSON and wife, CLARA M. JOHNSON, Tenants by the Entirety, parties of the first part; and THE NATIONAL BANK OF WASHINGTON, Trustee, party of the second part; and GURDON S. STRAUS and wife, MARGUERITE O. STRAUS, Tenants by the Entirety, parties of the third part.

WHEREAS, parties hereto of the first part are the owners of part of Lot numbered Ten (10) in F. W. Jones' subdivision of part of a tract of land called "Harlem", as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber Governor Shepherd at folio 127, and part of Lot numbered Six (6) in William A. Gordon, Trustee's subdivision of part of said tract called "Harlem", as per plat filed in Equity Cause No. 7860 in the Supreme Court of the District of Columbia, and described as follows: Beginning for the same at the end of three following courses and distances from a stone marked W.A.E in the South line of the parcel heretofore assessed as Parcel 17/17 (1) South 60° 22' East, 511.65 feet; (2) North 33° 40' East 25.06 feet to the Northerly line of Conduit Road, now MacArthur Boulevard, as established by proceedings in District Court Cause No. 1909 in the said Supreme Court, (3) North 60° 22' West, 29.86 feet and the beginning point of the land hereby described and running thence North 30° 51' East, 141.03 feet; thence North 60° 22' West, 24.98 feet; thence South 31° 56' West, 141.11 feet to the Northerly line of MacArthur Boulevard; thence South 60° 22' East 27.65 feet to the place of beginning; said land being now taxed as Lot 961 in Square 1363; and

WHEREAS, said above described property taxed as Lot 961 in Square 1363 is subject to a Deed of Trust to the party hereto of the second part, as Trustee, dated July 30, 1957, recorded in Liber 10893 at folio 531, among the Land Records of the District of Columbia, securing Home Federal Savings and Loan Association, an advance of \$10,000.00 and

WHEREAS, said parties hereto of the third part are the owners of part of Lot numbered Ten (10) in F. W. Jones' subdivision of part of

a tract of land called "Harlem", as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber Governor Shepherd at folio 127, and part of Lot numbered Six (6) in William A. Gordon, Trustee's subdivision of part of said tract called "Harlem", as per plat filed in Equity Cause No. 7860 in the Supreme Court of the District of Columbia, and described as follows: Beginning for the same at the end of the two following courses and distances from a stone marked W.A.E. in the South line of the parcel heretofore assessed as Parcel 17/17 (1) South $60^{\circ} 22'$ East 511.65 feet, (2) North $33^{\circ} 40'$ East 25.06 feet to the Northerly line of Conduit Road, now MacArthur Boulevard as established by proceedings in District Court Cause No. 1909 in said Supreme Court, and the beginning point of the land hereby described, and running thence North $33^{\circ} 40'$ East, 141.35 feet; thence North $60^{\circ} 22'$ West, 36.82 feet; thence South $30^{\circ} 51'$ West 141.03 feet to the Northerly line of MacArthur Boulevard; thence South $60^{\circ} 22'$ East, 29.86 feet to the place of beginning, as shown on plat of computation recorded in said Surveyor's Office in Survey Book 154 at page 39; said land being now taxed as Lot 962 in Square 1363; and

WHEREAS, the above described properties taxed as Lots 961 and 962 in Square 1363, are subject to a right of way over the North 12 feet of the same, said right of way having been reserved by deed dated April 1, 1929, recorded in Liber 6306 at folio 106 among said Land Records, for the use and benefit of land in the rear of said Lots 961 and 962; and

WHEREAS, the predecessors in title of said parties hereto of the first and third parts have used the aforesaid right of way as a means of ingress and egress to the rear of their respective properties, although there is no valid conveyance of record specifically creating a right of way over the rear 12 feet of said Lot 961 for the use and benefit of said Lot 962; and

WHEREAS, the parties hereto of the first part, at the request of parties hereto of the third part, desire to create said last mentioned right of way over Lot 961, and have requested the party hereto of the second part to join in these presents for this purpose.

NOW THEREFORE, THIS AGREEMENT WITNESSETH:

That for and in consideration of the premises and of the sum of \$1.00 by each to the other paid, the said parties hereto of the first part do hereby create and establish, and do hereby grant unto the parties hereto of the third part, their heirs and assigns, a perpetual right of way for driveway purposes over the North 1/2 feet of the above described land taxed as Lot 961 in Square 1363, for the use and benefit of the owners and occupants of said above described land taxed as Lot 962 in Square 1363.

AND the said party hereto of the second part hereby agrees and consents to the creation of the above described right of way over said Lot 961 in Square 1363 and hereby subjects the above mentioned deed of trust under which it is the Trustee to said right of way, which shall be conveyed by said party of the second part in the event of a sale for default under the terms of said deed of trust.

IN WITNESS WHEREOF, on the day and year first hereinbefore written, the parties hereto of the first part hereunto set their hands and seals, and the said party hereto of the second part has caused these presents to be signed in its corporate name by P. BAXTER DAVIS its TRUST OFFICER attested by R B KEINEIL its VICE PRES & CASHIER, and its corporate seal to be hereunto affixed, and does hereby constitute and appoint P. BAXTER DAVIS its true and lawful Attorney in fact for it and in its name to acknowledge and deliver these presents as its act and deed, as Trustee.

WITNESS:

Serge M. Confacts

Harold D. Johnson (SEAL)
Harold D. Johnson

Clara M. Johnson (SEAL)
Clara M. Johnson

THE NATIONAL BANK OF WASHINGTON, Trustee
By

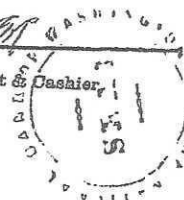
P. Baxter Davis
TRUST OFFICER

Attest:

R. B. Keineil
Vice President & Cashier

We assent:

HOME FEDERAL SAVINGS
AND LOAN ASSOCIATION
By *[Signature]*



DISTRICT OF COLUMBIA

TO WIT:

J. Paul Donovan

a Notary Public in and for the said

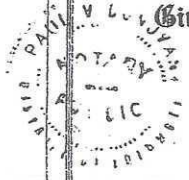
District, _____ do hereby certify that P. BAXTER DAVIS who is personally well known to me as the person named as Attorney in fact in the foregoing and annexed Deed, bearing date on the 3rd day of AUGUST A. D. 1959, to acknowledge the same, personally appeared before me in said District, _____, and as Attorney in fact as aforesaid, and by virtue of the authority vested in him by said Deed, acknowledged the same to be the act and deed of The National Bank of Washington, Trustee

the corporation-grantor therein, and delivered the same as such.

GIVEN under my hand and seal this 6th day of August A. D. 1959

NOTARY PUBLIC
WASHINGTON, D. C.
MY COMMISSION EXPIRES DEC. 14, 1962

Paul Donovan
Notary Public.



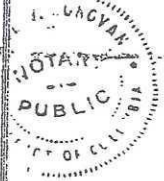
DISTRICT OF COLUMBIA, To wit:

J. Paul Donovan

a Notary Public in and for the

said District of Columbia, do hereby certify that Harold D. Johnson and Clara M. Johnson, parties to and who are personally well known to me as the persons who executed the foregoing and annexed Agreement bearing date on the 3rd day of August A.D. 1959 personally appeared before me in said District, and acknowledged the same to be their act and deed.

GIVEN under my hand and seal this 3rd day of August A.D. 1959.



Paul Donovan
Notary Public

my Comm expires
Dec 14, 1962

NOTARY PUBLIC
WASHINGTON, D. C.
MY COMMISSION EXPIRES DEC. 14, 1962

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AGREEMENT	✓ ✓ Harold D. Johnson et ux Clara M. and ✓ The National Bank of Washington		RECEIVED FOR RECORD day of August 1959 11291 416 Records of the District of Columbia Recorder	The District Title Insurance Company The Hampshire Title Insurance Company The Washington Title Insurance Company 1413 EYE STREET, N. W. Washington, D. C.
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M.J.G.

405-1459 63160 C 65137

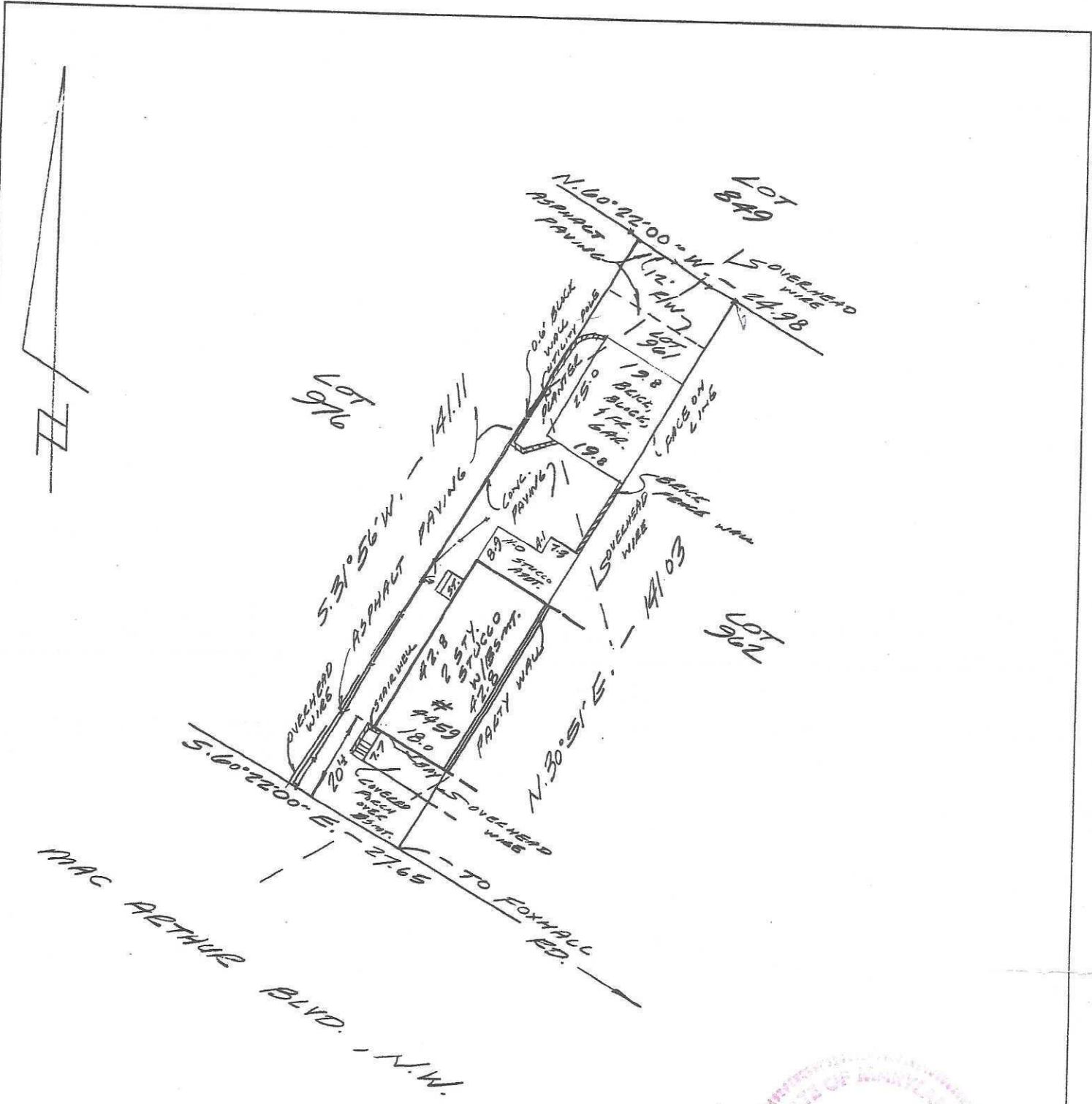
EXHIBIT A

Part of Lot 10 in F.W. Jones' subdivision of part of a tract of land called "Harlem", as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber Governor Shepard at folio 127 and part of Lot 6 in William A. Gordon, Trustee's subdivision of part of said tract called "Harlem", as per plat filed in Equity Cause No. 7860 in the Supreme Court of the District of Columbia, and described as follows: BEGINNING for the same at the end of the three following courses and distances from a stone marked W.A.E. in the South line of the parcel heretofore assessed as Parcel 17/17 (1) South 60 degrees 22 minutes East 511.65 feet; (2) North 33 degrees 40 minutes East 25.06 feet to the Northerly line of Conduit Road, now MacArthur Boulevard, as established by proceedings in the District Court Cause No. 1909 in said Supreme Court, (3) North 60 degrees 22 minutes West 29.86 feet and the beginning point of the land hereby described and running thence North 30 degrees 51 minutes East 141.03 feet; thence North 60 degrees 22 minutes West 24.98 feet; thence South 31 degrees 56 minutes West 141.11 feet to the Northerly line of MacArthur Boulevard, formerly Conduit Road; thence along said MacArthur Boulevard South 60 degrees 22 minutes East 27.65 feet to the place of beginning.

NOTE: At the date hereof the above described land is designated on the Records of the Assessor of the District of Columbia for assessment and taxation purposes as Lot 961 in Square 1363.

SUBJECT TO a right of way over the North 12 feet of said above described land as created by deed dated April 1, 1929 and recorded April 5, 1929 in Liber 6306 at folio 106 of the land Records of the District of Columbia.

TOGETHER WITH a right of way over a drive way leading to Conduit Road and described as follows: Beginning at a point on the northerly line of Conduit Road, now MacArthur Boulevard, as established by proceedings in the District Cause No. 1909 in the Supreme Court of the District of Columbia, distant North 60 degrees 22 minutes West 27.65 feet from the beginning point of the property herein above described and running thence along the Northerly line of MacArthur Boulevard, formerly Conduit Road, North 60 degrees 22 minutes West 10 feet; thence North 31 degrees 56 minutes East 141.11 feet; thence South 60 degrees 22 minutes East 10 feet; thence South 31 degrees 56 minutes West 141.11 feet to the place of beginning.



Note: This property does not lie within the limits of a flood hazard area as delineated on the maps of the National Flood Insurance Program, unless otherwise shown.
 NOTE: This survey prepared for title purposes only.



CAPITOL SURVEYS

NOTE: This drawing is not intended to establish property lines. It cannot be used for construction purposes. All information shown hereon taken from the land records of the county or city in which the property is located and field work performed.

HOUSE LOCATION
 LOT - 961 SQUARE - 1363
 SHOWN A. I. T. PAGE 3258.V
 DISTRICT OF COLUMBIA
 Recorded in Liber _____ Folio _____ Scale 1" = 30'

I hereby certify that the position of all the existing improvements on the above described property have been established by accepted field practices, and that unless otherwise shown there are no visible encroachments.

Louis Cohen
 LOUIS COHEN
 Registered Land Surveyor
 Maryland No. 1961

DATE: July 9, 1993

CASE: 93-4055V

FILE: 47355