

DECLARATION OF COVENANTS
Prohibiting Use of a Space as a Separate Dwelling Unit

THIS DECLARATION OF COVENANTS (the "**Covenant**") is made, entered into, and declared by 327 Upshur LLC (the "**Declarant**"), and its successors and assigns, for the benefit of the DISTRICT OF COLUMBIA, a municipal corporation (the "**District**"), acting by and through the DC Department of Buildings ("**DOB**").

I. **Name of Declarant/ Property Owner:** 327 Upshur LLC.

II. **Address:** 1154 Morse Street NE, Washington, D.C. _____,
Lot 0814 in Square 4065 and more fully described on Exhibit A (the "**Property**").

III. **Building Permit Application Number:** B TBD (the "**Application**") with plans depicting the construction proposed to be performed at the Property.

IV. **Description of the Entire Property:**

a. The Property is located in the RF-1 zone, which allows as a matter of right 2 principal dwelling units and

☐ one accessory apartment.

☒ no accessory apartment.

Please refer to the zoning map on the website of the D.C. Office of Zoning Administration

b. The Building Permit Application states the Property has

☐ one accessory apartment located in the

☐ principal building on the _____ floor(s) (*basement, 1st floor, 2nd floor etc.*);

☐ accessory building on the _____ floor(s) (*basement, 1st floor, 2nd floor etc.*).

☒ no accessory apartment in the

☒ principal building on the _____ floor(s) (*basement, 1st floor, 2nd floor etc.*);

☒ accessory building on the _____ floor(s) (*basement, 1st floor, 2nd floor etc.*).

c. The Board of Zoning Adjustment (the "**Board**") has approved the Property to have 1 additional dwelling unit(s).

V. **Description of the Space**

A "**Dwelling Unit**" is one (1) or more habitable rooms comprising complete independent living facilities for one (1) or more persons, and including within those rooms permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit is intended for a single household.