

August 18, 2008

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**VIA HAND DELIVERY**  
Zoning Commission for the  
District of Columbia  
441 4th Street, N.W., Suite 210S  
Washington, D.C. 20001

Re: **Initial Compliance with Condition No. 8 in  
Zoning Commission Order No. 04-14**

Dear Members of the Commission:

On behalf of Florida Rock Properties, Inc., the Applicant in the above-referenced case, attached please find a letter from the Deputy Mayor for Planning and Economic Development ("DMPED") setting forth the Applicant's initial compliance with Condition No. 8 in Zoning Commission Order No. 04-14. Condition No. 8 requires the Applicant to make a payment in the amount of \$800,000 to the District of Columbia for the construction, installation, and/or ongoing maintenance of the proposed Diamond Teague Park. The payment must be made no later than sixty days after the date the Order was published in the DC Register (which would be August 26, 2008) or at a latter date as determined by the DMPED or his designee. The attached letter from the DMPED states that the payment should be made at a latter date, to be determined by the DMPED and communicated to the Applicant at least fourteen days in advance of the date the payment is required to be made.

Should the Commission have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact us.

Very truly yours,



David W. Briggs



Christine Moseley Shiker

ZONING COMMISSION  
District of Columbia

CASE NO. 04-14  
ZONING COMMISSION  
District of Columbia  
EXHIBIT NO. 105  
CASE NO.04-14  
EXHIBIT NO.105

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D.C. OFFICE OF ZONING  
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Zoning Commission to the  
District of Columbia

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**Attachment**

cc: Judi Greenberg, Office of the DMPED  
Alan Bergstein, Office of Attorney General

(Via E-Mail)

(Via E-Mail)



## Government of the District of Columbia

**Neil O. Albert**  
Deputy Mayor for Planning and  
Economic Development

August 15, 2008

Mr. David deVilliers  
Florida Rock Properties, Inc.  
34 Loveton Circle, Suite 100  
Sparks, Maryland 21152

RECEIVED  
D.C. OFFICE OF ZONING

2008 AUG 18 PM 12: 02

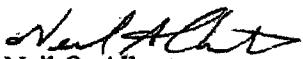
Dear Mr. deVilliers:

Thank you for contacting the Office of the Deputy Mayor for Planning and Economic Development ("DMPED") regarding the procedures for payment of \$800,000 in compliance with Condition No. 8 of Zoning Commission Order No. 04-14. This Condition requires that Florida Rock Properties, Inc. ("FRP") make a payment in the amount of \$800,000 to the District of Columbia for construction, installation, and/or on-going maintenance of the proposed Diamond Teague Park, located adjacent to the site of FRP's PUD approved by the Order. Condition No. 8 goes on to state that the payment shall be made no later than sixty days after the date the Order is published in the D.C. Register – which date would be August 26, 2008 – or at a later date as determined by DMPED, or his designee.

We are in the process of confirming payment instructions and expect to inform you of the process soon. We believe it is appropriate to delay the contribution date until the logistics for presentation and acceptance of these funds can be worked out. Therefore, this letter constitutes the official statement by DMPED that FRP will not be required to pay these funds by August 26, 2008. Instead the payment would occur at a later date, with such date to be determined by DMPED and communicated to you at least fourteen days in advance of the date when the payment would be required to be made.

Thank you for your contribution, and this office looks forward to working further with you on our adjacent projects.

Sincerely,

  
Neil O. Albert