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May 14, 2007

VIA HAND DELIVERY

D.C. Zoning Commission  
Suite 210  
441 4<sup>th</sup> Street, N.W.  
Washington, DC 20001

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D.C. OFFICE OF ZONING  
2007 MAY 14 PM 2:51

Re: Zoning Commission Case No. 07-14 (Israel Manor, Inc. – Map Amendment @ Lot 817, Square 3848)

Dear Members of the Commission:

At the suggestion of the Secretary to the Commission, the purpose of this letter is to explain the status of the building plat for the property included in this case (the "Subject Property").

In lieu of filing a building plat prepared by the Office of the Surveyor of the District of Columbia (the "D.C. Surveyor"), the Applicant filed a survey plat and a metes and bounds description of the Subject Property prepared by VIKA, a copy of which is attached hereto at Tab A. VIKA is a registered land survey company permitted to perform and certify property surveys in the District of Columbia pursuant to D.C. Code § 1-1329(c) and § 47-2853.111. See also 10 DCMR §2800 *et. seq.* The Applicant filed these materials because, as set forth in more detail below, the D.C. Surveyor is currently unable to issue a building plat for the Subject Property.

The Subject Property was originally a part of Record Lot 57 in Square 3848, which was one of three lots which were developed with what is now known as the Rhode Island Place Shopping Center (the "Shopping Center"). See Subdivision Plat of Lot 57 attached hereto as Tab B. However, the Subject Property was not necessary for the development of the Shopping Center. Therefore, in April of 2006, the Applicant requested that OTR create a separate tax lot for the Subject Property, in order to divide the Subject Property from the remainder of the Shopping Center property. See Tab C. In July of 2006, OTR designated the Subject Property in their records as Lot 817. However, OTR has not yet drawn the tax plat for Lot 817. Also in April of 2006, the Applicant filed a subdivision application to create a new record lot for the remainder of the Shopping Center property. On August 16, 2006, Lot 57 was subdivided into a

ZONING COMMISSION  
District of Columbia

CASE NO. 07-14  
EXHIBIT NO. 13  
ZONING COMMISSION  
District of Columbia  
CASE NO. 07-14  
EXHIBIT NO. 13

new separate record lot, Lot 58, and the portions not included in the development were identified in the D.C. Surveyor's office as "OF-57" (north), which is now the Subject Property, and "OF-57" (south). See Tab B.

The D.C. Surveyor cannot draw a building plat for the Subject Property and designate it as Lot 817 until he receives the official plat of Lot 817 from OTR. The D.C. Surveyor can, however, draw a Plat of Computation for the Subject Property. As shown on the receipt attached hereto at Tab D, the Applicant has requested that the D.C. Surveyor prepare a Plat of Computation for the Subject Property. The Applicant understands that it takes approximately 8 weeks for the D.C. Surveyor to draw a Plat of Computation. The Applicant will also be filing a subdivision application to create a record lot for Lot 817, and will file a copy of either the Plat of Computation or the subdivision plat for the Subject Property, whichever is issued first, as soon as the plat is available.

The Applicant hopes that the various attachments to this letter are sufficient to explain why a plat prepared by a licensed and registered surveyor was filed with this application in lieu of a building plat prepared by the D.C. Surveyor. The Applicant's representative will be present at the public meeting on May 14th, and is prepared to respond to questions or provide any additional information which may be required.

Sincerely,



Christopher H. Collins



Kyrus L. Freeman

Enclosures

cc: Jennifer L. Steingasser, D.C. Office of Planning (Via Hand Delivery)  
Veronica Harrison, Israel Manor, Inc.  
Russell Simmons, Community Development Concepts, Inc.  
Lawrence Cager, Creative Capital LLC  
R. Richard Walker, Brentwood Outlots LLC  
Chris Flack, Office of Deputy Mayor for Planning and Economic Development