

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 09-15

As Secretary to the Commission, I hereby certify that on **FEB 16 2010** copies of this Z.C. Notice of Rescheduled Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
|--|--|
| 1. <i>D.C. Register</i> | 7. Office of Planning (Harriet Tregoning) |
| 2. Kinley R. Bray, Esq.
Arent Fox
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339 | 8. DDOT (Karina Ricks) |
| 3. Brianne Nadeau, Chair
ANC 1B
P.O. Box 73710
Washington, DC 20056 | 9. Melinda Bolling, Acting General Counsel
DCRA
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 4. Commissioner Meghan Conklin
ANC/SMD 1B06
1439 Chapin Street, N.W., #304
Washington, D.C. 20009 | 10. Office of the Attorney General (Alan Bergstein) |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 11. DDOE (Shane Farthing) |
| 6. Councilmember Jim Graham | 12. MLK Library (30 Copies) |
| | 13. Property Owners Within 200 Feet (see attached list provided by Applicant) |

ATTESTED BY:

A handwritten signature in dark ink, appearing to read "S. S. Schellin", is written over a horizontal line.

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning

ZONING COMMISSION
District of Columbia

CASE NO.

09-15

EXHIBIT NO.

32

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA NOTICE OF RESCHEDULED PUBLIC HEARING

TIME AND PLACE: **Thursday, April 1, 2010, 6:30 p.m. (2nd Case)**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 09-15 (G.K.D. 1412 Chapin Street, LLC – Consolidated PUD and Related Map Amendment @ Square 2661, Lot 152)

THIS CASE IS OF INTEREST TO ANC 1B

On September 25, 2009, the Office of Zoning received an application from G.K.D. 1412 Chapin Street, LLC, *et al.* (the “Applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property to rezone the subject property from the R-5-B Zone District to the C-2-B Zone District. The Office of Planning provided its report on October 30, 2009, and the case was set down for hearing on November 9, 2009. The Applicant provided its prehearing statement on December 2, 2009.

The property that is the subject of this application consists of approximately 9,000 square feet of land area and is located at 1412 Chapin Street, N.W. (Square 2661, Lot 152). The subject property is zoned R-5-B.

The Applicant proposes to construct a 48,258 square-foot building with five stories (57 feet in height), that will provide 44 units of workforce housing (defined here as housing affordable to families earning no more than 60% of Area Median Income). The density of the building will be a 5.36 floor area ratio (“FAR”) and the lot occupancy will be up to 100% on the ground floor. The project will provide 16 vehicle parking spaces, one loading/delivery space, and 41 bicycle parking spaces in an indoor garage.

The Applicant proposes to rezone the subject property from the R-5-B Zone District to the C-2-B Zone District. The R-5-B Zone District permits all types of urban residential development of a moderate height and density, as well as those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts. With some exceptions, the maximum permitted height in the R-5-B Zone District is 50 feet, the maximum permitted lot occupancy is 60%, and the maximum density is 1.8 FAR. The proposed C-2-B Zone District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum density of 3.5 FAR, of which no more than 1.5 may be devoted to other than residential uses, and a maximum height of 90 feet. Under Chapter 24, the guideline for height in

a PUD is 90 feet and the guideline for density is 6.0 FAR, of which no more than 2.0 may be commercial.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and

- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of

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the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

09:5

MERIDIAN MANOR-CHAPIN STREET LP
101 30TH ST NW
WASHINGTON, DC 20007-3708

1425 BELMONT STREET NW INC C/O C/O
FRED A SMITH CO
730 24TH ST NW STE 19
WASHINGTON, DC 20037-2518

1429 BELMONT STREET NW INC C/O C/O
FRED A SMITH CO
730 24TH ST NW STE 19
WASHINGTON, DC 20037-2518

J B HERRERA
9306 LUNDY CT
BURKE, VA 22015-3431

MERIDIAN MANOR-CHAPIN STREET LP
1101 30TH ST NW FL 4
WASHINGTON, DC 20007-3708

HOPE AND A HOME, INC
1439 R ST NW
WASHINGTON, DC 20009-3853

THE GKD 1412 CHAPIN ST LLC
1600 K ST NW STE 350
WASHINGTON, DC 20006-2841

DEVELOPMENT CORPORATION
COLUMBIA HEIGHTS
3419 14TH ST NW
WASHINGTON, DC 20010-3402

1421 BELMONT STREET NW INC C/O C/O
FRED A SMITH CO
730 24TH ST NW STE 19
WASHINGTON, DC 20037-2518

1417 BELMONT COMM. DEVELOPMENT
LC
1301 PENNSYLVANIA AVE SE
WASHINGTON, DC 20003-3027

ONE HUNDRED TEN INC
6814 CONNECTICUT AVE
CHEVY CHASE, MD 20815-4938

ONE HUNDRED TEN INC
6814 CONNECTICUT AVE
CHEVY CHASE, MD 20815-4938

VIJAY K SANGAR
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

DC0 2400 14TH STREET LLC C/O STE
200
1745 SHEA CENTER DR
HIGHLANDS RANCH, CO 80129-1537

CHARLES RUSSELL PROPERTIES
9019 FORT CRAIG DR
BURKE, VA 22015-2115

CAROL A HUSAIN
1417 CHAPIN ST NW APT 101
WASHINGTON, DC 20009-8522

METROPOLITAN POLICE BOYS GIRLS
CLB DC
8380 COLESVILLE RD STE 600
SILVER SPRING, MD 20910-6259

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

RUSSELL C BREAKWELL MORRA
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

SARABETH RIVAS C/O UNIT 301
420 CHAPIN ST NW
WASHINGTON, DC 20009-4584

MIKELLE MORRA
1420 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-4536

PROPERTI VHARLES RUSSELL ES
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

ALEXANDER BREAKWELL
2309 BURKE AVE
ALEXANDRIA, VA 22301-1101

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

MORRA CHARLES BREAKWELL
RUSSELL
9019 FORT CRAIG DR
BURKE, VA 22015-2115

KEITH R GIGLES
1415 CHAPIN ST NW APT 508
WASHINGTON, DC 20009-4523

KEITH R GGIGLES
1415 CHAPIN ST NW APT 508
WASHINGTON, DC 20009-4523

SHANE D BERTISH
1415 CHAPIN ST NW APT 506
WASHINGTON, DC 20009-4523

SHANE D BERTISH
1415 CHAPIN ST NW APT 506
WASHINGTON, DC 20009-4523

NATALIA ARDANZA-TREVIJANO
1415 CHAPIN ST NW APT 505
WASHINGTON, DC 20009-4523

ASSIR ISLAM
1020 12TH ST NW APT 513
WASHINGTON, DC 20009-7590

KATHERINE OTT
1415 CHAPIN ST NW APT 502
WASHINGTON, DC 20009-4523

ATUL GARG
1519 CHURCH ST NW APT 3
WASHINGTON, DC 20005-1935

HARVEY C BECKMAN
17 RESERVE GATE TER
SILVER SPRING, MD 20905-5040

BIG BALL LLC
3220 N ST NW # 333
WASHINGTON, DC 20007-2829

WILLIAM R RIGGS
1415 CHAPIN ST NW APT 408
WASHINGTON, DC 20009-4523

MICHAEL J CROWLEY
1415 CHAPIN ST NW APT 405
WASHINGTON, DC 20009-4523

AUBREY J GRANT
1415 CHAPIN ST NW APT 404
WASHINGTON, DC 20009-4523

LYNDON NAVERA C/O C/O UNIT 403
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

TERRI J COMER
1415 CHAPIN ST NW APT 402
WASHINGTON, DC 20009-4523

GREG A JONES
213 ROCK CREEK CHURCH RD NW
WASHINGTON, DC 20011-6001

MESKEREM B BRHANE C/O STE 306
4405 E WEST HWY
BETHESDA, MD 20814-4522

MESKEREM B BRHANE C/O STE 306
4405 E WEST HWY
BETHESDA, MD 20814-4522

JEYON JUNG
1415 CHAPIN ST NW APT 306
WASHINGTON, DC 20009-4523

JEYON JUNG
1415 CHAPIN ST NW APT 306
WASHINGTON, DC 20009-4523

ROBERT M GRANT
1415 CHAPIN ST NW APT 305
WASHINGTON, DC 20009-4523

DARIN M MCKEEVER
4325 4TH ST NW
WASHINGTON, DC 20011-7301

ERICA WISSOLIK
1415 CHAPIN ST NW APT 303
WASHINGTON, DC 20009-4512

ANCA C NOVACOVICI
1415 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-4512

ALYSIA JOHNSON
5912 4TH ST N
ARLINGTON, VA 22203-1113

LAINIE TOMPKINS C/O C/O UNIT 208
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

LAINIE TOMPKINS C/O C/O UNIT 208
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

JOHANNES C COOKE
1415 CHAPIN ST NW APT 207
WASHINGTON, DC 20009-4512

SHANNON M O'FARRELL
1415 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-4512

SARAH C KELSEY
1415 CHAPIN ST NW APT 205
WASHINGTON, DC 20009-4512

MARGUERITE N MARTEL C/O UNIT 204
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

SARA ELKABIR
PO BOX 3751
WASHINGTON, DC 20027-0251

ALICE WAUGH C/O C/O UNIT 202
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

ERICA FENSOM
1415 CHAPIN ST NW APT 201
WASHINGTON, DC 20009-4512

DORNELL WAUGH
1415 CHAPIN ST NW APT 108
WASHINGTON, DC 20009-4512

CHRISTOPHER L CAPLE C/O APT 300
30 RHODE ISLAND AVE NE
WASHINGTON, DC 20002-6849

LEAH LOEFFERT
1415 CHAPIN ST NW APT 106
WASHINGTON, DC 20009-4512

MONIQUE A MOSOLF
1415 CHAPIN ST NW APT 105
WASHINGTON, DC 20009-4512

GREGG M SCHMIDT
1415 CHAPIN ST NW APT 104
WASHINGTON, DC 20009-4512

HUYNH KIEU-CHAU
1415 CHAPIN ST NW APT 103
WASHINGTON, DC 20009-4512

GERALD L MUEHLBERGER
1415 CHAPIN ST NW APT 102
WASHINGTON, DC 20009-4512

STEVEN J PATTERSON C/O C/O UNIT
LL2
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

JOHN GORDON C/O C/O UNIT LL1
1415 CHAPIN ST NW
WASHINGTON, DC 20009-4590

JASON J WESTPHAL
1427 CHAPIN ST NW APT 101
WASHINGTON, DC 20009-8518

JESSICA DAVIES C/O UNIT 142
175 S RENGSTORFF AVE
MOUNTAIN VIEW, CA 94040-1991

ISABELLE SCHOONWATER
1427 CHAPIN ST NW APT 103
WASHINGTON, DC 20009-8518

RICHARD KING
1427 CHAPIN ST NW APT 104
WASHINGTON, DC 20009-8518

HEATHER TORRES
1427 CHAPIN ST NW APT 105
WASHINGTON, DC 20009-8518

PATRICK ROBERTS C/O UNIT 106
1427 CHAPIN ST NW
WASHINGTON, DC 20009-8517

SUSAN ELY
1427 CHAPIN ST NW APT 201
WASHINGTON, DC 20009-8519

EFFREY WHEELER
1322 UPSHUR ST NW
WASHINGTON, DC 20011-5635

DEAN E PALMER
1427 CHAPIN ST NW APT 203
WASHINGTON, DC 20009-8519

BRITAINI S CARROLL
1427 CHAPIN ST NW APT 204
WASHINGTON, DC 20009-8519

RONALD CAPPS
1427 CHAPIN ST NW APT 205
WASHINGTON, DC 20009-8519

DAVID B LAZAR
1427 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-8519

KEN TAKEDA
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

SONIA TARANTOLO
1427 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-8520

WILLIAM S BLACK
1427 CHAPIN ST NW APT 303
WASHINGTON, DC 20009-8520

JAMES T JORDAN
1427 CHAPIN ST NW APT 304
WASHINGTON, DC 20009-8520

DAVID SIGLER
1427 CHAPIN ST NW APT 305
WASHINGTON, DC 20009-8520

MICHELLE L JOHNSON
1427 CHAPIN ST NW APT 306
WASHINGTON, DC 20009-8520

SONIA TARANTOLO
1427 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-8520

RICHARD KING
1427 CHAPIN ST NW APT 104
WASHINGTON, DC 20009-8518

ISABELLE SCHOONWATER
1427 CHAPIN ST NW APT 103
WASHINGTON, DC 20009-8518

MICHAEL N KESELICA
1427 CHAPIN ST NW APT 106
WASHINGTON, DC 20009-8518

JESSICA DAVIES C/O UNIT 142
175 S RENGSTORFF AVE
MOUNTAIN VIEW, CA 94040-1991

RONALD CAPPS
1427 CHAPIN ST NW APT 205
WASHINGTON, DC 20009-8519

KEN TAKEDA
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

EFFREY J WHEELER
1427 CHAPIN ST NW APT 202
WASHINGTON, DC 20009-8519

BRITAINI S CARROLL
1427 CHAPIN ST NW APT 204
WASHINGTON, DC 20009-8519

JAMES T JORDAN C/O UNIT 304
1427 CHAPIN ST NW
WASHINGTON, DC 20009-8517

GAIL REDMANN
1427 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-8519

DAVID B LAZAR
1427 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-8519

DEAN E PALMER
1427 CHAPIN ST NW APT 203
WASHINGTON, DC 20009-8519

GAIL REDMANN
1427 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-8519

SUSAN ELY
1427 CHAPIN ST NW APT 201
WASHINGTON, DC 20009-8519

STUART GOLDBERG
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

JASON J WESTPHAL
1427 CHAPIN ST NW APT 101
WASHINGTON, DC 20009-8518

DAVID SIGLER
1427 CHAPIN ST NW APT 305
WASHINGTON, DC 20009-8520

SONIA TARANTOLO
1427 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-8520

JEFF WHEELER
1322 UPSHUR ST NW
WASHINGTON, DC 20011-5635

KEN TAKEDA
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

KEVIN CHAPMAN C/O C/O UNIT 2
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

SPEN G LAGMAN C/O C/O UNIT 11
421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

PATRICIA I WIDGEN
1421 CHAPIN ST NW APT 12
WASHINGTON, DC 20009-8537

LETICIA LACOMBA C/O C/O UNIT 21
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

MIKAEL HOOK C/O C/O UNIT 22
421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

J MICHAEL BOLLINGER C/O C/O UNIT 31
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

ERIC CASPER C/O UNIT 32
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

LEANDRO RUIZ
1421 CHAPIN ST NW APT 10
WASHINGTON, DC 20009-8537

CHARLES E MEISCH C/O UNIT 102
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

PAMELA G MILLS
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

MARK TOBIAS C/O C/O UNIT 202
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

LANCE S HORSLEY C/O C/O UNIT 301
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

JOHN W HAGER C/O UNIT 302
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

RACHELE STINES C/O C/O UNIT 1123
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AMANDA M MACDONALD C/O UNIT 122
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

STEPHANIE JOHNSON
1451 BELMONT ST NW APT 121
WASHINGTON, DC 20009-6617

ARBRAHAN LUTFI C/O C/O UNIT 120
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

PETER RHEE C/O UNIT 19
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

GEORGE PURRELL
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CHAD DUBEAN C/O C/O UNIT 116
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JENELLE BEAVERS C/O UNIT 117
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

FRISO-VAN OORD C/O UNIT 115
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

GAIL REDMANN
1427 CHAPIN ST NW APT 206
WASHINGTON, DC 20009-8519

SUSAN ELY
1427 CHAPIN ST NW APT 201
WASHINGTON, DC 20009-8519

STUART GOLDBERG
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

JASON J WESTPHAL
1427 CHAPIN ST NW APT 101
WASHINGTON, DC 20009-8518

DAVID SIGLER
1427 CHAPIN ST NW APT 305
WASHINGTON, DC 20009-8520

SONIA TARANTOLO
1427 CHAPIN ST NW APT 302
WASHINGTON, DC 20009-8520

JEFF WHEELER
1322 UPSHUR ST NW
WASHINGTON, DC 20011-5635

KEN TAKEDA
1427 CHAPIN ST NW APT 301
WASHINGTON, DC 20009-8520

KEVIN CHAPMAN C/O C/O UNIT 2
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

SPEN G LAGMAN C/O C/O UNIT 11
421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

PATRICIA I WIDGEN
1421 CHAPIN ST NW APT 12
WASHINGTON, DC 20009-8537

LETICIA LACOMBA C/O C/O UNIT 21
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

MIKAEL HOOK C/O C/O UNIT 22
421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

J MICHAEL BOLLINGER C/O C/O UNIT 31
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

ERIC CASPER C/O UNIT 32
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

LEANDRO RUIZ
1421 CHAPIN ST NW APT 10
WASHINGTON, DC 20009-8537

CHARLES E MEISCH C/O UNIT 102
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

PAMELA G MILLS
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

MARK TOBIAS C/O C/O UNIT 202
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

LANCE S HORSLEY C/O C/O UNIT 301
1421 CHAPIN ST NW
WASHINGTON, DC 20009-4510

JOHN W HAGER C/O UNIT 302
1421 CHAPIN ST NW
WASHINGTON, DC 20009-8536

RACHELE STINES C/O C/O UNIT 1123
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AMANDA M MACDONALD C/O UNIT 122
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

STEPHANIE JOHNSON
1451 BELMONT ST NW APT 121
WASHINGTON, DC 20009-6617

ABRAHAM LUTFI C/O C/O UNIT 120
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

PETER RHEE C/O UNIT 19
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

GEORGE PURRELL
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CHAD DUBEAN C/O C/O UNIT 116
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JENELLE BEAVERS C/O UNIT 117
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

FRISO-VAN OORD C/O UNIT 115
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

NHA-KHANH H TRAN C/O UNIT 114
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

RICHARD P ODER C/O C/O UNIT 113
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CAROLYN J LEVINE C/O UNIT 112
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ZAHRA ASSAR
34 NEAL RD
DANVERS, MA 01923-1613

MICHAEL MEREDITH C/O C/O UNIT 110
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BRENDA BATTS
1451 BELMONT ST NW APT 109
WASHINGTON, DC 20009-6617

BRANDON J NEUKAM
1451 BELMONT ST NW APT 108
WASHINGTON, DC 20009-6617

CATHERINE D DAILY C/O C/O UNIT 107
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JONATHAN LIVELY C/O UNIT 106
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JEAN ARIYA
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JORGE SANIN C/O UNIT 104
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ROBERT A WILLIAMS JR C/O C/O UNIT
103
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BELMONT PARTNERS LLC
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CESAR PERDOMO C/O C/O UNIT 101
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MATT DEAN C/O C/O UNIT 013
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AFRAH J ALI
1451 BELMONT ST NW APT 12
WASHINGTON, DC 20009-6617

LAWRENCE L SKAGGS C/O UNIT 10
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CHRIS F CAMPBELL C/O C/O UNIT 206
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ST NICHOLAS BELMONT LLC
1474 BELMONT ST NW
WASHINGTON, DC 20009-4007

JORDAN MCLEISH C/O C/O UNIT 302
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

RACHELE STINES C/O C/O UNIT 1123
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

VIJAY K SANGAR
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JENELLE BEAVERS C/O UNIT 117
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MATT DEAN C/O C/O UNIT 013
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BACON M MARCUCIO C/O UNIT 308
451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

KRISTOPHER S KEELE C/O UNIT 412
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

STALEY L BIELICK C/O UNIT 311
451 BELMONT ST NW
WASHINGTON, DC 20009-6616

RICHARD P ODER C/O C/O UNIT 113
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ANDREW H SU
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

AFRAH J ALI
1451 BELMONT ST NW APT 12
WASHINGTON, DC 20009-6617

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BRENDA BATTS
1451 BELMONT ST NW APT 109
WASHINGTON, DC 20009-6617

BRENDA BATTS
1451 BELMONT ST NW APT 109
WASHINGTON, DC 20009-6617

ARIYA TJEA
1451 BELMONT ST NW APT 105
WASHINGTON, DC 20009-6617

ST NICHOLAS BELMONT LLC
1474 BELMONT ST NW
WASHINGTON, DC 20009-4007

PAUL L WASHINGTON JR
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

DANIEL C MURPHY
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

FAYRID S LADHA C/O UNIT 205
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JENNIFER PHILLIPS C/O UNIT 201
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MELISSA ARNOFF
1451 BELMONT ST NW APT 301
WASHINGTON, DC 20009-6623

GALBRETH K SIMPSON C/O C/O UNIT
225
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MATTHEW S MENSE C/O C/O UNIT 224
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ABIGAIL ROHMAN
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

NANCY V CARSON
1451 BELMONT ST NW APT 222
WASHINGTON, DC 20009-6623

CARLOS CALDERON C/O UNIT 221
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ROBERT VICKERS
312 SPRINGVALE RD
GREAT FALLS, VA 22066-3214

NICHOLAS J SFAKIANOS C/O C/O UNIT
220
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ANDREW H SU
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

KELLY L YEE C/O C/O UNIT 217
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SRIAM V GOPAL C/O C/O UNIT 216
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

IESEKER K BELACHEW C/O UNIT 215
ND #49C
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

TATIANA RAFERT C/O UNIT 214
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BRIAN PLUNKETT C/O C/O UNIT 213
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MANSOOR DAILAMI C/O UNIT 212
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ALBERTA E CULP C/O C/O UNIT 211
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MARIA DEL CARM GRIZZARD C/O UNIT
210
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

REX L STRUM JR
1451 BELMONT ST NW APT 209
WASHINGTON, DC 20009-6623

PAUL L WASHINGTON JR
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

DANIEL C MURPHY C/O UNIT 207
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CHRIS F CAMPBELL C/O C/O UNIT 206
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

FAYRID S LADHA C/O UNIT 205
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

NATIONAL CITY BANK
3232 NEWMARK DR
MIAMISBURG, OH 45342-5421

BAI V NGUYEN C/O C/O UNIT 203
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CASSANDRA L WHITE C/O UNIT 202
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

LOUIS H BOTTA C/O UNIT 124
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

TODD C HELMUS
1451 BELMONT ST NW APT 303
WASHINGTON, DC 20009-6623

NITIN GUPTA C/O C/O UNIT 403
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

AGLEEMA NOON C/O C/O UNIT 402
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CLAUDIA L BIRKAHN
202 NAVY DR
OAK HILL, VA 20171-1600

JENNIFER DRISCOLL C/O C/O UNIT 325
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JOHNSTONE W WAGITHUKU C/O C/O
UNIT 324
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

THOMAS R FREEMAN
451 BELMONT ST NW APT 323
WASHINGTON, DC 20009-6624

JOHN W NULLMEYER
1451 BELMONT ST NW APT 321
WASHINGTON, DC 20009-6624

WILLIAM GATTER JR C/O UNIT 322
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CATHERINE CONNOR C/O C/O UNIT 320
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CALLIE ROBINSON C/O C/O UNIT 319
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JEWEL JACKSON C/O C/O UNIT 318
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MIT CHUGH C/O C/O UNIT 317
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAVEN E SAKS C/O C/O UNIT 316
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MICHAEL DEVEN C/O C/O UNIT 315
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

INN PETRICK C/O C/O UNIT 314
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

TIMOTHY M COVELL
4309 GLENROSE ST
KENSINGTON, MD 20895-3722

SARAH GARRETT C/O C/O UNIT 312
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

STALEY L BIELICK C/O UNIT 311
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JUDITH ROSENTHAL C/O C/O UNIT 310
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MASOUD TAHMASEBI
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BACON M MARCUCIO C/O UNIT 308
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

TERESA A MUELLER C/O C/O UNIT 307
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAJAN G MOHAN C/O C/O UNIT 306
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

KAITLIN T GELLER C/O UNIT 305
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BAMBIZ KAZEMI
10410 RIVERWOOD DR
POTOMAC, MD 20854-1540

TODD MCLEISH C/O C/O UNIT 302
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MARRAM E ASSAR C/O C/O UNIT 405
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

NAMDAR KAZEMI C/O C/O UNIT 407
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

KENNETH E SANTOS
12439 SCAGGSVILLE RD
HIGHLAND, MD 20777-9728

MICHAEL HARDY C/O C/O UNIT 409
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ARASH RAHBARI C/O C/O UNIT 410
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JOHN L BOHLANDES III C/O UNIT 411
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ALLAN C ZOLLER
451 BELMONT ST NW # 425
WASHINGTON, DC 20009-4006

ALLISON B POLAND C/O C/O UNIT 423
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

HUGH W LYDIARD C/O C/O UNIT 424
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

FRANCISCO J GARCIA C/O C/O UNIT 422
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SURRAUN W CALLOWAY C/O C/O UNIT
421
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AZAD YUNUS C/O C/O UNIT 420
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAMACHADRAW SUBBARTHAM
18307 CLEAR SMOKE RD
JOYDS, MD 20841-4386

MANSOUREH SAEEDI C/O C/O UNIT 418
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

THACH H BUI C/O C/O UNIT 417
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ERIC A FRAHTEL
1451 BELMONT ST NW APT 416
WASHINGTON, DC 20009-6625

KYLE DOWNEY C/O C/O UNIT 415
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CASSIA M HUMPHREYS C/O UNIT 414
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BENJAMIN SCHULTZ C/O C/O UNIT 413
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

KRISTOPHER KEELE C/O UNIT 412
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JOHN L BOHLANDES III C/O UNIT 411
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ARASH RAHBARI C/O C/O UNIT 410
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MICHAEL HARDY C/O C/O UNIT 409
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

KENNETH E SANTOS
12439 SCAGGSVILLE RD
HIGHLAND, MD 20777-9728

NAMDOC KAZEML C/O C/O UNIT 407
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MEREDITH C JONES C/O UNIT 414
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ALVARO L CAYZEDO
1451 BELMONT ST NW # 404
WASHINGTON, DC 20009-4006

MARRAM E ASSAR C/O GINA ASSAR
11227 EMPIRE LN
ROCKVILLE, MD 20852-2872

ST NICHOLAS BELMONT LLC
1474 BELMONT ST NW
WASHINGTON, DC 20009-4007

PHUE PHAN
70 W HURON ST APT 707
CHICAGO, IL 60654-5337

JENELLE BEAVERS C/O C/O UNIT 117
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MICHEAL DEVEN C/O C/O UNIT 315
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAVEN E SAKS C/O C/O UNIT 316
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ATUL GARY
1519 CHURCH ST NW APT 3
WASHINGTON, DC 20005-1935

ST NICHOLAS BELMONT LLC
1474 BELMONT ST NW
WASHINGTON, DC 20009-4007

JEWEL JACKSON C/O C/O UNIT 318
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MORGAN N KNULL C/O UNIT 101
0135 COLVIN RUN RD
GREAT FALLS, VA 22066-1872

BRANDON J NEUKAM
1451 BELMONT ST NW APT 108
WASHINGTON, DC 20009-6617

THACH H BUI
1451 BELMONT ST NW APT 417
WASHINGTON, DC 20009-6625

ARIYA TJEJA
451 BELMONT ST NW APT 105
WASHINGTON, DC 20009-6617

KENNETH E SANTOS
12439 SCAGGSVILLE RD
HIGHLAND, MD 20777-9728

NANCY V CORSON
1451 BELMONT ST NW APT 222
WASHINGTON, DC 20009-6623

MANSOOR DAILAMI C/O UNIT 212
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

KAMBIZ KAZEMI
10410 RIVERWOOD DR
POTOMAC, MD 20854-1540

LAWRENCE L SKAGGS C/O UNIT 10
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ODD C HELMUS
1451 BELMONT ST NW APT 303
WASHINGTON, DC 20009-6623

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CLAUDIA BIRKAHN
3202 NAVY DR
OAK HILL, VA 20171-1600

AGLEEMA NOON C/O C/O UNIT 402
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

VITIN GUPTA C/O C/O UNIT 403
451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ALVARO L CAYZEDO
1451 BELMONT ST NW # 404
WASHINGTON, DC 20009-4006

MEREDITH C JONES C/O C/O UNIT 406
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JORGE SANIN C/O UNIT 104
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ANN MARIE PETRICK C/O C/O UNIT 314
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JENNIFER DRISCOLL C/O C/O UNIT 325
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JOHNSTONE W WAGITHUKU C/O C/O
UNIT 324
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

THOMAS R FREEMAN
1451 BELMONT ST NW APT 323
WASHINGTON, DC 20009-6624

JATTER WILLIAM JR C/O UNIT 322
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CATHERINE CONNOR C/O C/O UNIT 320
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JOHN W NULLMEYER
1451 BELMONT ST NW APT 321
WASHINGTON, DC 20009-6624

ALLAN C ZOLLER
1451 BELMONT ST NW # 425
WASHINGTON, DC 20009-4006

HUGH W LYDIARD C/O C/O UNIT 424
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ALLSION B POLAND C/O C/O UNIT 423
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

FRANCISCO GARCIA C/O C/O UNIT 422
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SURRAUN W CALLOWAY C/O C/O UNIT
421
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AZAD YNUS C/O C/O UNIT 420
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAMACHANDRAN SUBBARATNAM
8307 CLEAR SMOKE RD
BOYDS, MD 20841-4386

MANSOUREH SAEEDI C/O C/O UNIT 418
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BACON M MARCUCIO
1451 BELMONT ST NW APT 308
WASHINGTON, DC 20009-6624

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ALLAN ZOLLER
1451 BELMONT ST NW APT 425
WASHINGTON, DC 20009-6625

HUGH W LYDIARD
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ALLSION B POLAND C/O C/O UNIT 423
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

AMIT CHUGH C/O C/O UNIT 317
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CESAR PERDOMO C/O C/O UNIT 101
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

THACH H BUI
1451 BELMONT ST NW APT 417
WASHINGTON, DC 20009-6625

MESEKER K BELACHEW C/O UNIT 215
AND #49C
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SARAH GARRETT C/O C/O UNIT 312
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CESAR PERDOMO C/O C/O UNIT 101
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CALLIE ROBINSON C/O C/O UNIT 319
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ABIGAIL ROHMAN
1451 BELMONT ST NW APT 223
WASHINGTON, DC 20009-6623

BENJAMIN SCHULZ C/O C/O UNIT 413
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CASSIA M HUMPHREYS C/O UNIT 414
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MATTHEW S MENSE C/O C/O UNIT 224
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

KYLE DOWNEY C/O C/O UNIT 415
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
7850 WALKER DR STE 400
GREENBELT, MD 20770-3240

GEORGE PURRELL
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

GEORGE PURRELL
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SHAD DUBEAN C/O C/O UNIT 116
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

JONATHAN LIVELY C/O UNIT 106
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ROBERT VICKERS
312 SPRINGVALE RD
GREAT FALLS, VA 22066-3214

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RAVEN E SAKS C/O C/O UNIT 316
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

PETER RHEE
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

KAMBIZ KAZEMI
10410 RIVERWOOD DR
POTOMAC, MD 20854-1540

KAITLIN T GELLER C/O UNIT 305
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

RAJAN G MOHAN C/O C/O UNIT 306
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

TERESA A MUELLER C/O C/O UNIT 307
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

FRISO-VAN OORD C/O UNIT 115
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MASOUD TAHMASEBI C/O C/O UNIT 309
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

UDITH ROSENTHAL C/O C/O UNIT 310
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JORGE SANIN C/O UNIT 104
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

TIMOTHY M COVELL C/O C/O UNIT 313
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

ROBERT A WILLIAMS JR C/O C/O UNIT
103
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MORGAN N KNULL C/O UNIT 101
10135 COLVIN RUN RD
GREAT FALLS, VA 22066-1872

BAI V NGUYEN C/O C/O UNIT 203
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

CASSANDRA L WHITE C/O UNIT 202
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ERIC A FRECHTEL C/O UNIT 416
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

LOUIS BOTTA C/O UNIT 124
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ARBRAHAN LUTFI C/O C/O UNIT 120
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

STEPHANIE JOHNSON C/O UNIT 121
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

AMANDA M MACDONALD C/O UNIT 122
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

REX L STURM JR C/O C/O UNIT 209
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

GALBERTH K SIMPSON C/O C/O UNIT
225
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

JENNIFER PHILLIPS
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MICHAEL MEREDITH C/O C/O UNIT 110
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

NANCY V CORSON
1451 BELMONT ST NW APT 222
WASHINGTON, DC 20009-6623

CARLOS CALDERON C/O UNIT 221
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

NICHOLAS J SFAKIANOS C/O C/O UNIT
220
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

RICHARD P ODER C/O C/O UNIT 113
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

CAROLYN J LEVINE C/O UNIT 112
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

KELLY L YEE C/O C/O UNIT 217
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

SRIRAM V GOPAL C/O C/O UNIT 216
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

MESEKER K BELACHEW C/O C/O UNIT
215
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

MELISSA ARNOFF C/O UNIT 301
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

TATIANA S RAFERT
5027 CARY GLEN BLVD
CARY, NC 27519-7197

BRIAN PLUNKETT C/O C/O UNIT 213
1451 BELMONT ST NW
WASHINGTON, DC 20009-6616

ALBERTA E CULP
8021 HORICON POINT DR
MILLERSVILLE, MD 21108-1579

MARIA DEL CARM GRIZZARD C/O UNIT
210
1415 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006

BELMONT PARTNERS LLC
1451 BELMONT ST NW
WASHINGTON, DC 20009-4006