

Exhibit 2

DCRA Height Act Waiver Letter dated January 27, 2010

ZONING COMMISSION
District of Columbia
CASE NO. 10-06A
EXHIBIT NO. 2B
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District of Columbia
CASE NO. 10-06A
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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the Director



January 27, 2010

Katherine Cahill
D.C. Water and Sewer Authority
5000 Overlook Avenue, SW
Washington, D.C. 20032

Re: Waiver of Height Act for new water tower on St. Elizabeth's site

Dear Ms. Cahill:

Based on discussions between the D.C. Department of Consumer and Regulatory Affairs (DCRA) and the D.C. Water and Sewer Authority (WASA), I have learned that a new water tower is needed to increase the water pressure for certain portions of southeast Washington, D.C. To achieve the requisite water pressure, the water tower would need to exceed the height allowed under the Height of Buildings Act of 1910 (Height Act). For this reason, the water tower would require a waiver of the Height Act by the Director of DCRA.

WASA has represented to DCRA that, in accordance with plans prepared by Cunningham Quill and dated January 22, 2010, the proposed water tower will not exceed the height of 185 feet above grade. Pursuant to D.C. Municipal Regulations 12A § 105.3.1.8 and District of Columbia Reorganization Plan No. 1 of 1983, I hereby grant a waiver of the Height Act to allow WASA to erect, on St. Elizabeth's campus, a water tower with a height of 185 feet above grade, in accordance with the January 22, 2010 plans prepared by Mr. Quill.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Linda K. Argo".

Linda Argo
Director

cc:

John Gans, D.C. Water and Sewer Authority
Allison Prince, Esq.
John Epting, Esq.
Matthew LeGrant, Zoning Administrator