

# Holland & Knight

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December 13, 2024

**VIA IZIS**

Zoning Commission  
for the District of Columbia  
441 4th Street, NW, Suite 210-S  
Washington, DC 20001

**Re: Z.C. Case No. 24-01 / Howard University  
Petition for a Zoning Map Amendment  
Covenants Restricting Development and Use of Subject Property**

Dear Zoning Commission Members:

Enclosed please find three declaration of restrictive covenants (the “**Covenants**”) in connection with the above-referenced petition. The Covenants restrict the development and use of that portion of the subject property abutting the LeDroit Park neighborhood, as set forth in the memoranda of agreement between Howard and the LeDroit Park Civic Association and between the Florida Avenue Baptist Church and the LeDroit Park Civic Association (Exhibits 25A and 25B). Under said memoranda of agreements, the Covenants will be recorded in the Land Records upon the Zoning Commission’s approval of the petition and the expiration of all appeal periods without an appeal being filed.

Thank you for your considerate attention to this matter. Should the Commission have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact us.

Respectfully submitted,

HOLLAND & KNIGHT LLP

*Leila Jackson Batties*

Leila M. Jackson Batties  
John T. Oliver

Enclosures (3)

cc: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2024, a copy of this filing was served by electronic mail on the following at the addresses listed below.

1. **D.C. Office of Planning**

Ms. Jennifer Steingasser  
Mr. Joel Lawson  
Ms. Maxie Brown-Roberts  
via Email: [jennifer.steingasser@dc.gov](mailto:jennifer.steingasser@dc.gov)  
[joel.lawson@dc.gov](mailto:joel.lawson@dc.gov)  
[maxine.brownroberts@dc.gov](mailto:maxine.brownroberts@dc.gov)

2. **District Department of Transportation**

Mr. Erkin Ozberk  
via Email: [erkin.ozberk1@dc.gov](mailto:erkin.ozberk1@dc.gov)

3. **Advisory Neighborhood Commission 1B**

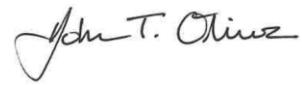
ANC 1B General Email Address  
Commissioner Larry Handerhan (1B01)  
Commissioner Frank Chauvin (1B02)  
via Email: [1B@anc.dc.gov](mailto:1B@anc.dc.gov)  
[1B01@anc.dc.gov](mailto:1B01@anc.dc.gov)  
[1B02@anc.dc.gov](mailto:1B02@anc.dc.gov)

4. **Advisory Neighborhood Commission 1E**

ANC 1E General Email Address  
Commissioner Phillip Newland (1E05)  
Commissioner Brian Footer (1E07)  
via Email: [1E@anc.dc.gov](mailto:1E@anc.dc.gov)  
[1E05@anc.dc.gov](mailto:1E05@anc.dc.gov)  
[1E07@anc.dc.gov](mailto:1E07@anc.dc.gov)

5. **LeDroit Park Civic Association**

c/o Matthew Fay  
via Email: [jmatthewfay@gmail.com](mailto:jmatthewfay@gmail.com)



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John T. Oliver  
Holland & Knight LLP

## **DECLARATION OF RESTRICTIVE COVENANTS**

THIS DECLARATION OF RESTRICTIVE COVENANTS (this “Declaration”) is made as of this 11th day of December, 2024, by **HOWARD UNIVERSITY**, a federally chartered, non-profit corporation (“Declarant”).

### **RECITALS**

WHEREAS, Declarant is the owner of that certain real property in the District of Columbia depicted and described in the attached as Exhibit A, which is improved with the Howard University Hospital (the “Property” or the “Hospital Site”).

WHEREAS, pursuant to Zoning Commission Order No. 24-01, the Hospital Site was rezoned from PDR-3 and RA-2 to MU-9B and MU-10.

WHEREAS, the Hospital Site abuts the low-density, residential, historic LeDroit Park neighborhood to the east and to the south, which is zoned RF-1.

WHEREAS, the LeDroit Park Civic Association (“LPCA”) expressed concerns about the potential adverse impacts on the LeDroit Park neighborhood, particularly for the residences along the U Street Alley, Bohrer Street, NW, and the 2000 and 2100 blocks of 5<sup>th</sup> Street, NW (the “Impacted Residential Area”), resulting from the future redevelopment of the Hospital Site as permitted in the MU-9B and MU-10 zones.

WHEREAS, the Declarant and the LeDroit Park Civic Association (the “LPCA”) entered into that certain Memorandum of Agreement dated October 18, 2024, which provides for certain restrictions related to the development and use of the Hospital Site.

NOW, THEREFORE, Declarant does hereby covenant and declare that the following covenants and restrictions burden and encumber the Hospital Site, which covenants and restrictions shall run with the Property and be binding upon all parties having any right, title or interest in the Property, their heirs, successors and assigns.

#### **1. Restrictions on Development and Use for the Hospital Site.**

- a. Transition Setbacks: Except for the construction of a pavilion fronting on Georgia Avenue and an enclosure for ambulance access from Georgia Avenue, any new construction on the Hospital Site shall be set back from the property lines as depicted in Exhibit B, and as follows:
  - i. 15-foot (15 ft.) setback from the U Street Alley that runs parallel to the 500 and 600 blocks of the U Street Alley.
  - ii. 15-foot (15 ft.) setback from the 2000 block of Bohrer Street.

- iii. 15-foot (15 ft.) setback from the 2000 and 2100 blocks of 5th Street to the north side of V Street.
- iv. Any required setback area shall not be used for storage, loading, or accessory uses including building services (e.g. ventilation and HVAC).
- v. Any required setback area shall be landscaped with evergreen trees.
- vi. No residential communal outdoor recreation space shall be located within fifty feet (50 ft.) of any lot line directly abutting the Impacted Residential Area.

b. Transition Heights: The building height for any new construction on the Hospital Site shall be as follows:

- i. A maximum height of 35 feet, or the matter-of-right height for the RF-1 zone, is permitted adjacent to the 15-foot setback area.
- ii. With the exception of the first 35 feet of height, all building heights must maintain a relationship of one foot of height for every one foot of setback from the property lines referenced above, to a maximum height of 100 feet (i.e. a building height of 100 feet would be set back 100 from the property line).

c. Restrictions within 100 Feet of the Impacted Residential Area: Except for the construction of a pavilion on Georgia Avenue and an enclosure for ambulance access from Georgia Avenue, no new construction, including mechanical equipment, loading docks, service entrances, trash/dumpster removal shall be located within 100 feet of the Impacted Residential Area. Further, no restaurant, bar, tavern, or club shall be located with 100 feet of any lot line abutting the Impacted Residential Area. This restriction shall not apply to any residential development fronting 5<sup>th</sup> Street, between U and V Streets.

Declarant acknowledges that the setback, height and use restrictions provided herein are more restrictive than the setback, height and use restrictions permitted in the MU-10 zone as a matter of right.

2. Covenants to Run with the Land. The covenants and restrictions contained herein shall be deemed real covenants running with the land and shall bind Declarant, and its successors and assigns, and shall inure to the benefit of Declarant, and its successors and assigns. In the event that Declarant sells or conveys all or part of the Hospital Site, the purchaser or transferee and its successors and assigns shall be considered Declarant hereunder.
3. Recordation. Declarant shall record this Covenant against the Property among the Land

Records of the District of Columbia (the “Land Records”).

4. Amendments. No modification, amendment or termination of this Declaration shall be deemed valid, binding or enforceable unless the same is in written form, executed and acknowledged by and on behalf of Declarant and duly filed for record in the Land Records.
5. Governing Law. This Declaration and the rights and liabilities hereunder shall be governed by, and construed in accordance with, the laws of the District of Columbia, without regard to conflict of laws principles.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, **THE HOWARD UNIVERSITY**, a nonprofit corporation created by an Act of Congress and operated under the laws of the District of Columbia, has caused this Declaration to be executed and delivered in its name by Anthony Freeman, its duly authorized VP, as of the date first above written.

**DECLARANT:**

**THE HOWARD UNIVERSITY**

a nonprofit corporation created by an Act of Congress

By: Anthony Freeman

Name: ACF

Title: VP & Chief Real Estate Officer

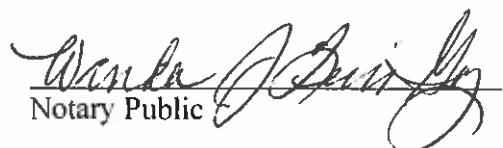
**ACKNOWLEDGEMENT**

DISTRICT OF COLUMBIA )

) SS:

BEFORE ME, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date Anthony Freeman personally well known (or satisfactorily proven by the oath of credible witnesses) to me to be the individual who executed the foregoing Declaration of Restrictive Covenants on behalf of The Howard University, and who acknowledged the same to be its free act and deed for the uses and purposes therein contained.

GIVEN under my hand and seal this 11th day of December, 2024.

  
Wanda J. Smith  
Notary Public

My commission expires: 9/14/2025

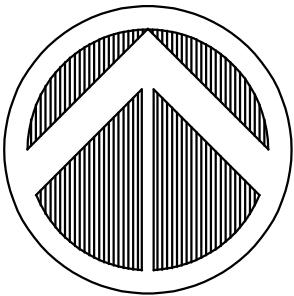
[NOTARIAL SEAL]



**EXHIBIT A**

**SKETCH AND LEGAL DESCRIPTION SUBJECT PROPERTY**

[SEE ATTACHED]



NORTH (DCSO)

NOTES

- 1.) THE PROPERTY SHOWN HEREON IS DESIGNATED FOR TAX AND ASSESSMENT AS: 3075 0807 (520 W ST, NW)
- 2.) THE HORIZONTAL DATUM IS BASED ON RECORDS OF THE OFFICE OF THE SURVEYOR OF THE DISTRICT OF COLUMBIA.
- 3.) R STANDS FOR RECORD  
C STANDS FOR COMPUTED
- 4.) ASSESSMENT AND TAXATION LOT 807 IN SQUARE 3075 IS FILED IN ASSESSMENT AND TAXATION PLAT 2416 AND A PLAT OF COMPUTATION ON ASSESSMENT AND TAXATION LOT 807 IN SQUARE 3075 SHOWING ONE THEORETICAL SITE AS RECORDED IN SURVEY BOOK 204 AT PAGE 399, ALL AMONG THE RECORDS OF THE OFFICE OF THE SURVEYOR OF THE DISTRICT OF COLUMBIA (DCSO).
- 5.) A&T LOT 807 IN SQUARE 3075 BEARINGS AND DISTANCES SHOWN HEREON WERE OBTAINED FROM A DC SURVEYORS OFFICE PLAT OF COMPUTATION RECORDED IN SURVEY BOOK 204 AT PAGE 399, AMONG THE RECORDS OF THE OFFICE OF THE SURVEYOR OF THE DISTRICT OF COLUMBIA (DCSO).

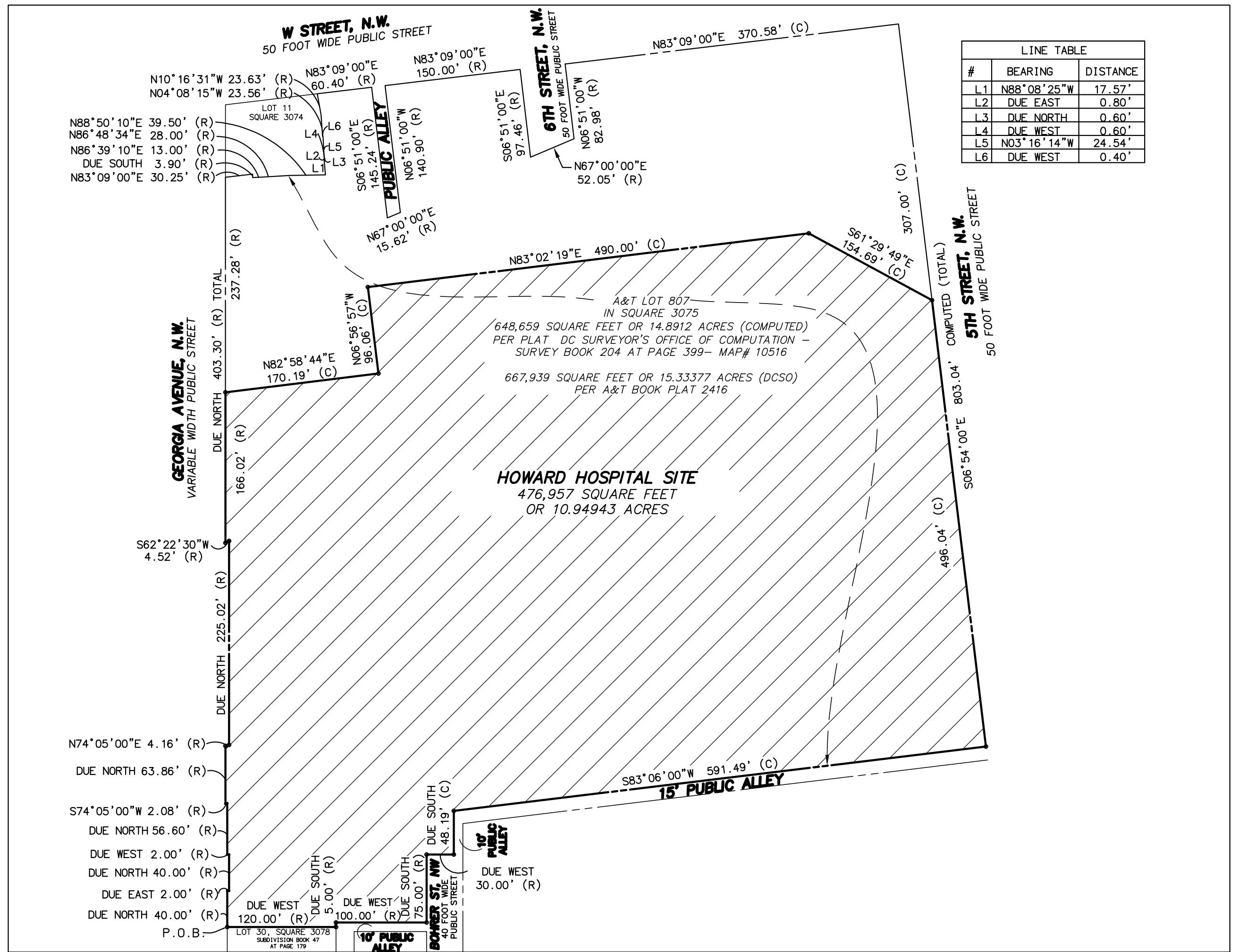
SKETCH SHOWING

HOWARD HOSPITAL SITE

ON A PORTION OF  
A&T LOT 807 IN SQUARE 3075  
A&T BOOK PAGE 2416  
SURVEY BOOK 204, PAGE 399  
WASHINGTON, DC

1"=100'

DATE: DECEMBER 9, 2024  
REVISED: DECEMBER 11, 2024  
SHEET 1 OF 1



Revised 12.11.2024  
12.09.2024

**Howard Hospital Site**

**DESCRIPTION OF  
A PORTION OF  
ASSESSMENT & TAXATION LOT 807  
IN SQUARE 3075  
ASSESSMENT & TAXATION BOOK PLAT 2416  
PLAT OF COMPUTATION – SURVEY BOOK 204 AT PAGE 399  
(MAP #10516)  
WASHINGTON, D.C.**

Being a portion of Assessment and Taxation Lot 807 in Square 3075, as filed in Assessment and Taxation Book Plat 2416 and shown on a Plat of Computation entitled "Assessment and Taxation Lot 807, being on theoretical lot" recorded in Survey Book 204 at Page 399 (Map # 10516), all among the Records of the Office of the Surveyor of the District of Columbia and being more particularly described as follows:

Beginning for the same at a point of being the northwesterly corner of Lot 30 in Square 3078, recorded in Subdivision Book 47 at Page 179 among the aforesaid Records, said point also being the southwesterly corner of the aforesaid Assessment and Taxation Lot 807 in Square 3075 and the southerly end of a Due North 40.00 plat line of said Assessment and Taxation Lot 807 in Square 3075, as shown on the aforesaid Plat of Computation recorded in the aforesaid Survey Book 204 at Page 399, said point also lying on the easterly line of Georgia Ave NW, variable width public street, thence running with a portion of the common line of said Assessment and Taxation Lot 807 in Square 3075 and said Georgia Avenue, NW the following eleven (11) courses and distances

1. Due North, 40.00 feet (record) to a point; thence
2. Due East, 2.00 feet (record) to a point; thence
3. Due North, 40.00 feet (record) to a point; thence



4. Due West, 2.00 feet (record) to a point; thence
5. Due North, 56.60 feet (record) to a point; thence
6. South  $74^{\circ} 05' 00''$  West, 2.08 feet (record) to a point; thence
7. Due North, 63.86 feet (record) to a point; thence
8. North  $74^{\circ} 05' 00''$  East, 4.16 feet (record) to a point; thence
9. Due North, 225.02 feet (record) to a point; thence
10. South  $62^{\circ} 22' 30''$  West, 4.52 feet (record) to a point; thence
11. Due North, 166.02 feet (record) to a point; thence leaving the aforesaid common line of Assessment and Taxation Lot 807 in Square 3075 and Georgia Avenue, NW and running so as to cross and include a portion of Assessment and Taxation Lot 807 in Square 3075 the following four (4) courses and distance
12. North  $82^{\circ} 58' 44''$  East, 170.19 feet (computed) to a point; thence
13. North  $06^{\circ} 56' 57''$  West, 90.06 feet (computed) to a point; thence
14. North  $83^{\circ} 02' 19''$  East, 490.00 feet (computed) to a point; thence
15. South  $61^{\circ} 29' 49''$  East, 154.69 feet (computed) to a point lying on the westerly line of 5<sup>th</sup> Street, NW, 50 feet wide public street, said point also lying on the easterly line of the aforesaid Assessment and Taxation Lot 807 in Square 3075; thence running with a portion of the common line of said Assessment and Taxation Lot 807 in Square 3075 and 5<sup>th</sup> Street, NW
16. South  $06^{\circ} 54' 00''$  East, 496.04 feet (computed) to a point marking the southeasterly corner of the aforesaid Assessment and Taxation Lot 807 in Square 3075, said point also lying on the southerly line of a Fifteen (15) Foot Public Alley in Square 3079; thence leaving the aforesaid common line of Assessment and Taxation Lot 807 in Square 3075 and 5<sup>th</sup> Street, NW and running with the common line of Assessment and Taxation Lot 807 in Square 3075 and a Fifteen (15) Foot Public Alley in Square 3079

17. South 83° 06'00" West, 591.49' (computed) to a point lying marking the northwesterly corner of a Ten (10) Foot Public Alley; thence leaving said common line of Assessment and Taxation Lot 807 in Square 3075 and a Fifteen (15) Foot Public Alley in Square 3079 and running with the common line of Assessment and Taxation Lot 807 in Square 3075 and a Ten (10) Foot Public Alley in Square 3079
18. Due South, 48.19 feet (computed) to a point marking lying on the northerly line of Bohrer Street NW, a 40 foot Public Street; thence leaving the common line of Assessment and Taxation Lot 807 in Square 3075 and a Ten (10) Foot Public Alley in Square 3079 and running with the common outline of Assessment and Taxation Lot 807 in Square 3075 and Bohrer Street NW the following two (2) courses and distances
19. Due West, 30.00 feet (record) to a point; thence
20. Due South, 75.00 feet (record) to a point marking the northerly line of a Ten (10) Foot Public Alley in Square 3079; thence leaving the common outline of Assessment and Taxation Lot 807 in Square 3075 and Bohrer Street NW and running with the common outline of Assessment and Taxation Lot 807 in Square 3075 and a Ten (10) Foot Public Alley in Square 3079 the following two (2) courses and distances
21. Due West, 100.00 feet (record) to a point; thence
22. Due South, 5.00 feet (record) to a point marking the a northerly corner of the aforesaid Lot 30 in Square 3078, said point also being a southerly corner of Assessment and Taxation Lot 807 in Square 3075; thence leaving the common line of Assessment and Taxation Lot 807 in Square 3075 and a Ten (10) Foot Public Alley in Square 3079 and running with the common line of said Assessment and Taxation Lot 807 in Square 3075 and said Lot 30 in Square 3078
23. Due West, 120.00 feet (record) to the point of beginning, containing 476,957 square feet or 10.94943 acres (record) of land.

**EXHIBIT B**  
**DIAGRAM OF TRANSITION SETBACKS**

[SEE ATTACHED]

Memorandum of Agreement Between LeDroit Park Civic Association  
and the Howard University



## **DECLARATION OF RESTRICTIVE COVENANTS**

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "Declaration") is made as of this 11th day of December, 2024, by **HOWARD UNIVERSITY**, a federally chartered, non-profit corporation ("Declarant").

### **RECITALS**

WHEREAS, Declarant is the owner of that certain real property in the District of Columbia identified as Lots 26 and 30 in Square 3078, which are more particularly described in the attached Exhibit A (collectively, the "Property").

WHEREAS, pursuant to Zoning Commission Order No. 24-01, Property was rezoned from PDR-3 to MU-10.

WHEREAS, the Property abuts the low-density, residential, historic LeDroit Park neighborhood to the east and to the south, which is zoned RF-1.

WHEREAS, the LeDroit Park Civic Association ("LPCA") expressed concerns about the potential adverse impacts on the LeDroit Park neighborhood, particularly for the residences along the U Street Alley, Bohrer Street, NW, and the 2000 and 2100 blocks of 5<sup>th</sup> Street, NW (the "Impacted Residential Area"), resulting from the future redevelopment of the Property as permitted in the MU-10 zone.

WHEREAS, the Declarant and the LeDroit Park Civic Association (the "LPCA") entered into that certain Memorandum of Agreement dated October 18, 2024, which provides for certain restrictions related to the development and use of the Property.

NOW, THEREFORE, Declarant does hereby covenant and declare that the following covenants and restrictions burden and encumber the Property, which covenants and restrictions shall run with the Property and be binding upon all parties having any right, title or interest in the Property, their heirs, successors and assigns.

1. Height Restriction. Any new construction on the Property shall have a maximum height of 65 feet, consistent with the maximum height permitted in the adjacent ARTS-2 zone. Declarant acknowledges that the height provided herein is more restrictive than the height permitted in the MU-10 zone as a matter of right.
2. Covenants to Run with the Land. The covenants and restrictions contained herein shall be deemed real covenants running with the land and shall bind Declarant, and its successors and assigns, and shall inure to the benefit of Declarant, and its successors and assigns. In the event that Declarant sells or conveys all or part of the Hospital Site, the purchaser or transferee and its successors and assigns shall be considered Declarant hereunder.

3. Recordation. Declarant shall record this Covenant against the Property among the Land Records of the District of Columbia (the “Land Records”).
4. Amendments. No modification, amendment or termination of this Declaration shall be deemed valid, binding or enforceable unless the same is in written form, executed and acknowledged by and on behalf of Declarant and duly filed for record in the Land Records.
5. Governing Law. This Declaration and the rights and liabilities hereunder shall be governed by, and construed in accordance with, the laws of the District of Columbia, without regard to conflict of laws principles.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, THE HOWARD UNIVERSITY, a nonprofit corporation created by an Act of Congress and operated under the laws of the District of Columbia, has caused this Declaration to be executed and delivered in its name by Anthony Freeman, its duly authorized representative, as of the date first above written.

**DECLARANT:**

**THE HOWARD UNIVERSITY**  
a nonprofit corporation created by an Act of  
Congress

By: Anthony Freeman

Name: ACF

Title: VP & chief REAL ESTATE OFFICER

**ACKNOWLEDGEMENT**

DISTRICT OF COLUMBIA )

) SS:

BEFORE ME, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date 12-11-2024 Anthony Freeman, personally well known (or satisfactorily proven by the oath of credible witnesses) to me to be the individual who executed the foregoing Declaration of Restrictive Covenants on behalf of The Howard University, and who acknowledged the same to be its free act and deed for the uses and purposes therein contained.

GIVEN under my hand and seal this 11 day of December, 2024.

Wendy J. Davis, Notary  
Notary Public

My commission expires: 9-14-2025

[NOTARIAL SEAL]



## EXHIBIT A

### LEGAL DESCRIPTION OF SUBJECT PROPERTY

#### Lot 26, Square 3078

All that certain lot or parcel of land situate, lying and being in the District of Columbia, and being more particularly described as follows:

Lot numbered Twenty-six (26) in square numbered Three Thousand Seventy-eight (3078) in a subdivision made by D. Carroll Digges, of parts of the tracts of land known as "Jamaica" and "Smith's Vacancy", as per plat recorded in Liber County No. 8 at folio 101 in the Office of the Surveyor for the District of Columbia.

**SUBJECT TO** a right of way over the rear four (4) feet of said lot as a private alley way for the remaining lots in said subdivision and square.

#### Lot 30, Square 3078

All that certain lot or parcel of land situate, lying and being in the District of Columbia, and being more particularly described as follows:

Lot numbered Thirty (30) in Square numbered Three Thousand Seventy-eight (3078) in a subdivision made by Edward H. Koss of parts of Lots 4 and 5, "Jamaica" and "Smith's Vacancy", as per plat recorded in Liber No. 47 at folio 179 in the Office of the Surveyor for the District of Columbia.

## **DECLARATION OF RESTRICTIVE COVENANTS**

THIS DECLARATION OF RESTRICTIVE COVENANTS (this “Declaration”) is made as of this 9 day of December, 2024, by **THE TRUSTEES OF FLORIDA AVENUE BAPTIST CHURCH** and **FLORIDA AVENUE BAPTIST CHURCH**, a District of Columbia religious corporation, having an address of 623 Florida Avenue, NW, Washington, DC 20001 (together, “Declarant”).

### **RECITALS**

WHEREAS, Declarant is the owner of that certain real property in the District of Columbia identified as Lots 17, 27 and 28 in Square 3078, which are more particularly described in the attached as Exhibit A (collectively, the “Property”).

WHEREAS, pursuant to Zoning Commission Order No. 24-01, the Property was rezoned from PDR-3 to MU-10.

WHEREAS, the Property abuts the low-density, residential, historic LeDroit Park neighborhood to the east and to the south, which is zoned RF-1.

WHEREAS, the LeDroit Park Civic Association (“LPCA”) expressed concerns about the potential adverse impacts on the LeDroit Park neighborhood, particularly for the residences along the U Street Alley, Bohrer Street, NW, and the 2000 and 2100 blocks of 5<sup>th</sup> Street, NW (the “Impacted Residential Area”), resulting from the future redevelopment of the Property as permitted in the MU-10 zone.

WHEREAS, the Declarant and the LeDroit Park Civic Association (the “LPCA”) entered into that certain Memorandum of Agreement dated November 3, 2024, which provides for certain restrictions related to the development and use of the Property.

NOW, THEREFORE, Declarant does hereby covenant and declare that the following covenants and restrictions burden and encumber the Property, which covenants and restrictions shall run with the Property and be binding upon all parties having any right, title or interest in the Property, their heirs, successors and assigns.

#### **1. Height and Use Restrictions**

- a. Transition Heights. The building height of any new construction on the Property shall be as follows:
  - i. Square 3078, Lot 17: A maximum height of 50 feet, consistent with the maximum height permitted in the adjacent MU-4 zone, is permitted at the lot line abutting the east of Bohrer Street, NW.
  - ii. Square 3078, Lots 27 and 28: A maximum height of 35 feet, consistent

with the maximum height permitted in the adjacent RF-1 zone, is permitted at the lot line abutting the east side of Bohrer Street, NW.

- iii. Square 3078, Lots 27 and 28: With the exception of the first 35 feet of height, all additional development must maintain a relationship of one foot of height for every one foot of setback from the lot line referenced above, to a maximum height of 65 feet (i.e. a building height of 50 feet would be set back 15 from the lot line, and a building height of 65 feet would be set back 30 feet from the lot line).
- b. Use Restrictions for Square 3078, Lots 27 and 28. No new construction, including mechanical equipment, loading docks, service entrances, trash/dumpster removal shall be located within 100 feet of the lot line abutting the east side of Bohrer Street, NW. Further, no restaurant, bar, tavern, or club shall be located within 100 feet of any lot line abutting the east side of Bohrer Street, NW.

Declarant acknowledges that the height and use restrictions provided herein are more restrictive than the height and use restrictions permitted in the MU-10 zone as a matter of right.

2. Covenants to Run with the Land. The covenants and restrictions contained herein shall be deemed real covenants running with the land and shall bind Declarant, and its successors and assigns, and shall inure to the benefit of Declarant, and its successors and assigns. In the event that Declarant sells or conveys all or part of the Property, the purchaser of transferee and its successors and assigns shall be considered Declarant hereunder.
3. Recordation. Declarant shall record this Covenant against the Property among the Land Records of the District of Columbia (the "Land Records").
4. Amendments. No modification, amendment or termination of this Declaration shall be deemed valid, binding or enforceable unless the same is in written form, executed and acknowledged by and on behalf of Declarant and duly filed for record in the Land Records.
5. Governing Law. This Declaration and the rights and liabilities hereunder shall be governed by, and construed in accordance with, the laws of the District of Columbia, without regard to conflict of laws principles.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, THE TRUSTEES OF FLORIDA AVENUE BAPTIST CHURCH, a District of Columbia religious corporation, having an address of 623 Florida Avenue, NW, Washington, DC 20001, have caused this Declaration to be executed and delivered in its name by John Trent, its duly authorized representative, as of the date first written above.

**DECLARANT:**

**THE TRUSTEES OF FLORIDA AVENUE BAPTIST CHURCH,**  
a District of Columbia religious corporation,

By: John Trent

Name: John Trent

Title: Vice-Chair Trustee board

**ACKNOWLEDGEMENT**

*Maryland*  
DISTRICT OF COLUMBIA

)

) SS:

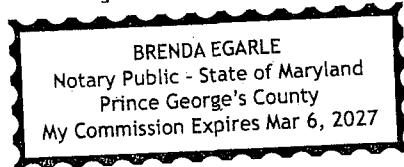
BEFORE ME, a Notary Public in and for the jurisdiction aforesaid, personally appeared on this 9th day of December, 2024, personally well known (or satisfactorily proven by the oath of credible witnesses) to me to be the individual who executed the foregoing Declaration of Restrictive Covenants on behalf of THE TRUSTEES OF FLORIDA AVENUE BAPTIST CHURCH and who acknowledged the same to be its free act and deed for the uses and purposes therein contained.

GIVEN under my hand and seal this 9th day of December, 2024.

*Brenda Egarle*  
Notary Public

My commission expires: Mar 6, 2027

[NOTARIAL SEAL]



IN WITNESS WHEREOF, **FLORIDA AVENUE BAPTIST CHURCH**, a District of Columbia religious corporation, having an address of 623 Florida Avenue, NW, Washington, DC 20001, have caused this Declaration to be executed and delivered in its name by Earl D. Trent Jr., its duly authorized representative, as of the date first above written.

**DECLARANT:**

**FLORIDA AVENUE BAPTIST CHURCH,**  
a District of Columbia religious corporation,

By: Earl D. Trent Jr.

Name: Earl D. Trent Jr.

Title: Senior Pastor

ACKNOWLEDGEMENT

Maryland  
DISTRICT OF COLUMBIA )

) SS:

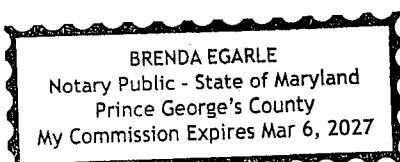
BEFORE ME, a Notary Public in and for the jurisdiction aforesaid, personally appeared on this 9<sup>th</sup> day of December, 2024, personally well known (or satisfactorily proven by the oath of credible witnesses) to me to be the individual who executed the foregoing Declaration of Restrictive Covenants on behalf of FLORIDA AVENUE BAPTIST CHURCH and who acknowledged the same to be its free act and deed for the uses and purposes therein contained.

GIVEN under my hand and seal this 9<sup>th</sup> day of December, 2024.

Brenda Egarle  
Notary Public

My commission expires: Mar 6, 2027

[NOTARIAL SEAL]



**EXHIBIT A**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

**Lot 17, Square 3078**

All that certain lot or parcel of land situate, lying and being in the District of Columbia, and being more particularly described as follows:

Lot numbered Seventeen (17) in Square numbered Thirty Hundred Seventy-eight (3078) in the subdivision made by John Valentine Mattern of Lots 1, 2 and 3 of George A. Bohrer, A. Thomas Bradley and E.G. Morgan, Trustees, subdivision of a part of a tract of land called "Jamaica", as per plat recorded in Liber G.S. at folio 129-B in the Office of the Surveyor for the District of Columbia.

**SUBJECT TO** a right of way over a 4 foot 10 inch wide private alley in the rear of Lot 17.

**Lot 27, Square 3078**

All that certain lot or parcel of land situate, lying and being in the District of Columbia, and being more particularly described as follows:

Lot 27 in Edward J. Stellwagen's subdivision of parts of Lots in Bohrer, et al, Trustees subdivision of part of the tracts of land known as "Jamaica and Smith's Vacancy" as per plat of said first mentioned subdivision recorded in Liber County No. 12, folio 26 of the Records of the Surveyor of the District of Columbia.

**Lot 28, Square 3078**

All that certain lot or parcel of land situate, lying and being in the District of Columbia, and being more particularly described as follows:

Lot 28 in Edward J. Stellwagen's subdivision of parts of Lots in Bohrer, et al, Trustees subdivision of part of the tracts of land known as "Jamaica and Smith's Vacancy" as per plat of said first mentioned subdivision recorded in Liber County No. 12, folio 26 of the Records of the Surveyor of the District of Columbia.