

# REZONING AFFIDAVIT

DATE: April 29, 2010  
(enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)       applicant  
                          applicant's authorized agent listed in Par. 1(a) below      100653f

in Application No.(s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Park Crest SPE Phase I, L.L.C.  Agents: Thomas D. Fleury Olav B. Kollevoll, Jr. James A. Donohoe, III David A. Hill Mark W. Gregg Stephen F. Twohig	8330 Boone Boulevard, Suite 460 Vienna, VA 22182	Applicant/Title Owner of Tax Map 29-4 ((7)) A6
Morgan Gick & Associates  Agents: William H. McBeath Michael M. Gick Joaquin I. Diz	131 Great Falls Street Falls Church, Virginia 22046	Architect/Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

DATE: April 29, 2010  
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1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
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**(NOTE:** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Park Crest Building 4 Associates, LLC  Agents: Thomas D. Fleury Olav B. Kollevoll, Jr. James A. Donohoe, III David A. Hill Mark W. Gregg Stephen F. Twohig	8330 Boone Boulevard, Suite 460 Vienna, VA 22182	Title Owner of Tax Map 29-4 ((13)) C1, 105, 108, 113-115, 201, 202, 205-208, 210-216, 219, 302, 304-306, 308, 311, 314, 317, 402, 404, 407, 410-412, 414-416, 419, 502, 509, 511-517, 519, 602, 604-611, 613-616, 701, 702, 704, 707, 714, 716, 717, 719, 801, 802, 804, 806, 807, 810-816, 819, 904, 905, 907-915, 919, 1001, 1002, 1004, 1007, 1009, 1010, 1013, 1014, 1019, 1101, 1102, 1104, 1106, 1107, 1109-1111, 1114-1116, 1119, 1201, 1204, 1206, 1207, 1209, 1211, 1215, 1217, 1219, 1301-1304, 1306-1313, 1319, 1401-1406, 1408, 1409, 1412, 1414, 1415, 1417, 1419, 1501-1508, 1510-1512, 1514, 1515, 1601-1605, 1607-1612, 1706, 1707, 1710, 1711, 1713, 1715, 1717, 1802, 1808, 1810, 1814, 1816, 1819, 1901, 1902, 1910, 1912, 1916/ Declarant for One Park*Crest Condominium/ Agent for Title Owners of Tax Map 29-4 ((13)) 102-104, 107, 109, 116-117, 203, 204, 209, 217-218, 301, 303, 307, 309-310, 312-313, 315-316, 318-319, 401, 403, 405-406, 408-409, 413, 417, 418, 501, 503, 504, 505-508, 510, 518, 601, 603, 612, 617-619, 703, 705-706, 708-713, 715, 718, 803, 805, 808-809, 817-818, 901-903, 906, 916-918, 1003, 1005, 1006, 1008, 1011-1012, 1015-1018, 1103, 1105, 1108, 1112-1113, 1117-1118, 1202, 1203, 1205, 1208, 1210, 1212-1214, 1216, 1218, 1305, 1314-1318, 1407, 1410, 1411, 1413, 1416, 1418, 1509, 1513, 1516-1519, 1606, 1613, 1615-1619, 1701-1703, 1705, 1708, 1709, 1712-1714, 1716, 1718-1719, 1801, 1812, 1818, 1906, 1908, 1914, 1918, 1919
	No individual unit owner, other than Park Crest Building 4 Associates, LLC (listed above), is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.	

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

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for Application No. (s): PCA/FDPA 2002-PR-016-2  
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<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Park Crest Building 5 Associates, LLC  Agents: Thomas D. Fleury Olav B. Kollevoll, Jr. James A. Donohoe, III David A. Hill Mark W. Gregg Stephen F. Twohig	8330 Boone Boulevard, Suite 460 Vienna, VA 22182	Title Owner of Tax Map 29-4 ((7)) A9; Former Title Owner of 29-4 ((14)) C1, 1C
WDG Architecture, PLLC  Agents: Thomas F. Zych David L. Banta Frederick B. Hammann	1025 Connecticut Avenue, NW, #300 Washington, DC 20036	Former Architect/Agent
VIKA, Incorporated  Agents: John F. Amatetti Robert R. Cochran Robert J. Bosco Stephen E. Crowell	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	Engineers/Agent
Street Traffic Studies, Ltd.  Agent: David A. Nelson	400 Crain Highway, NW Glen Burnie, Maryland 21061	Traffic Engineers/Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.



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<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Equity Residential  Agent: Brian Grant	1953 Gallows Road, Suite 340 Vienna, VA 22182	Former Contract Purchaser of Tax Map 29-4 ((14)) 1C, C1, A6 pt.
AvalonBay Communities, Inc.  Agents: Jon B. Cox Christopher B. Helsabeck J. Richard Morris	671 N. Glebe Road, #800 Arlington, VA 22203	Contract Purchaser of Tax Map 29-4 ((7)) A6 pt.
M.J. Wells & Associates, Inc.  Agents: Robin L. Antonucci Jami L. Milanovich William F. Johnson	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent

(check if applicable)  There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

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<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
The Lessard Architectural Group, Inc.  Agents: Sanford (nmi) Silverman Joseph A. Schneider Enrico E. Villaroman John M. Jenkins	8521 Leesburg Pike, Suite 700 Vienna, Virginia 22182	Architects/Agent
One Park*Crest Unit Owners Association  Agents: Peter G. Gartlan Erin E. Brinson Sandi L. Stafford	8330 Boone Boulevard, Suite 460 Vienna, VA 22182	Unit Owners Association for all unit owners for property identified as 29-4 ((13)) C1, 102-109, 113-117, 201-219, 301-319, 401-419, 501-519, 601-619, 701-719, 801-819, 901-919, 1001-1019, 1101-1119, 1201-1219, 1301-1319, 1401-1419, 1501-1519, 1601-1619, 1701-1719, 1801, 1802, 1808, 1810, 1812, 1814, 1816, 1818, 1819, 1901, 1902, 1906, 1908, 1910, 1912, 1914, 1916, 1918, 1919 No individual unit owner, other than Park Crest Building 4 Associates, LLC (listed above), is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
Behringer Harvard Park Crest, LLC  Agent: Mark T. Alfieri	15601 Dallas Parkway, Suite 600 Addison, Texas 75001	Title Owner of 29-4 ((14)) C1, 1C

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1(b). The following constitutes a listing\*\*\* of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Park Crest SPE Phase I, L.L.C.
8330 Boone Boulevard, Suite 460
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

- [X] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Penrose/Donohoe Tysons, LLC, Manager/Member
Falcon Tyson, LLC, Member
Falcon SPF #16 Tyson USA, LLC

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

Mark W. Gregg, President; James A. Donohoe III, First VP; Olav B. Kollevoll, Jr., Second VP, Secretary; Stephen F. Twohig, Third VP

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Rezoning Attachment to Par. 1(b)**

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for Application No. (s): PCA/FDPA 2002-PR-016-2  
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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Park Crest Building 4 Associates, LLC  
8330 Boone Boulevard, Suite 460  
Vienna, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Penrose/Donohoe Tysons, LLC, Manager/Member  
Falcon Tyson 4, LLC, Member  
Falcon SPF #18 Tyson USA, LLC, Member

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Mark W. Gregg, President; James A. Donohoe III, First VP; Olav B. Kollevoll, Jr., Second VP, Secretary; Stephen F. Twohig, Third VP

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Park Crest Building 5 Associates, LLC  
8330 Boone Boulevard, Suite 460  
Vienna, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

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**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Penrose/Donohoe Tysons, LLC, Manager/Member  
Falcon Tyson 5, LLC, Member  
Falcon SPF #17 Tyson USA, LLC, Member

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Mark W. Gregg, President; James A. Donohoe III, First VP; Olav B. Kollevoll, Jr., Second VP, Secretary; Stephen F. Twohig, Third VP

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA, Incorporated  
8180 Greensboro Drive, Suite 200  
McLean, Virginia 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Charles A. Irish, Jr., John F. Amatetti, Harry L. Jenkins, Robert R. Cochran, Mark G. Morelock, Jeffrey B. Amateau, Kyle U. Oliver, Philip C. Champagne

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Falcon SPF #16 Tyson USA, LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Falcon Real Estate Company, Ltd., Manager (owns less than 10% of Park Crest SPE Phase I, L.L.C.)  
Members: Tyson Financial, Inc., TCC Development LLC, Chicago Title Insurance Co.\*, Jupiter One, LLC\*, Mark (nmi) Remington, Don Moridy IRA\*, Tyson Investor, Inc.

\* (owns less than 10% of Park Crest SPE Phase I, L.L.C.)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Tyson Financial, Inc.  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Tyson Financial Group, Inc.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Directors: Howard E. Hallengren, Jack D. Miller  
Officers: Jack D. Miller, President; Scott E. Sweeney, EVP; David A. Hill, EVP

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
TCC Development LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Ray R. Irani, Sole Member and Manager

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Tyson Investor, Inc.  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
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- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Tyson Financial Group, Inc.

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**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)  
Directors: Howard E. Hallengren, Jack D. Miller  
Officers: Jack D. Miller, President; Scott E. Sweeney, EVP; David A. Hill, EVP

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Falcon SPF #18 Tyson USA, LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

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- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Falcon Real Estate Company, Ltd., Manager (owns less than 10% of Park Crest Building 4 Associates, LLC)  
Members: Tyson Financial, Inc., TCC Development LLC, Chicago Title Insurance Co.\*, Jupiter One, LLC\*, Mark (nmi) Remington, Don Moridy IRA\*, Tyson Investor, Inc.  
\* (owns less than 10% of Park Crest Building 4 Associates, LLC)

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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New York, NY 10022

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Members: Tyson Financial, Inc., TCC Development LLC, Chicago Title Insurance Co.\*, Jupiter One, LLC\*, Mark (nmi) Remington, Don Moridy IRA\*, Tyson Investor, Inc.  
\* (owns less than 10% of Park Crest Building 5 Associates, LLC)

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

One Park\*Crest Unit Owners Association  
8220 Crestwood Heights Drive  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

A non-profit, non-shareholder owners association.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**

Peter G. Gartlan, President  
Erin E. Brinson, VP  
Sandi L. Stafford, Treasurer/Secretary

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Equity Residential  
1953 Gallows Road, Suite 340  
Vienna, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Publicly Traded

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

WDG Architecture, PLLC  
1025 Connecticut Avenue, NW  
Washington, DC 20036

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

C.R. George Dove, Member, David P. Habib, Member, Eric J. Liebmann, Member, Marc Nathanson (nmi), Member, Jeffrey A. Morris, Member, M. Durwood Dixon, Member, Frederick B. Hammann, Member

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Tyson Financial Group, Inc.  
PO Box 263  
8024 Zurich

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)  
Andreas (nmi) Limburg, Sole Officer & Director

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Falcon Tyson 4, LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Howard E. Hallengren, Jack D. Miller, Scott E. Sweeney, David A. Hill

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Falcon Tyson 5, LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Howard E. Hallengren, Jack D. Miller, Scott E. Sweeney, David A. Hill

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 600  
McLean, Virginia 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
AvalonBay Communities, Inc.  
671 N. Glebe Road, #800  
Arlington, VA 22203

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Traded on NYSE.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)  
Jonathan B. Cox, Senior Vice President, Development

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

100653f

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

The Lessard Architectural Group, Inc.  
8521 Leesburg Pike, Suite 700  
Vienna, Virginia 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Christian J. Lessard

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Morgan Gick & Associates  
131 Great Falls Street  
Falls Church, Virginia 22046

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Michael M. Gick  
William H. MacBeath

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

(006538)

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Behringer Harvard Park Crest, LLC  
15601 Dallas Parkway, Suite 600  
Addison, Texas 75001

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Behringer Harvard Multifamily OP I, LP

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Robert S. Aisner, CEO; Robert J. Chapman, President; Mark T. Alfieri, COO; Gerald J. Reihisen, III, EVP-Corp. Dev & Legal/Asst Sec; Gary S. Bresky, EVP; M. Jason Mattox, EVP; Howard S. Garfield, CFO/Treasurer; Andrew J. Bruce, VP; Ross P. Odland, VP; Robert T. Poynter, VP; Phillip E. Caldwell, VP-Project Management; Daniel J. Rosenberg, Secretary; Patty J. Wadsworth, Asst. Treasurer

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
BHMF Business Trust  
15601 Dallas Parkway, Suite 600  
Addison, Texas 75001

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Sole Trustee and Sole Beneficiary: Behringer Harvard Multifamily REIT I, Inc.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Behringer Harvard Multifamily REIT I, Inc.  
15601 Dallas Parkway, Suite 600  
Addison, Texas 75001

**DESCRIPTION OF CORPORATION:** (check one statement)  
 There are 10 or less shareholders, and all of the shareholders are listed below.  
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
A publicly registered, non-listed REIT with more than 100 unitholders, none of whom own 10% or more.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Street Traffic Studies, Ltd. (a corporation)  
400 Crain Highway, NW  
Glen Burnie, Maryland 21061

**DESCRIPTION OF CORPORATION:** (check one statement)  
 There are 10 or less shareholders, and all of the shareholders are listed below.  
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
David A. Nelson  
Michael M. Nalepa  
Carl F. Starkey  
Robert F. Zacherl

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Penrose/Donohoe Tysons, LLC  
2101 Wisconsin Avenue, NW  
Washington, DC 20007

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Members:  
Second Penrose Investing Company, LLC (owns less than 10% of Park Crest SPE Phase I, L.L.C.)  
TDC Park Crest, LLC (owns less than 10% of Park Crest SPE Phase I, L.L.C.)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Falcon Tyson, LLC  
570 Lexington Avenue, 32nd Floor  
New York, NY 10022

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Members:  
Blackhawk Investments, LLC\*; SPF Investor, LLC\*; Damiez II Corp.\*; The Sweeney 2004 Trust f/b/o Scott E. Sweeney\*; Tyson Condo Investment, Inc.\*; Tyson Financial, Inc.; Tyson Investor, Inc.  
\*(owns less than 10% of Park Crest SPE Phase I, L.L.C.)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Street Traffic Studies, Ltd. (a corporation, not a partnership - moved to Section 1(b))  
400 Crain Highway, NW  
Glen Burnie, Maryland 21061

(check if applicable)  The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

General Partners:  
David A. Nelson  
Michael M. Nalepa  
Carl F. Starkey  
Rodney B. Carlson  
Robert F. Zacherl

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Rezoning Attachment to Par. 1(c)**

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number (s))

**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)

Behringer Harvard Multifamily OP I, LP  
15601 Dallas Parkway, Suite 600  
Addison, Texas 75001

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,  
**General Partner, Limited Partner, or General and Limited Partner**)

BHMF, Inc., General Partner (owns less  
than 10% of Behringer Harvard Park Crest,  
LLC)  
BHMF Business Trust, Limited Partner

(check if applicable)  There is more partnership information and Par. 1(c) is continued further on a  
"Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: April 29, 2010  
(enter date affidavit is notarized)

100653f

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

none

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: April 29, 2010  
(enter date affidavit is notarized)

1006538

for Application No. (s): PCA/FDPA 2002-PR-016-2  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)  
none

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[ ] Applicant Lynne J. Strobel [x] Applicant's Authorized Agent

Lynne J. Strobel, attorney/agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 29 day of April, 2010, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2011

