



# County of Fairfax, Virginia

## MEMORANDUM

Office of the County Attorney  
Suite 549, 12000 Government Center Parkway  
Fairfax, Virginia 22035-0064  
Phone: (703) 324-2421; Fax: (703) 324-2665  
www.fairfaxcounty.gov

**DATE:** February 15, 2012

**TO:** Kelli M. Goddard-Sobers, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Bette R. Crane, Paralegal *BR*  
Office of the County Attorney

**SUBJECT:** Revised Affidavit  
SE 2011-PR-008  
Applicant: Wells Fargo Bank, N.A.  
PC Hearing Date: 1/26/12 - Decision Only 2/23/12  
BOS Hearing Date: Not yet scheduled

**REF.:** 112947

Attached is an affidavit which has been approved by the Office of the County Attorney for the above-referenced case. Please include this affidavit dated 2/23/12, which bears my initials and is numbered 112947a, in any addendum to the staff report or in the Final Board package when a hearing date has been scheduled.

Thank you for your cooperation.

Attachment

cc: (w/attach) Laura Gumkowski, Planning Technician (*sent via e-mail*)  
Zoning Evaluation Division  
Department of Planning and Zoning

# SPECIAL EXCEPTION AFFIDAVIT

DATE: 02-13-2012  
 (enter date affidavit is notarized)

I, J. Brent Forte/Site Enhancement Services, Inc., 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

112947a

in Application No.(s): SE 2011-PR-008  
 (enter County-assigned application number(s), e.g. SE 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 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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Site Enhancement Services, Inc. DBA - North American Signs J. Brent Forte	6001 Nimtz Parkway South Bend, IN 46628	Agent for Applicant/Lessee and Title Owner
	6001 Nimtz Parkway South Bend, IN 46628	Agent for Applicant/Lessee and Title Owner
Charley Schalliol	6001 Nimtz Parkway South Bend, IN 46628	Agent for Applicant
Wells Fargo Bank, N.A.	101 N. Phillips Ave Sioux Falls, SD 57104	Applicant/Lessee
Bonnie Freda	101 N. Phillips Ave Sioux Falls, SD 57104	Agent for Applicant
Richard Belthoff	301 S. College St., 30th Floor Charlotte, NC 28202	Agent for Applicant/Attorney
Lee Murray	6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046	Attorney/Agent for Title Owner
Matthew Waiter	6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046	Agent for Applicant
TRC Pinnacle Towers, L.L.C.	6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046	Title Owner/Lessor
• Mike Golden	6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046	Agent for Applicant

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02-13-2012
(enter date affidavit is notarized)

112947a

for Application No. (s): SE 2011-PR-008
(enter County-assigned application number(s))

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:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Wells Fargo Bank, National Association 101 N. Phillips Ave Sioux Falls, SD 57104

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)

Charter Holdings, Inc.
IBID, Inc.
WFC Holdings Corporation
Wells Fargo & Company

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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.

**Special Exception Attachment to Par. 1(b)**

DATE: 02-13-2012  
(enter date affidavit is notarized)

112947a

for Application No. (s): SE 2011-PR-008  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
TRC Pinnacle Towers, L.L.C. 6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046

**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)  
Corporate Office Properties, L.P.,

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Site Enhancement Services, Inc. DBA of North American Signs 3601 West Lathrop South Bend, IN 46628

**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)  
John M Yarger

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

**Special Exception Attachment to Par. 1(b)**

DATE: 02-13-2012  
(enter date affidavit is notarized)

112947 a

for Application No. (s): SE 2011-PR-008  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Corporate Office Properties Trust (REIT) 6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046

**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)

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

**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)

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

**Special Exception Attachment to Par. 1(b)**

DATE: 02-13-2012  
(enter date affidavit is notarized)

112947a

for Application No. (s): SE 2011-PR-008  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
IBID, Inc. Wells Fargo Center, Sixth and Marquette Minneapolis, MN 55479

**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)  
WFC Holdings Corporation

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
WFC Holdings Corporation 420 Montgomery St. San Fransisco, CA 94104

**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)  
Wells Fargo & Company

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

**Special Exception Attachment to Par. 1(b)**

DATE: 02-13-2012  
(enter date affidavit is notarized)

112447e

for Application No. (s): SE 2011-PR-008  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Charter Holdings, Inc. 3800 Howard Hughes Parkway, 9th floor, Las Vegas, NV 89109

**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)  
WFC Holdings Corporation

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Wells Fargo & Company 420 Montgomery St. San Fransisco, CA 94104

**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)

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: 02-13-2012  
(enter date affidavit is notarized)

112947a

for Application No. (s): SE 2011-PR-008  
(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, and number, street, city, state, and zip code)  
Corporate Office Properties, L.P., 6711 Columbia Gateway Drive, Suite 300 Columbia, Maryland 21046

(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**)

Corporate Office Properties Trust, General Partner ✓	Joseph Tawil	Francine Manekin
Limited Partners:	The Lovejoy Trust	Sandy Sirota
Jay H. Shidler	The Century Trust	Lynn Stern
Shidler Equities, L.P.	A. Charles Wilson, Trustee of the A.	Louis LaPenna
Clay W. Hamlin, II	Charles Wilson and Betty S. Wilson Trust	Jamie Deutsch
LBCW Limited Partnership	u/d/t June 18, 1980--Survivor's Trust	Kelly Alter
Robert L. Denton	Irwin Hoffman	Housing Affiliates, Inc.
James K. Davis	The Rouse Family Exemption Trust	Reingle Corp.
Denise J. Liszewski	Lawrence G. Rief	Lynn Hamlin
Samuel Tang	David D. Jenkins	TRC Associates Limited Partnership
Lawrence J. Taff	RA & DM, Inc.	
Kimberly F. Aquino	Richard Alter	* No Limited partner owns 10% or more than TRC Pinnacle Towers, L.L.C. <i>f</i>
M.O.R. 44 Gateway Associates Limited Partnership	Donald Manekin	
John Parsinen	William Winstead	
M.O.R. Commons Limited Partnership	Richard Manekin	
	Robert Manekin	
	Charles Manekin	

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02-13-2012  
(enter date affidavit is notarized)

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for Application No. (s): SE 2011-PR-008  
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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 "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02-13-2012

(enter date affidavit is notarized)

112447a

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 "Special Exception 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 [x] Applicant's Authorized Agent

J. Brent Forte/Site Enhancement Services, Inc. (type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 13th day of FEBRUARY 2012, in the State/Comm. of INDIANA, County/City of ST. JOSEPH.

Notary Public signature and title

My commission expires: MAY 31, 2019 Commission Number: 826850 MICHAEL GRABAREK

