



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: September 13, 2012

TO: Laura Gumkowski, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Revised Affidavit
PCA-89-A-001-2
Applicant: Board of Supervisors' Own Motion
PC Hearing Date: 9/13/12
BOS Hearing Date: 9/25/12

REF.: 116117

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 9/13/12, which bears my initials and is numbered 116117b, in the supplemental Board package. Copies of the revised affidavit will be delivered to the Planning Commission prior to the scheduled hearing.

Thank you for your cooperation.

Attachment

REZONING AFFIDAVIT

DATE: 9/13/12
(enter date affidavit is notarized)

I, Edward L. Long, Jr., County Executive, 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 11/6/17-5

in Application No.(s): PCA 89-A-001-2
(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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Board of Supervisors of Fairfax County, Virginia and Inova Health Care Services.

(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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

(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.

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 BOLD above)
Fairfax County Redevelopment and Housing Authority Paula C. Sampson, Agent	c/o Dept. of Housing and Community Development 3700 Pender Drive, Suite 300 Fairfax, VA 22030	Title Owner of TM 058-4((1)) parcels 47A1, 47L and 47A2. Lessor of TM 058-4((1)) parcel 47A1 pt., Ground Lessor of TM 058-4((1)) parcel 47L
FCRHA Olley Glen LP Paula C. Sampson, Agent	3700 Pender Drive, Suite 300 Fairfax, VA 22030	Ground Lessee of TM 058-4((1)) parcel 47L
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh, Esq. Lynne J. Strobel, Esq. Timothy S. Sampson, Esq. M. Catharine Puskar, Esq. Sara V. Mariska, Esq. G. Evan Pritchard, Esq. Jonathan D. Puvak, Esq. Elizabeth D. Baker, Planner Inda E. Stagg, Planner Elizabeth A. McKeeby, Planner	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent for Inova Health Care Services
RSG, P.C. Agent: James G. Anderson, Jr.	14900 Bogle Drive, Suite 105 Chantilly, Virginia 20151	Architect/Agent for Inova Health Care Services

(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.

Rezoning Attachment to Par. 1(a)

DATE: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

(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.

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 BOLD above)
Department of Planning and Zoning (DPZ) Fred R. Seldon, Director, Planning Div./DPZ, Agent Barbara C. Berlin, Director, Zoning Evaluation Div. (ZED), Agent Kristen A. Abrahamson, Branch Chief, ZED, Agent Laura Gumkowski, Staff Coordinator (ZED), Agent	12055 Government Center Parkway Fairfax, VA 22035	Agent for Applicant/Lessee/Title Owner of TM 058-4((1)) 47A1 pt.

(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.

REZONING AFFIDAVIT

DATE: 9/13/12
(enter date affidavit is notarized)

1161170

for Application No. (s): PCA 89-A-001-2
(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, 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)

Inova Health Care Services
8110 Gatehouse Road, Suite 200, East Tower
Falls Church, Virginia 22042

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

Inova Health Care Services, formerly Inova Health System Hospitals, formerly Inova Hospitals, formerly Fairfax Hospital System, Inc., formerly Fairfax Hospital Systems, Inc., formerly Fairfax Hospital Association, is a non-stock, non-profit corporation, the sole member of which is Inova Health System Foundation. Inova Health System Foundation appoints the Board of Trustees of Inova Health Care Services

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

Officers: J. Knox Singleton, President; Charles H. Smith, III, Chairman; Lori Morris, Vice Chair; Charles Mann, Secretary; John F. Gaul, Asst Secretary; Richard C. Magenheimer, Treasurer
Board of Trustees: Mary Agee, Robert Ahmed, Charles E. Beard, Martha Calihan, Margaret Colon, Jack C. Ebeler, Michael R. Frey, Betty Hudson, Gerald W. Hyland, Hooks Johnston, Charles Mann, James McNeil, Dean Morehouse, Lori M. Morris, Carolyn Moss, Philip O. Nolan, [cont. next page]

(check if applicable) 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)

DATE: 9/13/12
(enter date affidavit is notarized)

116170

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Inova Health Care Services [trustees, continued]
8110 Gatehouse Road, Suite 200, East Tower
Falls Church, Virginia 22042

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)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Board of Trustees [continued]: Jon Peterson, Mary E. Schmidt, J. Knox Singleton, Charles H. Smith, III, Jill Stelfox, Shirley Travis, Robert Tsien, Mark Moore, Sarita Gopal, David Gehring, George Tawil, Arshed Choudhry

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Inova Health System Foundation
8110 Gatehouse Road
Falls Church, VA 22042

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)
Inova Health System Foundation, formerly Inova Health Systems Foundation, which was formerly Inova Health Systems, Inc., which was formerly Fairfax Hospital Association Foundation, which was formerly The Fairfax Hospital Association Foundation, is a non-stock, non-profit corporation.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Officers: J. Knox Singleton, CEO; Mark S. Stauder, President; Stephen M. Cumbie, Chairman, Tony Nader, Secretary, John F. Gaul, Asst. Secretary & General Counsel; Nicholas Carosi, III, Chair-elect, Richard C. Magenheimer, Asst. Treasurer & CFO; Lydia Thomas, Treasurer.

(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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

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

Inova Health System Foundation [trustees, continued]
8110 Gatehouse Road
Falls Church, VA 22042

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)

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

Trustees: Robert Ahmed, Nicholas Carosi, III, Margaret Colon, Stephen M. Cumbie, Jack C. Ebeler, Penelope A. Gross, Katherine K. Hanley, Paul Harbolick, Jr., D. Mark Lowers; Alan G. Merten; Tony Nader; J. Knox Singleton; Charles H. Smith, III; Mark E. Stavish; Maura Sughrue; Lydia Thomas; Winston Ueno, Todd A. Stottlemeyer

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 Bucher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, 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.

Rezoning Attachment to Par. 1(b)

DATE: 9/13/12
(enter date affidavit is notarized)

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for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

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

RSG, P.C.
14900 Bogle Drive, Suite 105
Chantilly, Virginia 20151

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)

John R. Scroggin
Frank W. Robinson, Jr.

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)

BNY Aurora Holding Corp.
1 Wall Street
New York, NY 10005

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)

The Bank of New York Mellon Corporation

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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

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

The Bank of New York Mellon Corporation
1 Wall Street
New York, NY 10005

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)

Publicly traded on the NYSE.

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)

Capital One Community Development Corp.
404 Fifth Avenue, 3rd Floor
New York, NY 10018

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)

Capital One Financial Corporation

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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

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

Capital One Financial Corporation
1680 Capital One 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).

Publicly traded on the NYSE.

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)

PNC Bank, National Association
One PNC Plaza, 249 Fifth Avenue
Pittsburgh, PA 15222

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)

PNC Financial Services Group, 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: 9/13/12
(enter date affidavit is notarized)

1161170

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

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

PNC Financial Services Group, Inc.
One PNC Plaza
249 Fifth Avenue
Pittsburgh, PA 15222

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)

Publicly traded on the NYSE.

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)

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.)

(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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(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)

FCRHA Olley Glen LP
c/o Fairfax County Redevelopment and Housing Authority
3700 Pender Drive, Suite 300
Fairfax, VA 22030

(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)

Fairfax County Redevelopment and Housing Authority, Managing General Partner
PNC Multifamily Capital Institutional Fund XL Limited Partnership, Limited Partner

(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: 9/13/12
(enter date affidavit is notarized)

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for Application No. (s): PCA 89-A-001-2
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PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

PNC Multifamily Capital Institutional Fund XL Limited Partnership
121 S.W. Morrison Street, Suite 1300
Portland, OR 97204-3143

(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)

GENERAL PARTNER:

PNC Multifamily Capital Fund XL, Inc.

(Does not have a 10% or greater interest in
FCRHA Oiley Glen L.P., the Ground
Lessee; therefore, no further breakdown
required.)

LIMITED PARTNERS:

BNY Aurora Holding Corp.

Capital One Community Development
Corp.

PNC Bank, National Association

(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: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(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: 9/13/12
(enter date affidavit is notarized)

116117w

for Application No. (s): PCA 89-A-001-2
(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.)

Supervisors Michael R. Frey and Gerald W. Hyland are both trustees on the Inova Health Care Services Board.

Supervisor Penelope A. Gross is a trustee on the Inova Health System Foundation's Board.

(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

Applicant's Authorized Agent

Edward L. Long Jr., County Executive

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13TH day of SEPTEMBER 20 12, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

My commission expires: JULY 31, 2016

Jo Ann Havach
Notary Public



Jo Ann Havach
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #178038
My Commission Expires
July 31, 2016

Rezoning Attachment to Par. 3

DATE: 9/13/12
(enter date affidavit is notarized)

1161176

for Application No. (s): PCA 89-A-001-2
(enter County-assigned application number (s))

Jon Peterson, a Trustee on the Inova Health Care Services Board, donated in excess of \$100 to Herry for Congress.

Supervisors Penelope A. Gross and John W. Foust and their spouses attended the Inova Health System Foundation's 2011 Annual Gala with complimentary tickets having a face value in excess of \$100 each.

Stephen M. Cumbie, Chairman and Trustee on the Inova Health System Foundation Board, donated in excess of \$100 to Chairman Sharon Bulova and Supervisor Michael Frey. •

Supervisor Penelope A. Gross, a member of the Fairfax County Board of Supervisors and a Trustee on the Inova Health System Foundation Board, donated in excess of \$100 to Chairman Sharon Bulova through Penny Gross for Supervisor.

Michael R. Frey, a member of the Fairfax County Board of Supervisors and a Trustee on the Inova Health Care Services Board donated in excess of \$100 to Supervisor John Cook through Friends of Michael Frey.

Mary Agee, a Trustee on the Inova Health Care Services Board, donated in excess of \$100 to Chairman Sharon Bulova.

Todd A. Stottlemyer, a Trustee on the Inova Health System Foundation Board, donated in excess of \$100 to Supervisors John C. Cook and Michael R. Frey, and in excess of \$100 to Pat Herry for Congress.

(check if applicable)

There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Rezoning Attachment to Par. 3" form.

• added since 8/28/12