



# 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:** January 22, 2016

**TO:** William O'Donnell, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Jo Ellen Groves, Paralegal   
Office of the County Attorney

**SUBJECT:** Affidavit  
Application No.: SE 2015-DR-028  
Applicant: Metropolitan Washington Airports Authority (MWAA) and the  
Virginia Department of Rail and Public Transportation on behalf of the  
Washington Metropolitan Area Transit Authority; and the Board of Supervisors  
of Fairfax County, Virginia  
PC Hearing Date: 2/3/16  
BOS Hearing Date: 2/16/16

**REF.:** 132532

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 1/22/16, which bears my initials and is numbered 132532a, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Domenic Scavuzzo, Planning Technician I (Sent via e-mail)  
Zoning Evaluation Division  
Department of Planning and Zoning

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

I, James L. Van Zee, Deputy Dir. of Project Development, MWAA, 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

in Application No.(s): SE 2015-DR-028  
(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)
- The Board of Supervisors of Fairfax County, Virginia Agent: Edward L. Long, Jr., County Executive	12000 Government Center Parkway, Suite 533, Fairfax, Virginia 22035	Co-applicant and Future Title Owner
- Washington Metropolitan Area Transit Authority (WMATA) Agents: Anabela F. Talaia John D. Thomas Neil E. Nott	600 5th Street, NW, Washington, D.C. 20001	Applicant
Metropolitan Washington Airports Authority (MWAA) Agents: Charles W. Stark Kevin Volbrecht (nmi) Marcia S. McAllister James L. Van Zee	198 Van Buren Street, Suite 300, Herndon, Virginia 20170	Co-applicant with DRPT on behalf of WMATA

(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 Attachment to Par. 1(a)**DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(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.)

<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)
Virginia Department of Rail and Public Transportation (DRPT) Representatives: Phil DeLeon (nmi) Jennifer L. Mitchell	198 Van Buren Street, Suite 300, Herndon, Virginia 20170	Co-applicant with MWAA on behalf of WMATA
Capital Rail Constructors, a Joint Venture (CRC) Agents: Maleigh G. Nelson Mark K. Blackmon	7500 Old Georgetown Road, Bethesda, Maryland 20814	Engineer/Agent for Applicant
Dewberry Consultants LLC Agents: David J. Mahoney Timothy C. Culleiton	8401 Arlington Boulevard, Fairfax, Virginia 22031	Engineer/Agent for Applicant
Parsons Transportation Group Inc. of Virginia Agent: Eric H. Halvorsen Patrick H. Porzillo	3926 Pender Drive, Suite 100, Fairfax, Virginia 22030	Engineer/Agent for Applicant
Odin, Feldman & Pittleman, P.C. Agents: John L. McBride Noah B. Klein Douglas R. Forno Jo Anne S. Bitner Ranuel P. Magalong	1775 Wiehle Avenue, Suite 400, Reston, Virginia 20190	Attorney/Agent Attorney/Agent Planner/Agent Attorney/Agent Attorney/Agent
Kimley-Horn and Associates, Inc. Agent: Jeffrey H. Saxe	3001 Weston Parkway, Cary, North Carolina 27513	Engineer/Agent
Hunton & Williams LLP Agent: Francis A. McDermott	1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102	Attorneys for Title Owner
Innovation and Entrepreneurship Investment Authority, a political subdivision of the Commonwealth of Virginia Agents: Peter J. Jobse (former) • Edward J. Albrigo Linda E. Gentry	2214 Rock Hill Road, Suite 600, Herndon, Virginia 20170	Title Owner of Tax Map No. 15-2((1))17

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(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) Washington Metropolitan Area Transit Authority (WMATA)  
600 5th Street, NW, Washington, D.C. 20001

**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)  
WMATA is a governmental entity, not a corporation.

(check if applicable)  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: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

Metropolitan Washington Airports Authority (MWAA)  
198 Van Buren Street, Suite 300, Herndon, Virginia 20170

**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)

MWAA, a public body corporate and politic created by interstate compact between the Commonwealth of Virginia and the District of Columbia under Chapter 598 of the 1985 Acts of Virginia Assembly, as amended, codified at Va. Code §5.1-152 et seq. (2001), and by the Districts of Columbia Regional Airports Authority Act of 1985, as amended, codified at D.C. Code ann. §9-901 et seq. (2001). There are no shareholders.

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

Virginia Department of Rail and Public Transportation (DRPT)  
198 Van Buren Street, Suite 300, Herndon, Virginia 20170

**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)

DRPT is a governmental authority, not a corporation.

(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: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

Dewberry Consultants LLC  
8401 Arlington Boulevard, Fairfax, Virginia 22031

**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 Dewberry Companies LC  
James L. Beight (former)  
Dennis M. Couture (former)

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

The Dewberry Companies LC  
8401 Arlington Boulevard, Fairfax, Virginia 22031

**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)

Barry K. Dewberry	The Michael Sidney Dewberry Credit
Karen S. Grand Pre	Shelter Trust u/a/d 11/23/2005 f/b/o
Thomas L. Dewberry	Michael S. Dewberry II, Katie A. Dewberry,
	John M. Dewberry and one other minor
	child

(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: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

Parsons Transportation Group Inc. of Virginia  
3926 Pender Drive, Suite 100, Fairfax, Virginia 22030

**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)

Thomas P. Spoth  
Aykut Urgan  
Stephen C. Walter

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

Odin, Feldman & Pittleman, P.C.  
1775 Wiehle Avenue, Suite 400, Reston, Virginia 20190

**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)

Dexter S. Odin  
James B. Pittleman  
David E. Feldman

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(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: Jan. 22, 2016  
(enter date affidavit is notarized)

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for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

Clark Construction Group, LLC  
7500 Old Georgetown Road, Bethesda, Maryland 20814

**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)

- Clark Enterprises, Inc. of Virginia (former)
- Dan T. Montgomery (former)
- Peter C. Forster (former)
- Clark Construction LLC

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

- Clark Enterprises, Inc. of Virginia (former)  
7500 Old Georgetown Road, Bethesda, Maryland 20814

**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 only shareholder of Clark Enterprises, Inc. with more than 10% interest is the A. James Clark Revocable Trust ("Revocable Trust").	The primary beneficiary of the Revocable Trust is the Marital Trust under the A. James Clark Revocable Trust ("Marital Trust"), and the only beneficiary with more than 10% interest in the Marital Trust, is	Alice B. Clark.
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(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.

Information updated since the printing of the 11/9/16 Staff Report.

Special Exception Attachment to Par. 1(b)

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

- Clark Construction LLC  
7500 Old Georgetown Road, Bethesda, Maryland 20814

**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)

Peter C. Forster  
Dan T. Montgomery  
CC Fund LLC

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

- CC Fund LLC  
7500 Old Georgetown Road, Bethesda, Maryland 20814

**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)

Dan T. Montgomery

(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.

Information added since the printing of the 11/9/16 Staff Report.

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

DATE: Jan. 22, 2016  
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132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

✓ Kiewit Infrastructure South Co.  
450 Dividend Drive, Peachtree City, Georgia 30269

**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)

✓ Kiewit Infrastructure Group Inc.

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

✓ Kiewit Infrastructure Group Inc.  
Kiewit Plaza, Omaha, Nebraska 68131

**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)

✓ Kiewit Corporation

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(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: Jan. 22, 2016  
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132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

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

Kiewit Corporation  
Kiewit Plaza, Omaha, Nebraska 68131

**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)

Peter Kiewit Sons', Inc.

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

Peter Kiewit Sons', Inc.  
Kiewit Plaza, Omaha, Nebraska 68131

**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: Jan. 22, 2016  
(enter date affidavit is notarized)

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for Application No. (s): SE 2015-DR-028  
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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Kimley-Horn and Associates, Inc.  
3001 Weston Parkway, Cary, North Carolina 27513

**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)

Innovation and Entrepreneurship Investment Authority (IEIA)  
2214 Rock Hill Road, Suite 600, Herndon, Virginia 20170

**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)

<p>The IEIA is a political subdivision of the Commonwealth of Virginia, created effective July 1, 2009, as a successor in Interest to the Innovative Technology Authority.</p>	<p>As a political subdivision of the Commonwealth of Virginia, the IEIA has no shareholders.</p>
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(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

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132532a

for Application No. (s): SE 2015-DR-028  
(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)

Capital Rail Constructors, a Joint Venture (CRC)  
7500 Old Georgetown Road, Bethesda, Maryland 20814

(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)

Clark Construction Group, LLC, Joint  
Venture Partner  
7500 Old Georgetown Road  
Bethesda, Maryland 20814

Kiewit Infrastructure South Co., Joint  
Venture Partner  
450 Dividend Drive  
Peachtree City, Georgia 30269

(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 Attachment to Par. 1(c)**DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)  
Hunton & Williams LLP, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102(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**)Robert A. Acosta-Lewis  
Lawrence C. Adams  
Syed S. Ahmad  
Michael F. Albers  
Kenneth J. Alcott  
Fernando C. Alonso  
Walter J. Andrews  
Chinawat Assavapokee (nmi)  
L. Scott Austin  
Ian Phillip Band  
John J. Beardsworth, Jr.  
Ryan A. Becker  
Steven H. Becker  
Stephen John Bennett  
Melinda R. Beres  
Lucas Bergkamp (nmi)  
Lon A. Berk  
Mark B. Bierbower  
Stephen R. Blacklocks  
Jeffrey M. Blair  
Andrew J. Blanchard  
J. Tom Boer  
Matthew P. Bosher  
James W. Bowen  
Lawrence J. Bracken, II  
James P. Bradley  
Sheldon T. Bradshaw  
David F. Brandley, Jr.  
Benjamin P. Browder  
A. Todd Brown, Sr.  
Tyler P. Brown  
F. William Brownell  
Kevin J. Buckley  
Kristy A. Niehaus Bulleit  
Joseph B. Buonanno  
Nadia S. Burgard  
Eric R. Burner  
M. Brett Burns  
P. Scott Burton  
Ellis M. ButlerFerdinand A. Calice  
Matthew J. Calvert  
Daniel M. Campbell  
Thomas H. Cantrill  
Curtis G. Carlson  
Jean Gordon Carter  
Charles D. Case  
J. C. Chenault, V  
Whittington W. Clement  
Herve' Cogels (nmi)  
Cassandra C. Collins  
S. Gregory Cope  
Ashley Cummings (nmi)  
Alexandra B. Cunningham  
Samuel A. Danon  
John J. Delionado  
Stephen P. Demm  
Dee Ann Dorsey  
Edward L. Douma  
Colleen P. Doyle  
Alison M. Dreizen  
Sean P. Ducharme  
Deidre G. Duncan  
Roger Dyer (nmi)  
Frederick R. Eames  
Heather Archer Eastep  
Maya M. Eckstein  
W. Jeffery Edwards  
John C. Eichman  
Tara L. Elgie  
Emmett N. Ellis  
Edward W. Elmore, Jr.  
Frank E. Emory, Jr.  
Juan C. Enjamio  
John D. Epps  
Phillip J. Eskenazi  
Joesph P. Esposito  
Kelly L. Faglioni  
Susan S. FaillaEric H. Feiler  
Kevin C. Felz  
Lindsay H. Ferguson  
Edward F. Fernandes  
Norman W. Fichthorn  
Andrea Bear Field  
Kevin J. Finto  
Melanie Fitzgerald (nmi)  
Michael F. Fitzpatrick, Jr.  
Robert N. Flowers  
Aaron M. Flynn  
William M. Flynn  
David S. Freed  
Lauren E. Freeman  
Steven C. Friend  
Edward J. Fuhr  
Charles A. Gall  
Daniel C. Garner  
Douglas M. Garrou  
Richard D. Gary  
Kevin M. Georgerian  
John T. Gerhart, Jr.  
Andrew G. Geyer  
Jeffrey W. Giese  
Neil K. Gilman  
C. Christopher Giragosian  
Douglas S. Granger  
Laurie A. Grasso  
J. William Gray, Jr.  
Christopher C. Green  
Robert J. Grey, Jr.  
Greta T. Griffith  
Brett L. Gross  
Bradley W. Grout (former)  
Steven M. Haas  
Brian L. Hager  
Robert J. Hahn  
Jarrett L. Hale  
Leslie S. Hansen(check if applicable)  There is more partnership information and Par. 1(c) is continued further on a  
"Special Exception Attachment to Par. 1(c)" form.

**Special Exception Attachment to Par. 1(c)**DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)  
Hunton & Williams LLP, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102 (continued)(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**)

Eric J. Hanson	Scott H. Kimpel	John C. McGranahan, Jr.
● Ronald M. Hanson	Robert A. King	Gustavo J. Membiela
Jason W. Harbour	Edward B. Koehler	Uriel A. Mendieta
Jeffrey L. Harvey	Torsten M. Kracht	Mark W. Menezes
John D. Hawkins	Christopher G. Kulp	Gary C. Messplay
Rudene Mercer Haynes	David Craig Landin	Peter J. Mignone
Timothy J. Heaphy	Gregory F. Lang	Patrick E. Mitchell
Mark S. Hedberg	Kurt G. Larkin	Jack A. Molenkamp
Gregory G. Hesse	● Andrew W. Lawrence	T. Justin Moore, III
E. Perry Hicks	Daniel M. LeBey	Thurston R. Moore
David A. Higbee	Corey A. Lee	Robert J. Morrow (former)
Stuart Hills (nmi) (former)	Bradley T. Lennie	Ann Marie Mortimer
Thomas Y. Hiner	L. Steven Leshin	Jay B. Mower
D. Bruce Hoffman	Brent A. Lewis	Michael J. Mueller
Robert E. Hogfoss	Catherine D. Little	Eric J. Murdock
John R. Holzgraefe	David C. Lonergan	Ted J. Murphy
Cecelia Philipps Horner	Nash E. Long, III	Thomas P. Murphy
David B. Horner	Kirk A. Lovric	David A. Mustone
George C. Howell, III	David S. Lowman, Jr.	James P. Naughton
Kevin F. Hull	Kimberly C. MacLeod	Wim Nauwelaerts (nmi)
Jamie Zysk Isani	Michael J. Madden, Jr.	Eric J. Nedell
Judith H. Itkin	Tyler Maddry (nmi)	Michael Nedzbala (nmi)
Makram B. Jaber	Manuel E. Maisog	William L. Newton
Timothy L. Jacobs	Rori H. Malech	Lonnie D. Nunley, III
Lori Elliott Jarvis	Christopher Mangin, Jr. (nmi)	Michael A. Oakes
Matthew D. Jenkins	Alan J. Marcuis	Peter K. O'Brien
Harry M. Johnson, III	Brian R. Marek	John T. O'Connor
Karolyn E. ("Kerry") Johnson (former)	Fernando Margarit (nmi)	Leslie A. Okinaka
Robert M. Johnson	Laura C. Marshall	John D. O'Neill, Jr.
James A. Jones, III	Jeffrey N. Martin	Michael A. O'Shea (former)
Kevin W. Jones	John S. Martin	Brian V. Otero
Laura Ellen Jones	J. Michael Martinez de Andino	Raj Pande (nmi)
Dan J. Jordanger	Walfrido J. Martinez	Randall S. Parks
Roland Juarez (nmi)	Laurie Ustual Mathews	Peter S. Partee, Sr.
Thomas R. Julin	John Gary Maynard, III	J. Steven Patterson
Andrew Kamensky (nmi)	William H. McBride	William S. Patterson (former)
David A. Kelly	Michael C. McCann	Djordje Petkoski (nmi)
Douglas W. Kenyon	T. Allen McConnell	Ryan P. Phair
Michael C. Kerrigan	Alexander G. McGeoch	James M. Pinna
Ryan T. Ketchum		

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

**Special Exception Attachment to Par. 1(c)**DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

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for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)  
Hunton & Williams LLP, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102 (continued)(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**)

Eric R. Pogue	James S. SeEVERS, Jr.	Amanda L. Wait
Robert Dean Pope	Douglass P. Selby	Linda L. Walsh (former)
Laurence H. Posorske	Joel R. Sharp	William L. Wehrum
Kurtis A. Powell	Michael R. Shebelskie	Peter G. Weinstock
Lewis F. Powell, III	Ryan A. Shores	Malcolm C. Weiss
Robert T. Quackenboss	George P. Sibley, III	Kevin J. White
Dionne C. Rainey (former)	Donald F. Simone	Amy McDaniel Williams
Katherine E. Ramsey (former)	Aaron P. Simpson	Mitchell G. Williams
John Jay Range	Jo Anne E. Sirgado	Holly H. Williamson
Robert S. Rausch	Laurence E. Skinner	Susan F. Wiltsie
Belynda B. Reck (former)	Caryl Greenberg Smith	Allison D. Wood
Baker R. Rector	John R. ("J. R.") Smith	David C. Wright
Shawn Patrick Regan	Yisun Song (nmi)	Richard L. Wyatt, Jr.
Sona Rewari (nmi)	Lisa J. Sotro	David R. Yates
Thomas A. Rice	Joseph C. Stanko, Jr.	Manida Zimmerman (nmi)
Michael P. Richman	Todd M. Stenerson	Marvin W. Ehrlich
Jennings G. ("J. G.") Ritter, II	John J. Stenger	
Kathy E. B. Robb	Gregory N. Stillman	
Daryl B. Robertson	Yeongyo Anna Suh	
Gregory B. Robertson	Brian J. Tanenbaum	
Patrick L. Robson	Andrew J. Tapscott	
Robert M. Rolfe	Robert M. Tata	
Ronald D. Rosener	Eric Jon Taylor	
Trevor K. Ross (former)	W. Lake Taylor, Jr.	
Brent A. Rosser	Wendell L. Taylor	
William L. S. Rowe	Andrew S. V. Thomas	
Marguerite R. ("Rita") Ruby	John Charles Thomas	
D. Alan Rudlin	Gary E. Thompson	
Mary Nash K. Rusher	Paul M. Tiao	
D. Kyle Sampson	B. Cary Tolley, III	
Stephen M. Sayers	John R. R. Tormey	
Arthur E. Schmalz	Bridget C. Treacy	
Gregory J. Schmitt	Andrew J. Turner	
John R. Schneider	Julie I. Ungerman	
Howard E. Schreiber	Daniel E. Uyesato	
Jeffrey P. Schroeder	Mark C. Van Deusen	
Carl F. Schwartz	Emily Burkhardt Vicente	
Matthew A. Scoville	Daniel G. Vivarelli, Jr.	
P. Watson Seaman	Mark R. Vowell	

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(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 "Special Exception Attachment to Par. 2" form.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532 a

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.)**

- Supervisor Catherine M. Hudgins is a Principal Director, serving on the WMATA Board of Directors.
- Peter Forster, a listed principal with Clark Construction LLC, possesses a minority interest in two companies for which Planning Commissioner James R. Hart's law firm (Hart & Horan, P.C.) is currently performing legal work. These two companies have no involvement with this special exception application.
- Francis A. McDermott, John C. McGranahan, Jr. and Thomas P. Murphy of Hunton & Williams LLP, made donations or contributions in excess of \$100 to Supervisor John C. Cook.

**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:

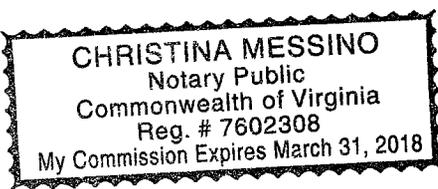
(check one)  Applicant  Applicant's Authorized Agent

MWAA by James L. Van Zee, Deputy Dir. of Project Development  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 22<sup>nd</sup> day of January 2016, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

[Signature]  
Notary Public

My commission expires: March 31, 2018



Information added

**Special Exception Attachment to Par. 3**

DATE: Jan. 22, 2016  
(enter date affidavit is notarized)

132532a

for Application No. (s): SE 2015-DR-028  
(enter County-assigned application number (s))

Jeffrey H. Saxe of Kimley-Horn and Associates, Inc., made donations or contributions in excess of \$100 to Supervisors Patrick Herry and John C. Cook.

(check if applicable)

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