



Executive Director's Recommendation

Commission Meeting: May 7, 2015

PROJECT Transfer of Jurisdiction from the National Park Service to the General Services Administration of Five Parcels of Land Located within Shepherd Parkway St. Elizabeths West Campus, United States Department of Homeland Security Washington, DC	NCPC FILE NUMBER 7663 NCPC MAP FILE NUMBER 10.29(63.00)44135 APPLICANT'S REQUEST Approval of transfer of jurisdiction PROPOSED ACTION Approve as requested ACTION ITEM TYPE Consent Calendar
SUBMITTED BY United States General Services Administration	
REVIEW AUTHORITY Approval per 40 U.S.C. § 8124(a)	

PROJECT SUMMARY

The U.S. General Services Administration (GSA) submitted a transfer of jurisdiction for five parcels located within Shepherd Parkway, which is located south of the St. Elizabeths West Campus adjacent to I-295. The National Park Service (NPS) is transferring approximately eight acres of land to GSA which will enable the construction of an access roadway paralleling I-295 and connect to the St. Elizabeths West Campus. GSA has determined a new road is necessary to relieve traffic congestion on the local roadway network and provide access to the St. Elizabeths campus. The two agencies will execute an agreement that stipulates the transfer terms. GSA will submit the access roadway design to the Commission as a separate project at a future meeting.

KEY INFORMATION

- Shepherd Parkway is part of the Fort Circle Parks, under the jurisdiction of NPS.
 - NPS will transfer a total of eight acres of Shepherd Parkway to GSA.
 - GSA and NPS developed a transfer agreement identifying the parcels to be transferred, an agreed upon compensation, and the transfer process including NCPC review and approval. This agreement stipulates that within 10 (ten) business days following NCPC's recommendation of the transfer of jurisdiction, GSA will transfer the agreed-upon funds to NPS. The agreement stipulates that NCPC recommendation for approval is required before the transfer may occur, therefore, the agreement is currently unsigned. (see Attachment 1 – Transfer Agreement).
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RECOMMENDATION

The Commission:

Approves the transfer of jurisdiction of five parcels of land totaling approximately eight acres within Shepherd Parkway from the National Park Service to the General Services Administration for use as a roadway to access St. Elizabeths West Campus.

PROJECT REVIEW TIMELINE

Previous actions	<p>November 2008 – DHS Headquarters Consolidation at St. Elizabeths Environmental Impact Statement (EIS).</p> <p>December 2008 – GSA issues Record of Decision (ROD) for the DHS Headquarters Consolidation at St. Elizabeths EIS.</p> <p>January 2009 – NCPC approves DHS Headquarters Consolidation at St. Elizabeths Master Plan.</p> <p>March 2012 – DHS Headquarters Consolidation at St. Elizabeths: Master Plan Amendment: Federal Use Parcel of the East Campus (included Access Road improvements) Supplemental Environmental Impact Statement.</p> <p>May 2012 – Federal Highways Administration completes review of Section 4 (f) of the West Campus Access Road.</p> <p>May 2012 – GSA issues ROD for DHS Headquarters Consolidation at St. Elizabeths Supplemental EIS.</p> <p>June 2012 – NCPC approves DHS Headquarters Consolidation at St. Elizabeths: Master Plan Amendment: Federal Use Parcel of the East Campus.</p>
Remaining actions (anticipated)	<p>June 2015 – Preliminary site development plans for the 1-295/Malcolm X Avenue Interchange Improvement Project.</p> <p>Winter 2015 – Final site development plans for the 1-295/Malcolm X Avenue Interchange Improvement Project.</p>

I. PROJECT DESCRIPTION

Site

The historic St. Elizabeths West Campus overlooks the Anacostia River and Washington DC's monumental core. It is the future home of the Headquarters of the Department of Homeland Security and the current home of the United States Coast Guard (USCG), which relocated to the St. Elizabeths Campus in 2013. The combined development at the site includes approximately 3.8 million gross square feet of rehabilitation and new construction.

This land transfer of five parcels of land is focused on the off-site access road that will connect the St Elizabeth West Campus to the approved on-site access road through an improved I-295/Malcolm X Interchange. The land where this roadway will be constructed is partially under jurisdiction of NPS and partially on land under the jurisdiction of the District Department of Transportation.

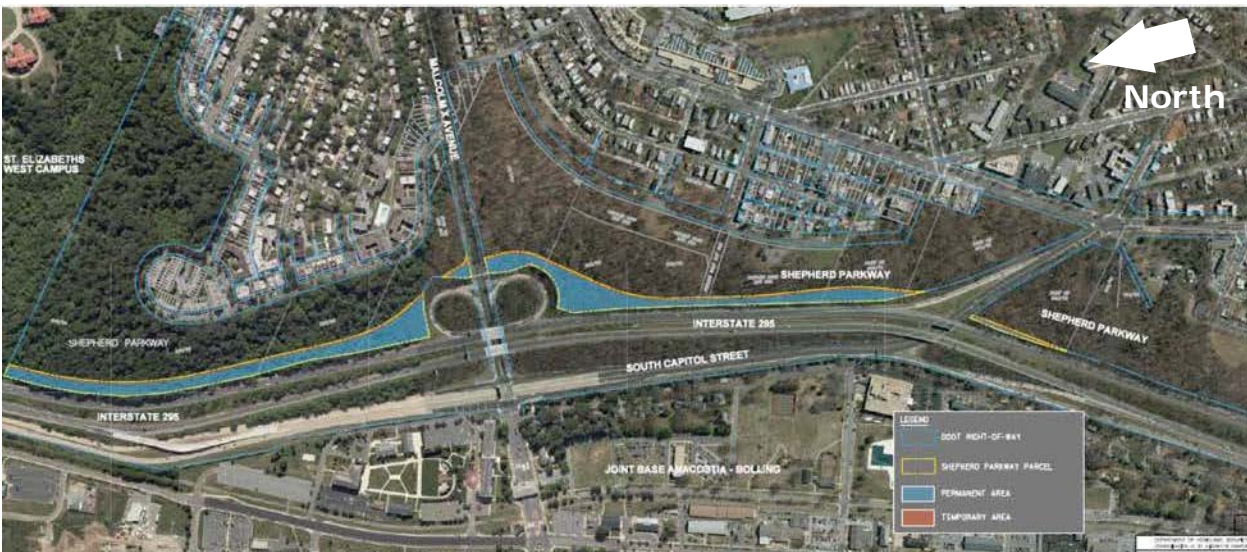


Figure 1: Site

Background

St. Elizabeths was established by Congress as the government hospital in 1855. In 2004, the General Services Administration (GSA) proposed that St. Elizabeths be adapted for use by the Department of Homeland Security (DHS) as its consolidated headquarters. The Commission approved a Master Plan for the U.S. Department of Homeland Security Headquarters Consolidation (DHS HQ Consolidation) on January 8, 2009, and it will be implemented in phases. Since 2009, GSA submitted building plans for various buildings on the campus for Commission review. In June 2012, the Commission approved an amended master plan, which included a preferred alignment for a new access roadway through a portion of Shepherd Parkway. This proposed land transfer will allow GSA to construct this project.

Proposal

The GSA submitted a transfer of jurisdiction for five parcels that are part of Shepherd Parkway in Southeast Washington, DC. These five parcels total approximately eight acres of land on the west side of Shepherd Parkway, which is also referred to as Reservation 421. Shepherd Parkway is adjacent to Interstate 295 and a portion of Malcolm X Avenue SE.

These five parcels are identified in Figures 2, 3, and 4 on the next few pages.

Parcel 1 is a long, relatively narrow, sloping site with trees that is approximately 3.89 acres in size and abuts St. Elizabeths West Campus to the south.

Parcel 2 is a small, triangular parcel with trees that is 0.17 acres. It is adjacent to Malcolm X Avenue, SE and east of the interchange with I-295.

Parcel 3 is another long and narrow parcel, similar to Parcel 1. It is 3.43 acres in size and abuts the southern side of Malcolm X Avenue and tapers to an end at its southernmost end.

The last two parcels are Parcels 4 and 5 and these are both narrow slivers located on either side of South Capitol Street. They are 0.06 acres and 0.34 acres in size, respectively.

None of the parcels included in this transfer are directly adjacent to each other.

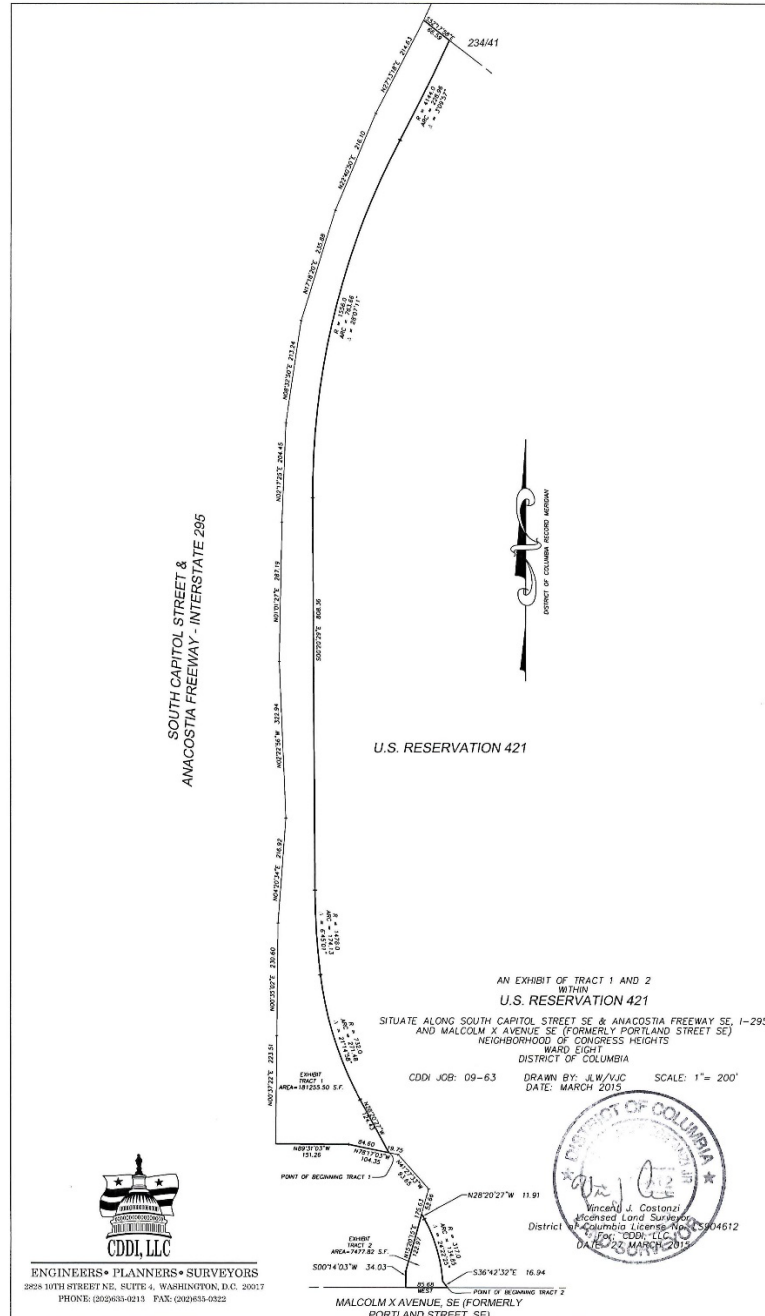


Figure 2: Shepherd Parkway transfer Parcels 1 and 2

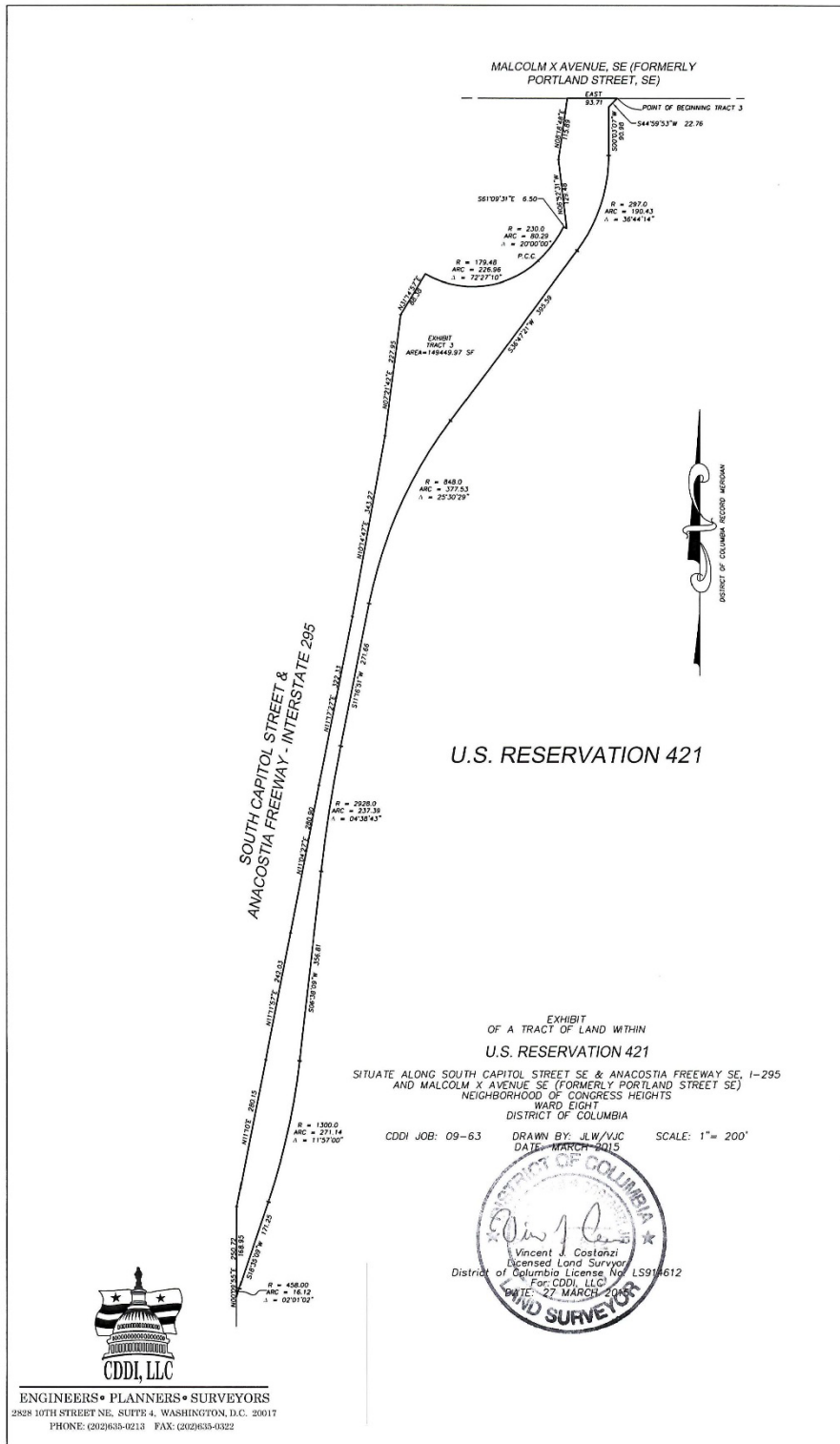


Figure 3: Shepherd Parkway transfer Parcel 3

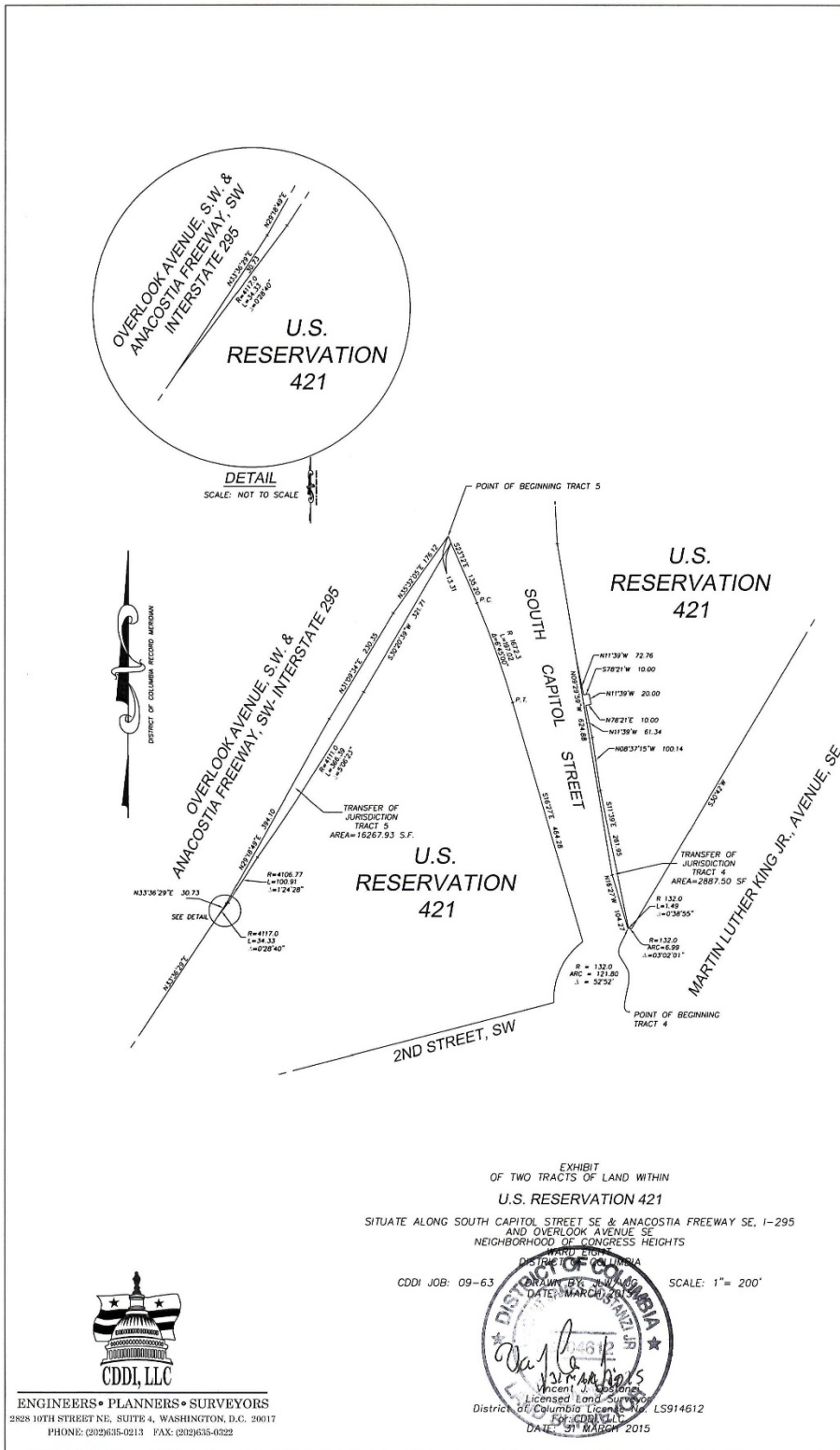


Figure 4: Shepherd Parkway transfer Parcels 4 and 5

II. PROJECT ANALYSIS/CONFORMANCE

Executive Summary

Staff supports this transfer of jurisdiction which allows for a portion of an existing NPS park to be transferred to the GSA so that it may be used for a roadway to access a federal installation. This proposal is consistent with the Commission's actions on the St Elizabeths West Campus master plan and Transportation Management Plan. Therefore, staff recommends that the Commission **approve the transfer of jurisdiction of five parcels of land totaling approximately eight acres within Shepherd Parkway from the National Park Service to the General Services Administration for use as a roadway to access St. Elizabeths West Campus.**

Analysis

GSA has determined a new road is necessary to relieve traffic congestion on the local roadway network and provide access to the St. Elizabeths West Campus. GSA studied traffic issues in the 2009 St. Elizabeths West Campus Master Plan, which planned for the relocation of 14,000 federal employees to the St. Elizabeths West Campus as part of the new Department of Homeland Security (DHS) Headquarters. GSA first proposed a roadway through Shepherd Parkway to access the new DHS Headquarters in the 2009 Master Plan. GSA also included this roadway in the 2012 Amended Master Plan, and further refined the roadway designs.

In order to provide access to the new DHS Campus, GSA analyzed five separate alternatives for the new access road as part of the Environmental Impact Statement (EIS) for the 2009 St. Elizabeths Master Plan. Four of the alternatives utilized different sections of Shepherd Parkway land, and one alternative provided access north of the campus only, and did not propose use of any NPS parkland.

The United States Department of Transportation (DOT) required a separate review under Section 4(f) of the Department of Transportation Act of 1966 because GSA proposed to use a portion of Shepherd Parkway, a National Park Service park property, and St. Elizabeths Campus, a historical site. According to the DOT website, the Section 4(f) review "...stipulates that the Federal Highway Administration (FHWA) and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- There is no feasible and prudent avoidance alternative to the use of land; and
- The action includes all possible planning to minimize harm to the property resulting from such use;

OR

- The Administration determines that the use of the property will have a de minimis impact."

After conducting a thorough analysis of the alternatives and associated impacts, DOT issued its conclusion. On May 12, 2012, DOT issued a Section 4(f) determination that "...there were no feasible and prudent alternatives to the location of the Interchange modification and access road

across a portion of Shepherd Parkway and the St. Elizabeths West Campus (Section 4(f)) properties.”

The protection and enhancement of open space in the National Capital Region is a major policy issue and a long-standing Commission priority, as outlined in numerous Comprehensive Plan policies. In this instance however, protecting existing local roadways from unacceptable additional automobile traffic is only possible by using a portion of Shepherd Parkway. The master plan already minimizes traffic by complying with the Comprehensive Plan parking ratios, which limit employee parking at the site to one space for every four employees (1:4). GSA identified the need to transfer this land for this access roadway in both the 2009 and the 2012 St. Elizabeths West Campus Master Plans, which were both approved by the Commission.

Staff finds that GSA has minimized the amount of land necessary for this roadway. Staff notes that Shepherd Parkway is 205.5 acres, and GSA indicates that it requires a transfer of eight acres of land, which is 3.8% of the total size of the park. This is a reduction of the amount of land GSA identified for this access road in the 2009 St. Elizabeths Master Plan, which was 10.1 acres.

GSA will submit the roadway design for Commission review separately.

Comprehensive Plan for the National Capital

Staff evaluated the land transfer through Shepherd Parkway for conformance with the Federal Elements of the Comprehensive Plan: the Federal Workplace, Transportation, Parks and Open Space, Federal Environment, and Preservation and Historic Features elements. As noted above, preserving open space is a priority within the Comprehensive Plan; however, open space goals are also weighed with transportation and federal workplace goals and policies.

In summary, staff finds the transfer of jurisdiction to generally be in conformance with the policies associated with the following Elements:

Transportation Element: The Transportation Element is supportive of the construction of bicycle amenities like separated bike lanes.

Parks and Open Space: The Parks and Open Space Element describes the federal government's role in protecting and enhancing open space in the National Capital Region. While this transfer of jurisdiction will utilize a portion of Shepherd Parkway for constructing a roadway, it does provide a pedestrian and bicycle trail to improve access in this part of Washington, DC.

Preservation and Historic Features Element: The Preservation and Historic Features Element helps to strengthen the significant architectural and planning character that makes the national capital a unique place, including protection of the topographic bowl. This transfer of jurisdiction is located along the western edge and is at the lowest point of the campus and will not have an impact on the topographic bowl.

Relevant Federal Facility Master Plan

The land transfer is in conformance with Final Master Plan for the DHS Consolidation at the St. Elizabeths West Campus as approved by the Commission on June 7, 2012. The multi-use trail, and three lane roadway were included in the design and will provide an opportunity for alternative modes of commuting to this site.

National Environmental Policy Act (NEPA)

Pursuant to NEPA requirements, GSA, in cooperation with DHS, NCPC, FHWA, and the District Department of Transportation, prepared an Environmental Impact Statement (EIS) for the 2008 Department of Homeland Security Consolidation at St. Elizabeths Final Master Plan. GSA issued the Final EIS (EIS) on November 7, 2008 and issued its Record of Decision (ROD) on December 16, 2008.

GSA conducted additional analysis using a Supplemental EIS for the Master Plan Amendment which was tiered off the 2008 Final EIS. This Supplemental EIS for the amended Master Plan included consideration of three alternatives for the FEMA Headquarters and two alternatives for each of the transportation improvements and their impacts on St Elizabeths East and West Campuses as well as the surrounding area. The Supplemental EIS analyzed cultural resources, natural resources, social and economic resources, air quality, noise, transportation, utilities, and environmental contamination.

GSA concluded its NEPA requirement on May 18, 2012 with the issuance of a ROD for the Supplemental FEIS.

NCPC is a federal agency with NEPA obligations set forth in its *Environmental and Historic Preservation Policies and Procedures*. NCPC participated as a Cooperating Agency in GSA's development of the Supplemental FEIS. The Supplemental FEIS included a DOT Section 4(f) evaluation which determined that there were no prudent and feasible alternatives to transferring this park land to build a new access roadway for the new DHS Headquarters. Staff reviewed the material and concurs with the DOT findings.

NCPC completed its NEPA obligation when its Executive Director adopted GSA's Supplemental FEIS and ROD in accordance with NCPC and Council on Environmental Policy procedures.

National Historic Preservation Act (NHPA)

GSA has concluded consultation and a Memorandum of Agreement (MOA) for the current undertaking, pursuant to the 2008 Section 106 Programmatic Agreement for the St. Elizabeths West Campus Master Plan.

The MOA, executed by GSA, the D.C. State Historic Preservation Officer, the Advisory Council on Historic Preservation, the National Capital Planning Commission, and DHS in May 2012, concerns the portion of the West Campus Access Road sited within Shepherd Parkway, a National

Park Service property, which is located south of the Department of Homeland Security Headquarters at the St. Elizabeths West Campus.

The MOA reflects the consultation that has occurred at regularly scheduled meetings during recent months to discuss measures to avoid, minimize, or mitigate the adverse effects to the identified historic resources.

III. CONSULTATION

Coordinating Committee

The Committee forwarded the proposed transfer of jurisdiction to the Commission with the statement that the project has been coordinated with all participating agencies except NCPC. NCPC stated it had not received the final transfer agreement. GSA and NPS are expected to sign the final agreement in May 2015 and transmitted an unsigned version to NCPC on April 29, 2015 (see Attachment 1). The participating agencies were: NCPC, the District of Columbia Office of Planning; the District Department of Transportation; the General Services Administration; the National Park Service; and the Washington Metropolitan Area Transit Authority.

Attachment 1 – Transfer Agreement

**TRANSFER OF JURISDICTION
AGREEMENT
REGARDING A PORTION OF
SHEPHERD PARKWAY (U.S. RESERVATION 421)**

THIS TRANSFER OF JURISDICTION AGREEMENT REGARDING A PORTION OF SHEPHERD PARKWAY (U.S. RESERVATION 421) IN THE DISTRICT OF COLUMBIA (Agreement), by and between the UNITED STATES OF AMERICA, acting in this instance by and through the U.S. Department of the Interior, by and through the Regional Director, National Capital Region, National Park Service, (NPS), and the U.S. GENERAL SERVICES ADMINISTRATION, (GSA) (together, the Parties).

WITNESSETH:

WHEREAS, Shepherd Parkway (U.S. Reservation 421), which is land owned by the United States, is part of the Park System of the Nation's Capital, and is administered by the NPS; and

WHEREAS, Shepherd Parkway is a 205.5-acre park of the Fort Circle Parks, also known as Civil War Defenses of Washington, and is located along the east side of the Anacostia Freeway (I-295) in Washington, DC, near South Capitol Street and Malcolm X Avenue, depicted on the map and description that is attached hereto as Exhibit A. The Civil War Defenses of Washington was listed on the National Register of Historic Places on July 15, 1974, and updated on September 13, 1978; and

WHEREAS, GSA is redeveloping the St. Elizabeths Campus in Southeast Washington, DC to house the Consolidated Headquarters of the Department of Homeland Security (DHS) in accordance with the Department of Homeland Security National Capital Region Housing Master Plan and its mission requirements; and

WHEREAS, it has been determined through the process pursuant to the Federal transportation law at 23 U.S.C. § 138 and 49 U.S.C. § 303, commonly known as Section 4(f), that there is no feasible and prudent alternative to the use of a portion of Shepherd Parkway for an Access Road to provide transportation access to the Campus; and

WHEREAS, the transportation access requirements include improvements to the I-295/Malcolm X interchange to connect to the Access Road through Shepherd Parkway which then connects to the existing access road along the western boundary of the St. Elizabeths West Campus in furtherance of the DHS Headquarters consolidation at St. Elizabeths; and

WHEREAS, the portion of Shepherd Parkway to be transferred to GSA, hereafter referred to as the "Transfer Property," is generally described and depicted on Exhibit B, attached hereto and made a part hereof, and the Transfer of Jurisdiction Plat survey shall be recorded by

the District of Columbia Office of the Surveyor to depict the Transfer Property as shown on Exhibit C, with all arrangements made and costs borne by GSA; and

WHEREAS, the Transfer Property consists of 5 parcels totaling approximately eight (8) acres. The Transfer Property does not include either Fort Carroll or Fort Greble which are within Shepherd Parkway; and

WHEREAS, in addition to complying with Section 4(f), GSA, FHWA, DHS, NPS and others participated in the processes pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321-4370f, and Section 106 of the National Historic Preservation Act, now at 54 U.S.C. § 306108, through the *Memorandum of Agreement for Construction of Access Road Through Shepherd Parkway and Transportation Improvements Surrounding I-295 Interchanges at South Capitol Street and Malcolm X Boulevard which are Adjacent to the St. Elizabeths National Historic Landmark, Washington, D.C.*, (May 11, 2012) (the Section 106 Agreement); and

WHEREAS, the FHWA committed in its Final Section 4(f) Evaluation (March 2, 2012), that FHWA and GSA would coordinate and consult with NPS on additional mitigation measures, and in its May 12, 2012 Section 4(f) determination and NEPA Record of Decision, that GSA will fund mitigation for the loss and use of NPS parkland, among other things; and

WHEREAS, the FHWA determined that there is no feasible and prudent alternative to the use of Shepherd Parkway and that the transportation improvements identified in the Master Plan Amendment and Master Plan Amendment Final EIS as Alternative 2 Modified, include all possible planning to minimize harm to Shepherd Parkway and cause the least overall harm in light of Section 4(f)'s preservation purposes; and

WHEREAS, NPS ultimately concurred with this determination on April 19, 2012 once the commitment was made for GSA to provide mitigation in the form of funds for the loss and use of NPS parkland, among other things, as described and formally agreed to in the Section 106 Agreement by NPS, GSA and others, which constitutes GSA and NPS's Section 106 compliance for this action; and

WHEREAS, for NEPA compliance, GSA is relying on its 2008 Master Plan Final EIS, the 2012 Master Plan Amendment Final EIS for the Department of Homeland Security Consolidation at St. Elizabeths and the Record of Decision, dated May 17, 2012, related to transportation improvements for the I-295/Malcolm X Interchange, and in accordance with Implementation of the National Environmental Policy Act, 73 Fed. Reg. 61292, 61316 (Oct. 15, 2008)(codified at 43 C.F.R. § 46.100), NPS has concluded that it has no NEPA requirements in connection with this action; and

WHEREAS, under Public Law No: 113-235, Division E, Title V, HR 83-231 (Consolidated and Further Continuing Appropriations Act, 2015), GSA was authorized to

expend certain funds to advance the DHS Headquarters Consolidation, necessitating transfer of the Transfer Property; and

WHEREAS, NPS and GSA have agreed to this Transfer of Jurisdiction Agreement for NPS to transfer to GSA administrative jurisdiction over the Transfer Property pursuant to the Section 4(f) determination that there is no feasible and prudent alternative and subject to GSA providing the agreed-upon mitigation to fund replacement lands, simultaneous with this transfer; and

WHEREAS, some of this agreed-upon mitigation has already been performed, and on a mutually agreed upon date within 10 (ten) business days following the National Capital Planning Commission's recommendation of the transfer of jurisdiction, simultaneous with the Parties' execution of this Agreement GSA will transfer to NPS, funds in the amount of \$431,000 (four hundred thirty-one thousand dollars), to an account designated by NPS, as required in Stipulation III.B. of the Section 106 Agreement; and

WHEREAS, GSA and NPS agree that this transfer of administrative jurisdiction is for transportation purposes; and

WHEREAS, in the event that the Transfer Property is not needed for transportation purposes, GSA shall notify NPS to give NPS the option to request that jurisdiction of the Transfer Property be transferred back to NPS.

NOW, THEREFORE, in accordance with the authority provided by 40 U.S.C. § 8124(a) and pursuant the Section 4(f) determination and commitment made to NPS to provide mitigation in the form of funds for replacement lands and the foregoing recitals which are hereby incorporated as if fully set forth below; and in consideration of the mutual promises herein expressed and those acted upon, the NPS hereby transfers to GSA, and GSA hereby accepts from the NPS administrative jurisdiction of the Transfer Property, as depicted and described on Exhibits B and C, so long as the Transfer Property is used for transportation purposes, consistent with and subject to this Agreement:

1. RATIFICATION: This ratifies that GSA shall complete all mitigation required by the Section 106 Agreement in Stipulation III.A and as otherwise agreed to by GSA and NPS.
2. PARTIES ARE BOUND: This Agreement shall bind the NPS and GSA and their assigns.
3. DIRECT BENEFIT CLAUSE: In accordance with 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or accepted by or on behalf of the United States, or to any benefit to arise thereupon.
4. LOBBYING PROHIBITION: The Parties shall abide by 18 U.S.C. § 1913, which states:

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31.

5. ANTI-DEFICIENCY ACT: Pursuant to 31 U.S.C. § 1341(a)(1), nothing in this Agreement shall be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose or to involve the United States in any contract or other obligation for the future expenditure of money in excess of such appropriations.

6. DISCLAIMER: Nothing in this Agreement shall create any right or benefit, substantive or procedural, enforceable at law by any third party.

7. COUNTERPARTS: This Agreement may be executed in counterparts, each of which will be deemed a duplicate original.

8. EFFECTIVE DATE: This Agreement is effective on the date of the last signature affixed, and the Transfer of Jurisdiction is effective on the date it is recorded by GSA in the lands records of the District of Columbia, after it is recommended by the National Capital Planning Commission, pursuant to 40 U.S.C. § 8124(a).

IN WITNESS THEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives.

For the U.S. GENERAL SERVICES ADMINISTRATION:

Michael Gelber
Deputy Commissioner
Public Buildings Service

Date

For the U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE,
NATIONAL CAPITAL REGION:

Robert A. Vogel
Regional Director

Date

Exhibit A: Map/Description of Area

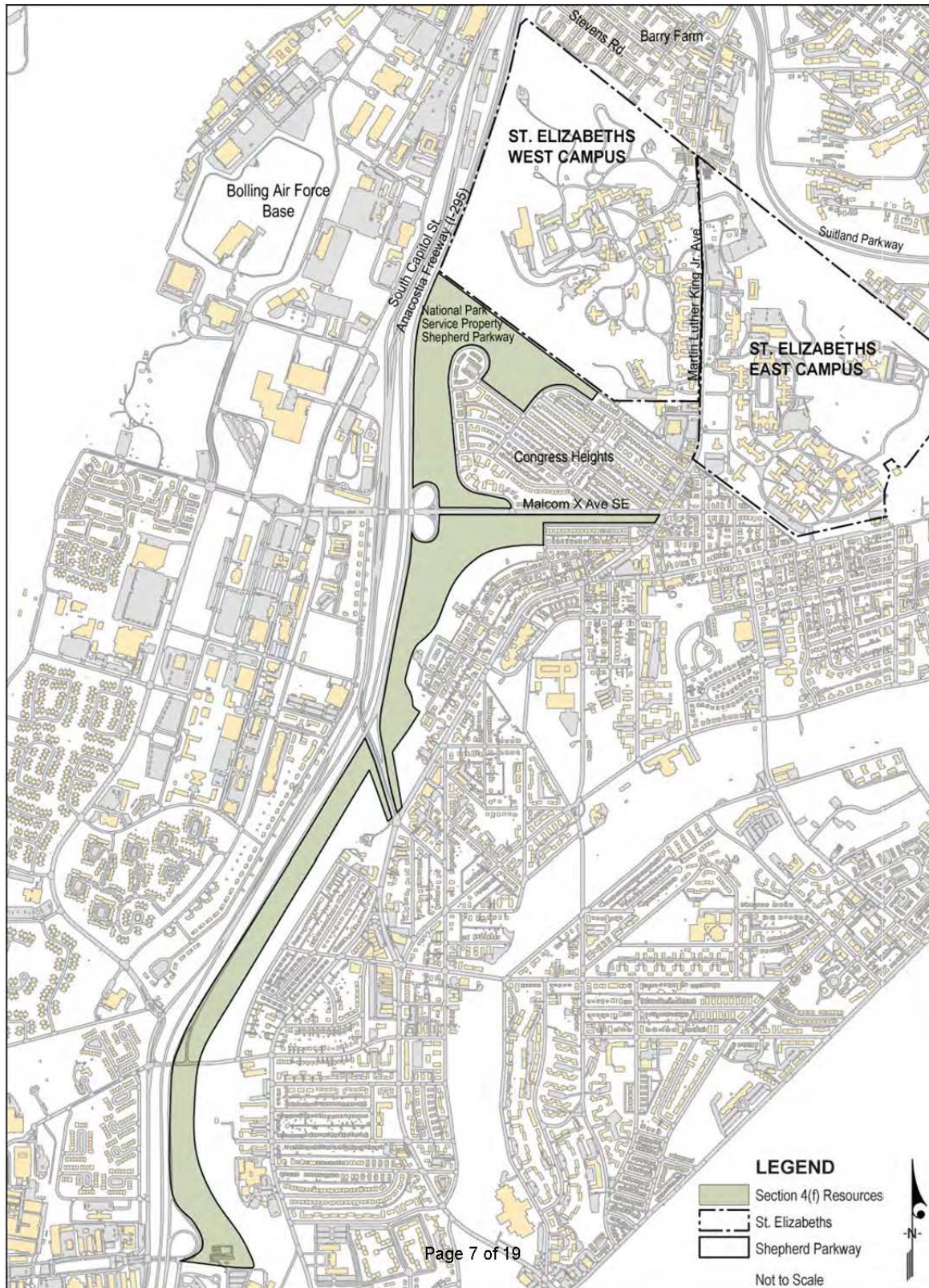


Exhibit B: Transfer Property

DESCRIPTION OF PARTS OF US RESERVATION 421
DISTRICT OF COLUMBIA
MARCH 2015

Tract 1

A tract of land located in Washington DC and more particularly described as follows:

Commencing at the intersection of the west line of Waclark Place SE and the south line of Malcolm X Avenue SE (formerly Portland St SE), as shown on Map RS 186, said map recorded among the records of the Office of the Surveyor District of Columbia thence;

Due East, 1119.55 feet along said south line of Malcolm X Avenue SE to a point, thence for a turned angle to the left of 89°07', or N00°52'E, 90.01 feet to a point on the north line of said

Malcolm X Avenue SE and the southwest corner of Assessment and Taxation Lot 805 in Square 6010 as shown on Assessment and Taxation plat 3581-E as deposited with said Office of the Surveyor District of Columbia thence departing said north line and along the west line of said Assessment and Taxation Lot 805 the following four (4) courses and distances;

N00°14'03"E, 34.03 feet, thence;

N15°20'15"E, 175.63 feet, thence;

N41°27'33"W, 93.65 feet, thence;

N78°17'03"W, 19.75 feet and the True Point of Beginning, thence continuing;

N 78°17'03"W, 84.60 feet, thence;

N89°31'03"W, 151.26 feet, thence;

N00°37'22"E, 223.51 feet, thence;

N00°35'02"E, 230.60 feet, thence;

N02°22'56"W, 322.94 feet, thence;

N01°01'27"E, 287.19 feet, thence;

N02°17'25"E, 204.45 feet, thence;

N08°32'50"E, 213.24 feet, thence;

N17°18'20"E, 235.88 feet, thence;

N22°40'50"E, 216.10 feet, thence;

N27°13'18"E, 214.63 feet to the South line of Parcel 234/41, thence;

S52°17'58"E, 66.59 feet along said South line to a point on a curve, thence departing said South line and across Reservation 421 for new lines of division;

228.96 along the arc of said curve to a point of compound curve, said curve having a Radius of 41440.00 feet, a central angle of 3°09'57", and subtended by a chord that bears S26°11'44"W, 228.93 feet, thence;

763.66 feet along the arc of said curve to a point of tangency, said curve having a Radius of 1556.00 feet, a central angle of 28°07'11" and subtended by a chord that bears, S13°43'07"W, 756.02 feet, thence;

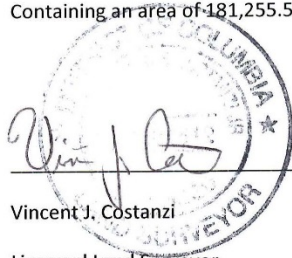
S00°20'29"E, 808.36 feet to a point of curve to the left, thence;

174.13 feet along the arc of said curve to a point of compound curve, said curve having a Radius of 1478.00 feet, a central angle of 6°45'01", and subtended by a chord that bears S03°42'59"E, 174.03 feet, thence;

271.48 feet along the arc of said curve to a point of tangency, said curve having a Radius of 732.00 feet, a central angle of 21°14'58", and subtended by an chord that bears S17°42'58"E, 269.92 feet, thence;

S28°20'27"W, 124.43 feet and the True Point of Beginning.

Containing an area of 181,255.50 Square Feet or 3.8955 acres more or less.



Vincent J. Costanzi

Licensed Land Surveyor

District of Columbia License No. LS904612

For: CDDI, LLC

**DESCRIPTION OF PARTS OF US RESERVATION 421
DISTRICT OF COLUMBIA
MARCH 2015**

Tract 2

A tract of land located in Washington DC and more particularly described as follows:

Commencing at the intersection of the west line of Waclark Place SE and the south line of Malcolm X Avenue SE (formerly Portland St SE), as shown on Map RS 186, said map recorded among the records of the Office of the Surveyor District of Columbia thence;

Due East, 1119.55 feet along said south line of Malcolm X Avenue SE to a point, thence for a turned angle to the left of 89°07', or N00°52'E, 90.01 feet to a point on the north line of said

Malcolm X Avenue SE and the southwest corner of Assessment and Taxation Lot 805 in Square 6010 as shown on Assessment and Taxation plat 3581-E as deposited with said Office of the Surveyor District of Columbia and the True Point of Beginning, thence departing said north line and along the west line of said Assessment and Taxation Lot 805 the following two (2) courses and distances;

N00°14'03"E, 34.03 feet, thence;

N15°20'15"E, 122.97 feet, thence across said Assessment and Taxation Lot 810 for new lines of division;

S28°20'27"E, 11.91 feet to a point of curve to the right, thence;

134.85 feet along the arc of said curve to a point, said curve having a Radius of 317.0 feet, a central angle of 24°22'25", and subtended by a chord which bears S16°09'15"E, 133.84 feet, thence;

S36°42'32"E, 16.94 feet to the north line of said Malcolm X Avenue SE, thence;

Due West, 85.68 feet along said north line of Malcolm X Avenue SE and the True Point of Beginning.

Containing an area of 7,477.82 square feet or 0.1717 acres more or less.



Vincent J. Costanzi

Licensed Land Surveyor

District of Columbia License No. LS904612

For: CDDI, LLC

DESCRIPTION OF PARTS OF US RESERVATION 421
DISTRICT OF COLUMBIA
MARCH 2015

Tract 3

A tract of land located in Washington DC and more particularly described as follows:

Commencing at the intersection of the west line of Waclark Place SE and the south line of Malcolm X Avenue SE (formerly Portland St SE), as shown on Map RS 186, said map recorded among the records of the Office of the Surveyor District of Columbia thence;

Due East, 1025.84 feet along said south line of Malcolm X Avenue SE to a point on said south line and the True Point of Beginning, thence departing said south line;

S44°59'53"W, 22.76 feet, thence;

S00°03'07"W, 90.98 feet to a point on a curve, thence;

190.43 feet along the arc of said curve to a point of tangency, said curve having a Radius of 297.00 feet, a central angle of 36°44'14", and subtended by a chord which bears S18°25'14"W, 187.19 feet, thence

S36°47'21"W, 395.59 feet to a point of curve to the left, thence;

377.53 feet along the arc of said curve to a point of tangency, said curve having a Radius of 848.00 feet, a central angle of 25°30'29", and subtended by a chord which bears S24°02'06"W, 374.42 feet, thence;

S11°16'51"W, 271.6 feet to a point of curve to the left, thence;

237.39 feet along the arc of said curve to a point of tangency, said curve having a Radius of 2928.00 feet, a central angle of 04°38'43" and subtended by a chord which bears S08°57'30"W, 237.32 feet, thence

S06°38'09"W, 356.81 feet to a point of curve to the right, thence;

271.14 feet along the arc of said curve to a point of tangency, said curve having a Radius of 1300.00 feet, a central angle of 11°57'00" and subtended by a chord which bears S12°36'39"W, 270.65 feet, thence;

S18°35'09"W, 171.25 feet to a point of curve to the right, thence;

16.12 feet along the arc of said curve to the east line of Anacostia Freeway (I-295) said curve having a Radius of 458.00 feet, a central angle of 02°01'02" and subtended by a chord which bears S17°34'37"W, thence along said east line of Anacostia Freeway the following thirteen (13) courses and distances;

N00°09'55"E, 168.95 feet, thence;

N11°10'E, 280.15 feet, thence;

N11°11'57"E, 242.03 feet, thence;

N11°17'27"E, 322.33 feet, thence;

N10°14'47"E, 343.27 feet, thence;

N07°21'42"E, 227.95 feet, thence;

N31°14'57"E, 88.38 feet to a point on a curve, thence;

226.96 feet along the arc of said curve to a point of compound curve, said curve having a Radius of 179.48 feet, a central angle of 72°27'10", and subtended by a chord which bears N83°24'25"E, 212.14 feet, thence

80.29 feet along the arc of said curve to a point, said curve having a Radius of 230.00 feet, a central angle of 20°00'00" and subtended by a chord which bears, N37°10'50"E, 79.88 feet, thence;

S61°09'31"E, 6.50 feet, thence;

N06°52'31"W, 129.48 feet, thence;

N08°18'48"E, 115.89 feet to the south line of said Malcolm X Avenue SE, thence along said south line;

Due East, 93.71 feet and the True Point of Beginning;

Containing 149,449.97 square feet or 3.4309 acres more or less.



Vincent J. Costanzi

Licensed Land Surveyor

District of Columbia License No. LS904612

For: CDDI, LLC

DESCRIPTION OF PARTS OF US RESERVATION 421

DISTRICT OF COLUMBIA

MARCH 2015

Tract 4

A tract of land located in Washington DC and more particularly described as follows:

Beginning at the intersection of the east line of South Capitol Street SE and the northeasterly line Martin Luther King Jr. Avenue SE as shown on Map RS-186 as recorded among the records of the District of Columbia Office of the Surveyor, thence along the east line of said South Capitol Street SE the following two (2) courses and distances;

N16°27'W, 104.27 feet, thence;

N09°29'59"W, 624.88 feet thence across Reservation 421 for new lines of division the following eight (8) courses and distances;

S11°39'E, 72.76 feet thence;

N78°21'E, 10.00 feet thence;

S11°39'E, 20.00 feet thence;

S78°21'W, 10.00 feet thence;

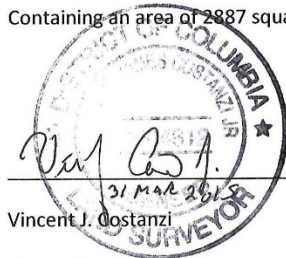
S11°39'E, 61.34 feet thence;

S08°37'15"E, 100.14 feet thence;

S11°39'E, 261.95 feet to a point on a curve on the north line of said Martin Luther King Jr. Avenue SE as shown on said Map RS-186 thence;

1.49 feet along the arc of said curve, said arc having a Radius of 132.00 feet, a central angle of 0°38'55", and subtended by an chord which bears N86°39'16"W, 1.49 feet and the True Point of Beginning.

Containing an area of 2887 square feet or 0.0663 acres more or less.



Vincent J. Costanzi

Licensed Land Surveyor

District of Columbia License No. LS904612

For: CDDI, LLC

DESCRIPTION OF PARTS OF US RESERVATION 421

DISTRICT OF COLUMBIA

MARCH 2015

Tract 5

A tract of land located in Washington DC and more particularly described as follows:

Beginning at the intersection of the west line of South Capitol Street SE and the southeast line of Anacostia Freeway (Interstate 295) as shown on Map RS-186 as recorded among the records of the District of Columbia Office of the Surveyor, thence along the west line of said South Capitol Street SE;

S23°12'E, 13.31 feet thence departing said west line and for new lines of division across Reservation 421 the following four (4) courses and distances;

S30°20'39"W, 321.71 feet to a point of curve to the right thence;

366.39 feet along the arc of said curve to a point of reverse curve to the left, said curve having a Radius of 4111.00 feet, a central angle of 05°06'23", and subtended by a chord which bears S32°53'50"W, 366.26 feet thence;

100.91 feet along the arc of said curve to a point of compound curve, said curve having a Radius of 4106.77 feet, a central angle of 01°24'28", and subtended by a chord which bears S32°44'36"W, 100.91 feet thence;

34.33 feet along the arc of said curve to a point on the east line of said Anacostia Freeway (Interstate 295), said curve having a Radius of 4117.00 feet, a central angle of 00°28'40", and subtended by a chord which bears S37°05'32"W, 34.33 feet thence along said east line the following four (4) courses and distances;

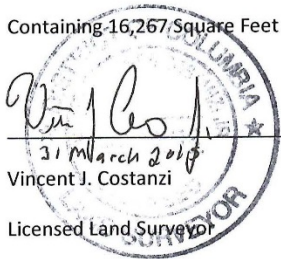
N33°36'29"E, 30.73 feet thence;

N29°18'49"E, 394.10 feet thence;

N31°09'34"E, 230.35 feet thence;

N35°32'05"E, 176.12 feet and the True Point of Beginning.

Containing 16,267 Square Feet or 0.3735 acres more or less.



Vincent J. Costanzi
Licensed Land Surveyor

District of Columbia License No. LS904612

For: CDDI, LLC

Exhibit C: Transfer Property Plat

