



Erin E. Girard
301-517-4804
egirard@milesstockbridge.com

Laura M. Tallerico
301-517-4833
ltallerico@milesstockbridge.com

June 25, 2021

Mr. Christopher Conklin
Director, Montgomery County Department of Transportation
101 Monroe Street, 10th Floor
Rockville, Maryland 20850

Re: Abandonment of Public Access Easement

Dear Mr. Conklin:

On behalf of our client, Miller Development Corporation (“Miller”), the purpose of this letter is to formally request the abandonment of a public access easement (the “PAE”)¹ covering an approximately 1.3 acre property located at the terminus of Landy Lane in Bethesda (the “Property”). The PAE, a copy of which is attached hereto as Exhibit “A”, was recorded among the Land Records of Montgomery County, Maryland (the “Land Records”) in Book 20877 at page 313 on September 22, 2005, and is depicted on Record Plat No. 22176, recorded among the Land Records on April 11, 2004 (the “Plat”), a copy of which is attached hereto as Exhibit “B”. The abandonment is sought in connection with the impending redevelopment of the Property pursuant to Preliminary Plan No. 120150160 (the “2016 Preliminary Plan”) and Site Plan No. 820150080 (the “Site Plan”), approved by the Montgomery County Planning Board on November 2, 2016 and December 28, 2016, respectively.² As described in detail herein, the redevelopment of the Property will both preclude the continuation of, and obviate the need for, the PAE.

As explained in the preambles of the PAE, the easement was originally established in connection with Preliminary Plan No. 1-98045, approved on March 23, 1999 (“1999 Preliminary Plan”) and a related abandonment of the roadway extending from the current terminus of Landy Lane to the

¹The County Attorney’s office has determined that the PAE constitutes a public right-of-way that can only be extinguished through the formal abandonment process set forth in Section 49-62 of the Montgomery County Code.

² The Property is more particularly identified as Part of Parcel A, Little Falls Office Park, shown on Plat No. 22176 recorded among the Land Records on April 11, 2002 or Parcel N.112 on Tax Map No. HM23 (Tax Account No. 07-03666630).

114602\000001\4817-5774-2810.v1

frontage of the Property. As noted in the PAE, in order to avoid the need for rededication of this area, the then-property owner was required to “grant[] a nonexclusive easement to Montgomery County allowing continuous public vehicular access through the [private roadway] and adequate access for Montgomery County emergency vehicles.” See PAE, pp. 1-2. While the PAE was recorded in 2002, the Property was never redeveloped in accordance with the 1999 Preliminary Plan and has remained a surface parking lot primarily serving the adjacent turf field of the Washington Episcopal School (“WES”).

The Site Plan and 2016 Preliminary Plan allow for the redevelopment of the Property with a 121-unit, age-restricted, multifamily residential development (the “Project”). Condition No. 9 of the 2016 Preliminary Plan requires that, as part of the Project, the applicant “dedicate and construct the extension of Landy Lane to applicable Montgomery County Secondary Street structural standards...” and the approval requires the construction of a new cul-de-sac on the portion of the Property where Landy Lane dead-ends at the WES property, as shown on the Site Plan, attached hereto as Exhibit “E”. The construction of this roadway extension and cul-de-sac will provide the continuous public vehicular access and emergency access sought by the PAE within a smaller, more efficient and publicly dedicated area, allowing for the balance of the area currently encumbered by the PAE to be released and redeveloped with the Project.

Pursuant to Section 49-63(c) of the Montgomery County Code (the “Code”), a right-of-way may be abandoned if the County Council finds that, “(1) the right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future,” or “(2) the abandonment...is necessary to protect the health, safety, and welfare of the residents near the right-of-way to be abandoned.” Although only one criterion need be met for approval of an abandonment, both are met in this case. As noted above, Miller will dedicate the previously abandoned portion of Landy Lane for public use and construct a cul-de-sac turnaround where Landy Lane dead ends at the WES Property to replace the PAE. Following construction of these improvements, the PAE will no longer be necessary for vehicle turnaround or ingress and egress for County emergency response personnel. Thus, the PAE is “no longer necessary for present public use or anticipated public use in the future” and abandonment is appropriate.

With regard to the protection of health, safety and welfare of residents near the right-of-way, Section 49-63(c)(2) of the Code further provides, “[i]n assessing health, safety, and welfare issues, the Council may consider: (A) any adopted land use plan applicable to the neighborhood; (B) safe and efficient pedestrian and vehicular traffic patterns and flow, together with alternatives, in the immediate neighborhood, for local and through traffic; and (C) changes in facts and circumstances since the original dedication of the right-of-way.” All three of these considerations indicate that abandonment of the PAE is appropriate at this juncture. First, the *Westbard Sector Plan*, approved and adopted in July 2016 (the “Sector Plan”), supports the redevelopment of the Property, which could not proceed absent the requested abandonment. See Sector Plan p.85–6 (relevant excerpts of the Sector Plan attached hereto as Exhibit “C”).

Second, abandonment will lead to safer and more efficient vehicular patterns. Under existing conditions, in order for a vehicle to turn around at the terminus of Landy Lane it must enter the surface parking lot and traverse the drive aisles to effectuate a change in direction to again exit onto Landy Lane. In addition to being inefficient, there is a significant grade change between the private roadway and the parking area, making it difficult for some vehicles to manage the access without “bottoming out.” In contrast, the proposed future condition will include a logical cul-de-sac, at grade, which will be lined by a new sidewalk providing pedestrian access as well. As such, abandoning the PAE to allow for the redevelopment of the Property with the Project, which includes the cul-de-sac turnaround, will lead to safer and more efficient vehicle circulation.

Finally, facts and circumstances have changed significantly since the recordation of the PAE. As noted above, at the time the PAE was created, redevelopment of the Property under the 1999 Preliminary Plan was contemplated and it was envisioned that no rededication of Landy Lane would be necessary. Nineteen years later, a new preliminary plan requiring the rededication of the terminus of Landy Lane and construction of the cul-de-sac is in effect. These new circumstances, not present in 2002, represent a change of facts warranting the abandonment of the PAE.

Based on the foregoing, we respectfully request that the PAE be abandoned to allow for the construction of the Project on the Property.

In connection with this abandonment request, enclosed please find the following:

- \$2500.00 filing fee
- Public Access Easement recorded in the Land Records in Book 20877 at page 313 on September 22, 2005 (Exhibit “A”)
- Plat No. 22176, depicting the location of the PAE to be abandoned (Exhibit “B”)
- Relevant excerpts of the Sector Plan (Exhibit “C”)
- Preliminary Plan Resolution (Exhibit “D”)
- Site Plan Sheet No. C-101 depicting the cul-de-sac turnaround (Exhibit “E”)
- Aerial photograph of existing conditions
- Tax Map
- List of adjoining and confronting properties

Mr. Christopher Conklin
June 25, 2021
Page 4



Thank you for your consideration of this request. Please do not hesitate to contact us should you have any questions or require further information.

Sincerely,

Miles & Stockbridge P.C.

A handwritten signature in cursive script that reads 'Erin E. Girard'.

Erin E. Girard

A handwritten signature in cursive script that reads 'Laura M. Talerico'.

Laura M. Talerico

cc: Eric Willis, Esq.
Robert Miller

EXHIBIT "A"

20877 313

Tax ID #: 7-03155717

DECLARATION AND GRANT OF PUBLIC ACCESS EASEMENT

THIS DECLARATION AND GRANT OF PUBLIC ACCESS EASEMENT (the "Easement"), is made this 29th day of March, 2002, by and between 5161 RIVER LIMITED PARTNERSHIP, a Maryland limited partnership (the "Developer") and MONTGOMERY COUNTY, MARYLAND, a body corporate and politic and a political subdivision of the State of Maryland (the "County"), (the Developer and the County together the "Parties").

WHEREAS, Developer owns property located in Bethesda, Maryland known as "Unit 2, Part 1" on a plat of condominium titled "River Road Land Condominium" and recorded in the Land Records of Montgomery County, Maryland (the "Land Records") as Plat No. 7163 and as established pursuant to the Declaration of Condominium for River Road Land Condominium recorded among the Land Records in Liber 14394, folio 233 (the "Property"); and

WHEREAS, by Opinion dated March 23, 1999 (the "Opinion"), the Montgomery County Planning Board approved a Preliminary Plan of Subdivision designated Preliminary Plan No. 1-98045 (the "Preliminary Plan") for the development of 157,457 square feet of office uses and associated parking on the Property (the "Project"). A copy of the Opinion is attached to this Easement as Exhibit "A", and incorporated as if fully set forth; and

WHEREAS, Landy Lane is a public roadway that extends approximately 1000 feet in length from its intersection with River Road to its terminus at the western bound Property; and

WHEREAS, a former section of Landy Lane extended from the current terminus of Landy Lane along the frontage of the Property, which section was dedicated by record plat recorded in the Land Records of Montgomery County (the "Land Records") in Plat Book 37, Plat No. 2609, and was subsequently abandoned by the County pursuant to Resolution No. 3-1730 recorded in the Land Records at Liber 2247, folio 438 (the "Private Section"); and

WHEREAS, the Private Section is owned by the Developer and provides access to the Project; and

WHEREAS, Condition 3 of the Opinion requires that the record plat for the Property show an easement for future dedication of the Private Section and further requires that prior to release of building permits for the Project, the Montgomery County Department of Public Works and Transportation ("MCDPWT") will determine whether the Private Section will remain a private roadway or be dedicated to the County as a public street; and

WHEREAS, the MCDPWT has determined that the Developer need not rededicate the Private Section to public use provided that the Developer grants a nonexclusive easement to

Return to: Linowes & Blocher Box
Attn: Barbara Sears

DEPT. OF PUBLIC WORKS
CLERK'S OFFICE
MONTGOMERY COUNTY, MD

2002 APR -4 P 2:33 00

RECORDING FEE 75.00
IMP. FV. SURE 3.00
TOTAL 78.00
Rpt # 16234
Blk # 2676
Apr 04, 2002 02:32 PM

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0313, MSA, CE63, 20831, Date available 09/22/2005, Printed 09/14/2020.

Montgomery County allowing continuous public vehicular access through the Private Section and part of the Property, including adequate access for Montgomery County emergency vehicles; and

WHEREAS, the Developer desires to grant this Easement to the County, as hereinafter described and under the following terms and conditions, to fulfil its obligations pursuant to Condition 3 of the Opinion.

NOW, THEREFORE, in consideration of the above recitals, which are hereby incorporated into the Easement, and of the mutual promises and undertakings of the Parties, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, with full authority to do so, do hereby covenant and agree as follows:

1. Developer hereby establishes, declares, grants and conveys to the County a permanent, non-exclusive right, privilege and easement on, over and across that certain area more particularly described on Exhibit "B" and shown on Exhibit "C", attached hereto and incorporated herein, (the "Easement Area"), for purposes of (1) permitting the County and general public to utilize the paved areas of the Easement Area for vehicular turnaround out to Landy Lane; and (2) providing the County emergency response personnel (including, without limitation, police, fire and rescue service personnel) with ingress and egress to the Easement Area. If the Developer proceeds with the Project, the Developer will improve the Easement Area at the Developer's expense in accordance with the Proposed Parking Geometry Plan, Revised May 4, 2001 conditionally approved by the MCDPWT on June 6, 2001, attached hereto and incorporated by reference herein as Exhibit "D". The Developer must complete the improvements shown on the Proposed Parking Geometry Plan prior to the issuance of a use and occupancy permit for the Project.

2. The Developer, and/or its successors, transferees, and assigns, hereby reserves a non-exclusive right to use the Easement Area for the conduct of all development, construction, marketing, sales, leasing and related activities as may be deemed necessary or desirable by the Developer and not in conflict with the public's easement to use the Easement Area for ingress, egress, and vehicular turnaround (1) to implement the Preliminary Plan and/or (2) to comply with applicable laws, regulations and requirements imposed by the County or any governmental or quasi-governmental agency or authority having regulatory jurisdiction over the Property.

3. The County may install appropriate signage on the Property and in the Easement Area notifying the public of the access to the Easement Area for the purpose of vehicular turnaround. Prior to installation, the Developer and Montgomery County shall mutually agree on the location of such sign(s). Thereafter, the County may access the Property during normal business hours to maintain the sign(s), and may access the Easement Area at any time to maintain the sign(s).

4. Neither the Developer nor the County shall erect any walls, fences, barriers or other obstructions in the Easement Area or allow any walls, fences, barriers, or other obstructions to

remain in the Easement Area as to interfere with the free flow of vehicular traffic therein. The Developer has the duty to maintain the Easement Area, at the Developer's sole cost and expense, free of obstructions, barriers, trash, debris, and road hazards. The County may enter the Easement Area and remove any obstructions, barriers, trash, debris, or road hazards impeding the public's access if the Developer fails to do so within 10 days after the County sends written notice to the Developer to remove any obstruction, barrier, trash, debris, or road hazard. The County may exercise this right to remove an obstruction immediately and without prior written notice to the Developer any time the County determines, in its sole and absolute discretion, that any obstruction, barrier, trash, debris, or road hazard constitutes a threat to the public health, safety, or welfare, including the public's right to full time access to the Easement Area for ingress, egress, and vehicular turnaround. The Developer must promptly reimburse the County for any costs and expenses borne by the County in keeping the Easement Area free of any obstruction, barrier, trash, debris, or road hazard, including all costs and expenses associated with any litigation concerning recovery by the County of any costs and expenses for keeping the Easement Area clear and open for public use.

5. The Developer must maintain the paving and markings on the Easement Area in good repair at the Developer's sole cost and expense. All pavement markings must be approved in advance by the County.

6. All provisions of this Easement, including the benefits and burdens, shall touch, concern and run with the land and be binding upon and inure to the benefit of the Developer and the County, and/or their successors, transferees and assigns.

7. The Developer and the County shall be liable for their own negligence in connection with the exercise of the rights granted pursuant to this Easement. This is not intended to be an indemnification given by the County to the Developer. Any indemnification given by the County is limited by the provisions of the Local Government Torts Claim Act, Md. Cts. & Jud. Proc. §§5-301 *et seq.* (1999 Repl. Vol.), as amended from time to time. This is not intended to create any rights in any third parties.

8. Developer warrants specially the Easement and will execute such further assurances as may be required by the County.

9. No restriction, condition, obligation or provision of this Easement shall be deemed to have been abrogated or waived by reason of any failure or failures to enforce the same.

10. This Easement shall not be modified or amended except by an instrument duly executed by the Developer and the County which instrument shall be recorded among the Land Records of Montgomery County, Maryland. The Developer may terminate this Easement by recording among the Land Records for Montgomery County, Maryland, an appropriate instrument signed by both Parties only after the Developer, at the Developer's sole cost and expense, constructs and dedicates a cul-de-sac turnaround in the public right of way on Landy Lane, which is accepted for public use by the County. Said turnaround shall be constructed in accordance with the applicable laws, regulations and construction standards of the County, and according to plans approved in advance by MCDPWT and any governmental permitting entity with authority to issue permits for construction in the public right of way.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0316, MSA_CE63_20831, Date available 09/22/2005, Printed 09/14/2020.

11. The terms and provisions of this Easement are severable and in the event that any term or provision of this Easement is invalid or unenforceable for any reason, the remaining terms and provisions hereof shall remain in full force and effect.

12. This Easement shall be construed and enforced in accordance with the laws of the State of Maryland, and shall be effective upon recordation in the Land Records.

13. This Easement is granted subject to all easements, covenants, conditions, restrictions and other matters of record with respect to the Easement Area, including, without limitation that certain Declaration of Condominium for River Road Land Condominium recorded among the Land Records in Liber 14394, folio 233 to the extent applicable.

14. Every notice or communication required by this Easement shall be directed to the Parties as follows:

To County at:

Montgomery County, Maryland
Montgomery County Department of Public Works and Transportation
Executive Office Building, 10th Floor
101 Monroe Street
Rockville, Maryland 20850
Attn: Director

With a copy (that will not constitute notice) to the County Attorney at:

Montgomery County County Attorney's Office
Executive Office Building, 3rd Floor
101 Monroe Street
Rockville, Maryland 20850
Attn: County Attorney

To Developer at:

Willco Construction Company, Inc.
7811 Montrose Road, Suite 500
Potomac, Maryland 20854
Attn: Richard Cohen

With a copy to:

Linowes and Blocher LLP
1010 Wayne Avenue, Suite 1000
Silver Spring, Maryland 20910
Attn: Barbara A. Sears, Esquire

20877 317

15. Each party shall be responsible for notifying the other Parties, pursuant to the provisions of Paragraph 14 of this Easement, of any change of address.

16. The person executing this Easement on behalf of the Developer has all right, power and authority to so bind the Developer.

[SIGNATURE PAGES FOLLOW]

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0317, MSA_CE63_20831, Date available 09/22/2006, Printed 09/14/2020.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MCR 20877, p. 0318, MSA_CE63_20831, Date available 09/22/2005, Printed 09/14/2020.

IN WITNESS WHEREOF, the Parties have executed this Easement as of the day and year first above written.

WITNESS:

5161 RIVER LIMITED PARTERSHIP, a Maryland limited partnership



BY: 
Name: Richard A. Cohen
Title: General Partner

WITNESS:

MONTGOMERY COUNTY, MARYLAND, a body corporate and politic and a political subdivision of the State of Maryland



BY: 
Douglas M. Duncan
County Executive

Approved as to form and legality.

Office of County Attorney

By: 

Title: 3/20/2002

Recommend Approval:

Department of Public Works and Transportation

By: 

Albert J. Genetti, Jr.,

Title: Director

Date: 25 March 2002

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0319, MSA_CE63_20631, Date available 09/22/2005, Printed 09/14/2020.

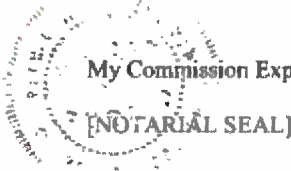
STATE OF Maryland *
*
COUNTY OF Howard * to wit: _____

I HEREBY CERTIFY that on the 19 day of March, 2002, before the subscriber, a Notary Public in and for the above jurisdiction, personally appeared Richard S. Cohen, satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself to be the General Partner of 5161 River Limited Partnership, a Maryland limited partnership and that said Richard S. Cohen, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

GIVEN under my hand and seal this 19 day of March, 2002.

Rachel Waterstradt
Notary Public

My Commission Expires: _____



RACHEL M. WATERSTADT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 30, 2002

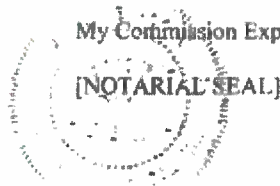
STATE OF Maryland *
*
COUNTY OF Montgomery * to wit: _____

I HEREBY CERTIFY that on the 27th day of March, 2002, before the subscriber, a Notary Public in and for the above jurisdiction, personally appeared Douglas M. Duncan, personally known to me or satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself to be the County Executive of Montgomery County, Maryland a body corporate and politic and a political subdivision of the State of Maryland, and that said Douglas M. Duncan, being authorized so to do, executed the foregoing instrument in his capacity as County Executive for the purposes therein contained.

GIVEN under my hand and seal this 27th day of March, 2002.

Jo Anne Poore
Notary Public

My Commission Expires: June 1, 2002



20877 320

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the foregoing document was prepared by or under the supervision of the undersigned, an attorney duly licensed to practice before the Court of Appeals of Maryland.



Scott C. Wallace

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MCR 20877, p. 0320, MSA_CE63_20831, Date available 09/22/2006, Printed 09/14/2020.

20877 321

Date Mailed: March 23, 1999

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by
Comm. Perdue with a vote of 3-0;
Comms. Bryant, Perdue and Richardson
voting in favor. Comms. Hussmann
and Holmes temporarily absent.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-98045
NAME OF PLAN: LANDY LANE

On 01-09-98, WILLCO CONSTRUCTION COMPANY submitted an application for the approval of a preliminary plan of subdivision of property in the C-O zone. The application proposed to create 1 lot on 5.10 acres of land. The application was designated Preliminary Plan 1-98045. On 03-04-99, Preliminary Plan 1-98045 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-98045 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-98045, subject to the following conditions:

Approval pursuant to the FY99 Annual Growth Policy (AGP) alternative review procedures for expedited development approval ("Pay-and-Go"), subject to the following conditions:

- (1) Prior to recording of plat, applicant to enter into an Adequate Public Facilities (APF) agreement with the Planning Board limiting development to a maximum 157,457 square foot office development and pay to the Montgomery County Department of Finance the balance of the expedited development approval excise tax (EDAET) prior to receipt of building permits, as provided by County law
- (2) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate
- (3) Record plat to show easement for future dedication of Landy Lane as shown on preliminary plan. Easement terms to provide that prior to release of building permit for expansion, MCDPW&T to finalize whether the road will be a private drive or public street

EXHIBIT "A"

Page 1 of 2

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0321, MSA_CE63_20831, Date available 09/22/2005, Printed 09/14/2020.

Preliminary Plan 1-98045

Page 2 of 2

- (4) Coordinate with M-NCPPC for the purpose of reaffirming the access easement to Little Falls Parkway which will remain
- (5) Prior to recording of plat, submit a final lighting, landscape and parking facilities plan for technical staff review
- (6) Conditions of MCDPS stormwater management approval dated 02-20-98
- (7) Record plat to reference all common ingress/egress easements
- (8) Other necessary easements
- (9) In accordance with the provisions of the EDAET of the FY99 AGP, this preliminary plan will remain valid until April 23, 2001 (25 months from date of mailing, which is March 23, 1999). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded. In order for the approval to remain valid, all building permits must be issued within two years of the recordation of the associated plat.

EXHIBIT "B"LEGAL DESCRIPTION

Two Parcels of real property located in the Seventh (7th) Election District, Montgomery County, Maryland, and more particularly described as follows:

Parcel One

All that land, formerly known as Parcels 3 and 4, pursuant to a "Plat of Dedication & Subdivision of Stone Straw Corporation Property" recorded in Plat Book 37, Plat 2608 among the Land Records of Montgomery County, Maryland; and being now known as part of River Road Land Condominium, per Declaration recorded in Liber 14394, Folio 233, and per condominium plat recorded in Plat Book 74, as Plat No. 7163 among the Land Records of Montgomery County, Maryland.

Parcel Two

All that land, formerly known as that part of Landy Lane, fronting on Parcels 3 and 4, as originally dedicated and described on the "Plat of Dedication & Subdivision of Stone Straw Corporation Property" recorded in Plat Book 37, Plat 2608 among the Land Records of Montgomery County, Maryland; as more particularly described as:

"the right-of-way therefore lying between the East line of Parcel 2 and the East line of Parcel 4 (as shown on Plat No. 37-2608 now recorded among the County Land Records)"

in Landy Lane Abandonment, PW Docket No. 536; filed as Montgomery County Council Resolution No. 3-1730, adopted July 24, 1956 and is recorded August 24, 1956 in Liber 2247, Folio 438.

Parcel ID: 07-1-03155717

Madame Clerk, after recording, please return this document to:

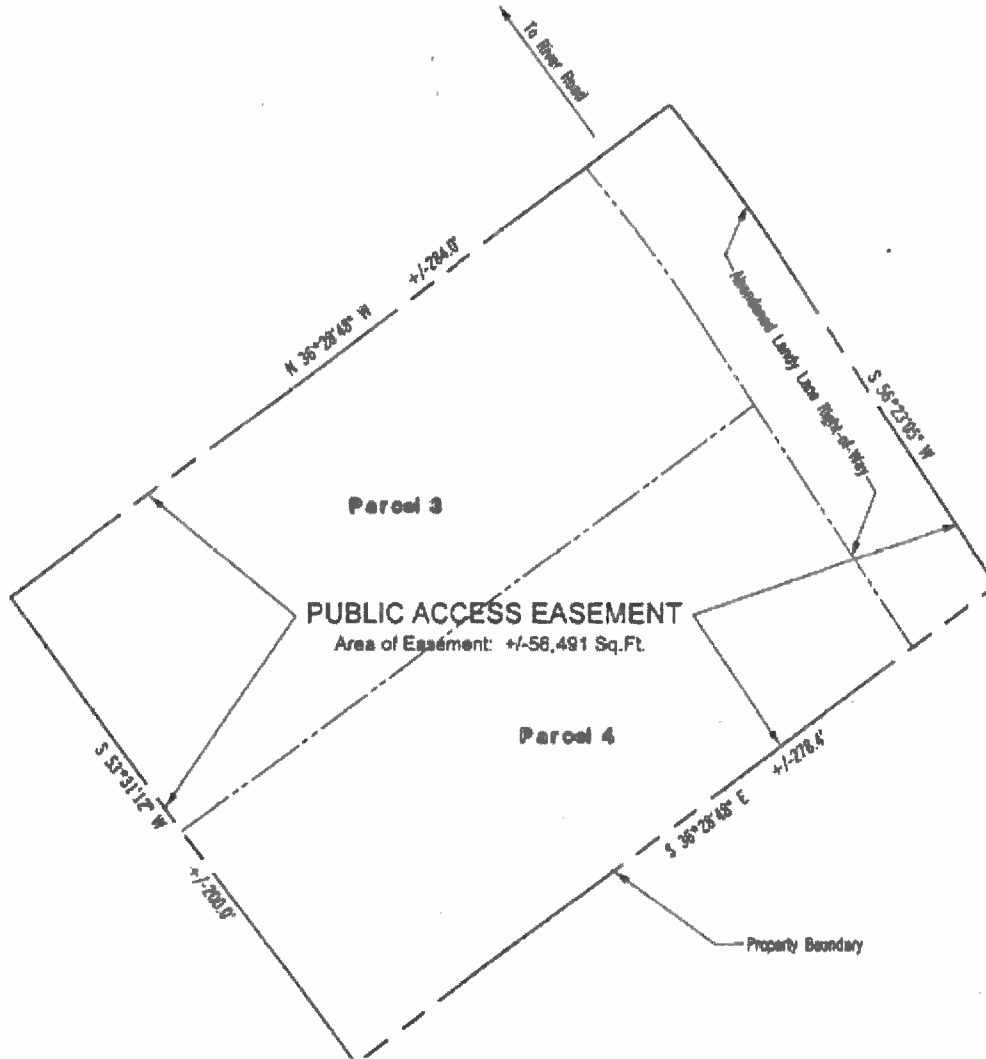
Litnowes and Blocher LLP
1010 Wayne Avenue
10th Floor
Silver Spring, MD 20910
Attn: Barbara A. Sears, Esq.

MANAGE 201902 v.1 00007 0000 C:err 02/19/02 02:33pm
 Orig: 201902 2 14 30 Pdf Ed 201902

20811 324



MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 20877, p. 0324. MSA_CE63_20831. Date available 09/22/2005. Printed 09/14/2020.



Sketch Showing Public Access Easement

Part of Property of 5161 River Limited Partnership

Exhibit "C"

Scale: 1" = 50'

Exhibit "C"

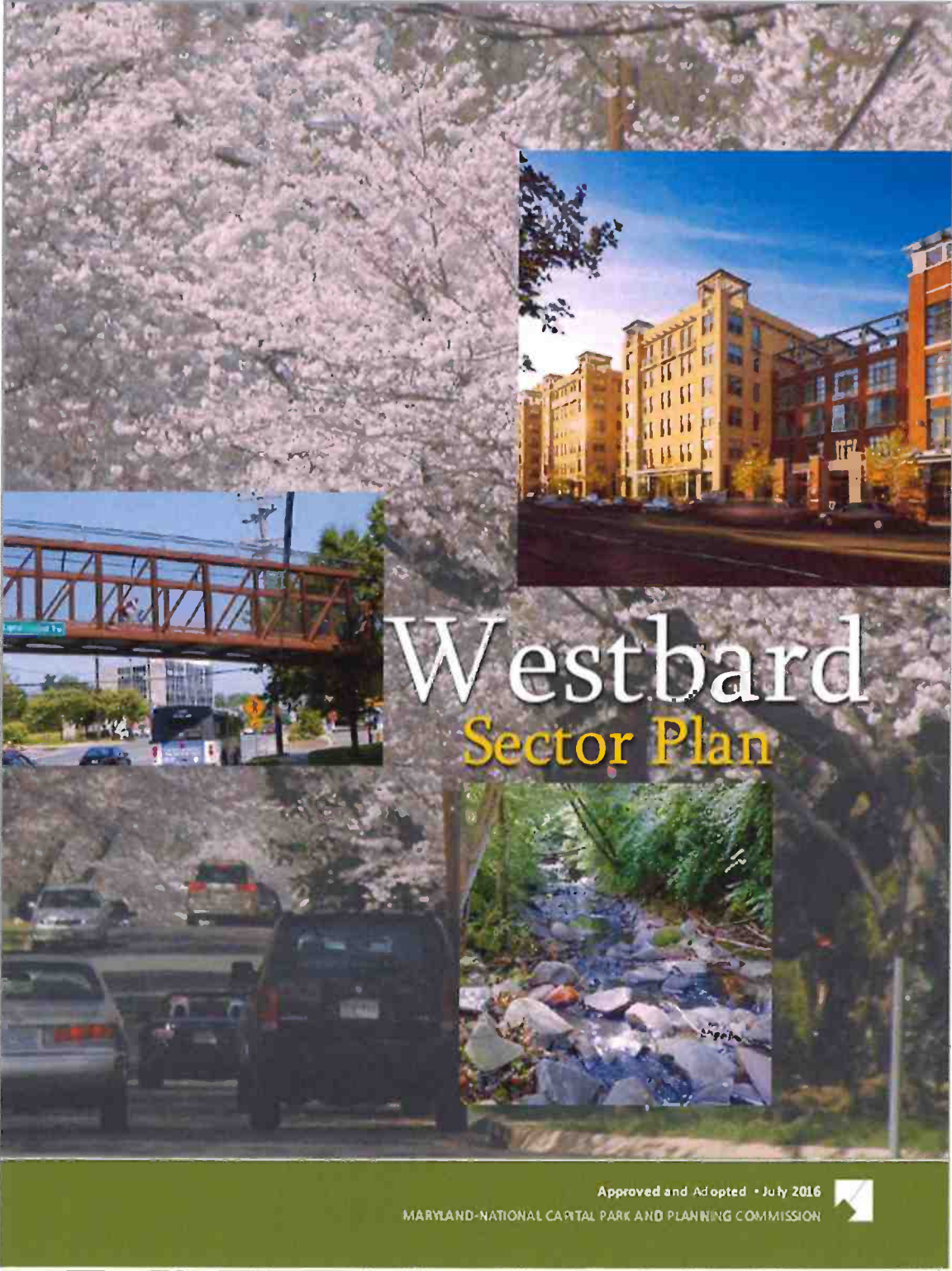
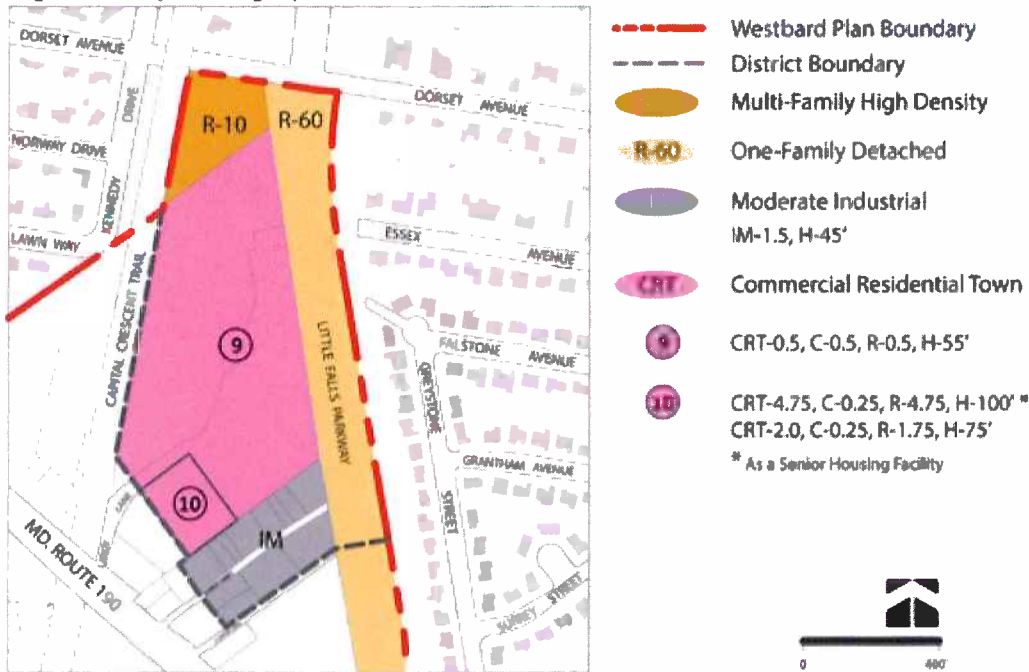


Figure 3.3.1: Proposed Zoning Map - North River District



Board can determine which of the binding elements are still relevant to the pending development. While certain provisions of the binding elements may not be appropriate if the development proposed for the site changes, compatibility issues should be addressed as follows:

- Commercial development should be limited to 175,000 square feet, unless needed for the expansion of the school.
- New buildings and accessory structures should be located to ensure compatibility with adjacent uses.
- Accessory structures, such as bleachers, should be limited in height.
- Green area should be at least 50 percent of the lot area.
- There should be access to the school from both Little Falls Parkway and Landy Lane. Locations for student drop off and pick up should prevent queuing on public streets.

- During any future regulatory review, circulation through the school site should be treated in such a way that minimizes cut-through traffic in the neighborhood.

Site 10

Site Description: 1.0 acres. An existing parking lot owned by the Washington Episcopal School. Future site of a senior housing development.
 Existing Zone: PD-28.
 Existing FAR: 0.0.

Rationale for zoning change: The CRT zone was recommended to ensure that, when the site redevelops as a senior housing facility, the density approved in the binding elements will be in conformance with the zone.

Proposed Zoning: CRT 4.75, C 0.75, R 4.75, H 100. If not senior housing, limit to CRT 2.0, C 0.25, R 1.75, H 75.

HISTORICAL NOTE:

Stone Fabrication: The George A. Fuller Stone Plant, now the Washington Episcopal School (parcel 050), was built in the fall of 1926 by the George A. Fuller Company, specifically to fabricate stone for the Washington National Cathedral. Indiana limestone was shipped by railroad and brought by moving Bedford cranes right into the steel-framed facility. The Fuller Company, a nationally known general contracting firm, held the contract for the Washington National Cathedral from 1907 to the firm's dissolution in the 1970s. The George A. Fuller Stone Plant operated from 1926 to 1944, and its late night working hours in early years generated complaints from Somerset and Kenwood residents. The Fuller Plant is a familiar feature and historically and architecturally important within Westbard. Eventually, the building housed the Hot Shoppes commissary. In 1955, a new office was constructed at the front and the facility became the Hot Shoppes (later Marriott) headquarters. The Taiwanese Embassy occupied part of the building in the 1970s, and there were a number of other occupants over the years. The Washington Episcopal School took up occupancy in the 1980s and purchased the property in 1996.



*Large stone-cutting machine at Fuller Plant
(Source: Washington National Cathedral Archives)*

The binding elements associated with the approval of the PD-28 zoning for this site are included in the Sector Plan Appendix and should be considered by the Planning Board when it reviews a development application for this site. To obtain the maximum density allowed under the zoning, the residential component of any redevelopment must be limited to 121 dwelling units, including MPDUs for independent seniors (at least one person per unit age 55 or older). The building is limited to a height of eight stories or 97 feet. Should the property not develop as a senior housing facility, development should be capped at CRT 2.0, C 0.25, R 1.75, H 75.

3.3.2 Urban Design, Parks, Trails and Open Spaces

Recommendations: Create a network of new and re-aligned streets that better serves the traffic patterns in this area as well as on the adjacent River Road:

- Provide internal connections between properties, allowing the consolidation of the several existing curb cuts on River Road into one or two intersections.
- Connect a new road extending Landy Lane from River Road to Little Falls Parkway at the Washington Episcopal School. This road extension is contingent upon the redevelopment of the school site.

- If site 9 (in figure 3.3.1), parcel 112, develops under the new zoning rather than the previously approved PD zone, review of any new application for development should involve consideration of the binding elements included as conditions of the earlier rezoning to the PD zone.

Naturalize Willett Branch between Little Falls Stream Valley Unit 2 and the Capital Crescent Trail.

Vision: The vision for this section of the Willett Branch Greenway is a daylighted and naturalized floodplain.

Purpose: This section of the Willett Branch Greenway allows for pedestrian connections between Little Falls Stream Valley Unit 2 and the Capital Crescent Trail, a naturalized floodplain and open section of stream.

3.3.3 Environment

The natural features of this area include the Little Falls Parkway Greenway, Capital Crescent Trail Greenway and Willett Branch.

More than half of the surfaces in this District are unshaded and impervious, mostly due to extensive un-planted parking lots and large buildings.

EXHIBIT "D"



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 16-057
Preliminary Plan No. 120150160 NOV - 2 2016
Washington Episcopal Day School
Date of Hearing: September 29, 2016

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on April 29, 2008, by Resolution No. 16-525, the Montgomery County Council, sitting as the District Council approved a Development Plan with Local Map Amendment G-873, that rezoned the Subject Property (as hereinafter defined) to the PD-28 zone; and

WHEREAS, on May 22, 2015, Sheridan Development, LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create two (2) lots on 11.21 acres of land in the PD-28 zone, located on the northwest quadrant of the River Road/ Little Falls Parkway intersection ("Subject Property"), in the Bethesda Chevy Chase Policy Area and Westbard Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120150160, Washington Episcopal Day School ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 16, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 29, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 29, 2016, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with a vote of 4-0; Commissioners Anderson, Cichy

Approved as to
Legal Sufficiency:

A handwritten signature in black ink, appearing to read "David G. Cichy".

8787 Georgia Avenue, NCRPC Legal Department 10 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@macppc.org

100% recycled paper

and Fani-González and Wells-Harley all voting in favor. Commissioner Dreyfuss abstained because he was absent during the beginning portion of the hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120150160 to create two (2) lots on the Subject Property, subject to the following conditions:¹

1. This Preliminary Plan is limited to two lots for a maximum of 121 age-restricted multi-family dwelling units, including 12.5% Moderately Priced Dwelling Units (MPDUs), and a private educational institution (grades nursery – 8th grade) with up to 600 students and 110 staff.
2. The development must comply with the Binding Elements of the Development Plan G-873, approved by the District Council on April 29, 2008.
3. The Final Forest Conservation Plan must conform with the Preliminary Forest Conservation Plan approved during the Planning Board review of Development Plan G-873.
4. The Applicant must comply with the following conditions of the Preliminary Forest Conservation Plan, unless modified by the Final Forest Conservation Plan:
 - a) The variance mitigation plan for subject removals under Phase 1 must be planted as part of the Phase 1 work. However, the planting may occur within the Phase 2 footprint.
 - b) The prorated FCP credit associated with Phase 1 must be implemented as part of Phase 1, consisting of new landscape plantings and/or protection of forest area to be recorded.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated August 30, 2016, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Planning Board accepts the recommendations of the Maryland State Highway Administration (MSHA) in their letters dated April 13, 2016 and August 26, 2016, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

letter, which may be amended by MSHA, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

7. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS)– Fire Department Access and Water Supply Section, in its letter dated August 18, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
8. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT and MSHA.
9. The Applicant must dedicate and construct the extension of Landy Lane to applicable Montgomery County Secondary Street structural standards (Modified to include a reduced width (50') right-of-way and sidewalk on only one side) and must construct all sidewalks, both on and off the Subject Property, to applicable ADA standards, as illustrated on the Certified Preliminary Plan.
10. Prior to recordation of any plat(s), The Washington Episcopal Day School must enter into a binding agreement with the Planning Board to perform in perpetuity a Transportation Management Plan (TMP). This Plan must demonstrate compliance with the G-873 Binding Elements and must include annual reporting in the fall of each year to summarize current and projected enrollment for the year, transportation benefits offered to staff and students, on-site queuing trends, and any transportation issues observed on-site in the previous 12 months. Should the Planning Board find, after a public hearing that the Applicant is not in compliance with the TMP, the Planning Board may modify the conditions of Site Plan approval, including the permitted enrollment.
11. The Planning Board accepts the recommendations of MCDPS – Water Resources Section in its stormwater management concept letter dated September 8, 2016, and hereby incorporates those recommendations as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
12. The Applicant must dedicate and show on the record plat(s) approximately 15,391 square feet on Landy Lane, as shown on the Certified Preliminary Plan, to support a right-of-way of 50-feet.
13. The record plat must show necessary easements, including shared access.

14. Prior to submission of any plat, Site Plan No. 820150080 must be certified by Staff.
15. No demolition, clearing or grading of the site, or recording of plats.
16. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
17. Prior to Certification of the Preliminary Plan, the Applicant must revise the Preliminary Plan drawing to reflect the following:
 - a) General Note #11 must be revised to reflect improvements on Lot 1 as part of Phase 1, as per Binding Element #10.A.
 - b) The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
 - c) Include the all approval letters referenced in the Preliminary Plan conditions and Preliminary Plan Resolution on the approval or cover sheet(s).
18. Prior to the first Use and Occupancy Certificate for Lot 2, the Applicant must provide a minimum 5-foot wide sidewalk along the Subject Property's frontage on Landy Lane, between River Road and the Subject Property and the extension of Landy Lane, as shown on the Site Plan.
19. The Applicant must satisfy the Adequate Public Facilities Transportation Policy Area Review (TPAR) test by making a Mitigation Payment equal to 50% of the applicable transportation impact tax to MCPDS. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
20. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of this Planning Board Resolution.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the Master Plan.*

The Sector Plan specifically recommended use of PD-28 zoning for the Subject Property to support a mixture of office and multi-family dwelling units of up to eight stories in height. The Sector Plan recommended that the residential uses be limited to no more than 353 dwelling units, of which 12.5% be moderately priced dwelling units, and up to 180,000 square feet of office use. A single eight-story building, consisting of up to 121 age-restricted multi-family dwelling units, and the continuation of the private educational institutional use of up to 175,000 square feet, and the location of each were determined to be in substantial conformance with the Sector Plan by the District Council in its approval of LMA G-873.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Public facilities and services are available and will be adequate to serve the development. The Property will be served by public water and public sewer. The Application has been reviewed by MCDPS who has determined that the Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as roadways, police stations, firehouses, schools, and health services are operating according to the *Subdivision Staging Policy* resolution currently in effect and will be adequate to serve the Property. Electrical, telecommunications, and gas services are also available to serve the Property.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision taking into account the recommendations included in the Sector Plan, and for the type of development or use contemplated. The Application substantially conforms to the 1982 Westbard Sector Plan and subsequent Local Map Amendment G-873. The Application complies with the specific density recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. The lots are sufficiently large to efficiently accommodate the proposed mix of uses.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The entire Application (including both the multifamily site and the school grounds) is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). The proposed development, which is located within a PD zone, triggers the special provision of Forest Conservation Law section 22A-12(f)(2)(D)&(C) which requires that the afforestation requirements be met onsite. Furthermore, the special provisions also require that no existing forest onsite be cleared (since existing forest is less than the minimum required retention, all existing forest must be retained).

At the time of the DPA review the preliminary forest conservation plan showed the protection of the 0.10 acres of onsite forest, and afforestation requirements that generally restored the stream valley buffer (SVB) with afforestation plantings/category I easement areas and new landscape plantings of native canopy trees. The Applicant remains bound to the general layout of the DPA and the associated means of forest conservation credit, however, with this Application, the Board approved alternative means of meeting the FCP requirements such as SWM over and above the minimum DPS requirements. Although some modifications may be necessary at the time the Phase 2 school expansion is reviewed, a number of conditions of approval are included to ensure the requirements are satisfied.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to two (2) Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

The Applicant submitted a variance request for both Phase 1 and Phase 2 impacts, however, there is insufficient information at this time to make this finding for impacts associated with Phase 2 development on Lot 1 (i.e. the School campus). The Board finds that Phase 1 impacts to protected trees are avoided/minimized to the greatest extent possible and are generally associated with necessary modifications to the Site access extending from the existing right-of-way. As a result, the variance request would be granted to any Applicant in a similar situation.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

As conditioned per the Staff recommendations, the requested variance is largely based on proposed development allowed under the existing zoning and the need to achieve adequate site access. With the recommended conditions of approval Staff finds the variance can be granted under this condition if the impacts are avoided or minimized (as conditioned) and that any necessary mitigation is provided.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the proposed site design and layout on the Subject Property and not as a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

MCDPS review and approval of the sediment and erosion control and storm water management plans will help ensure that appropriate standards are met. Additionally, the development triggers Park Permit requirements that will include the demolition of existing concrete swales (located near the Site entrance at Little Falls Parkway) and replacement with regenerative conveyance channels. Therefore, as conditioned the Project will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for the Variance is at a rate that approximates the form and function of the Protected Trees removed. The Board approved replacement of Protected Trees at a ratio of approximately one (1) inch DBH for every four (4) inches of DBH removed. No mitigation is required for Protected Trees impacted but retained.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

A Storm Water Management concept for the Site was approved by DPS on September 8, 2016. The development will meet required storm water management goals with the use of green roof, micro-bioretion structures/planter boxes and a rain garden. The remaining volume will be treated by three structural filtration practices.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 85 months from its initiation date (as defined in Montgomery County Code Section 50-35(h)), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV - 2 2016 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of

MCPB No. 16-057
Preliminary Plan No. 120150160
Washington Episcopal Day School
Page 9

this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

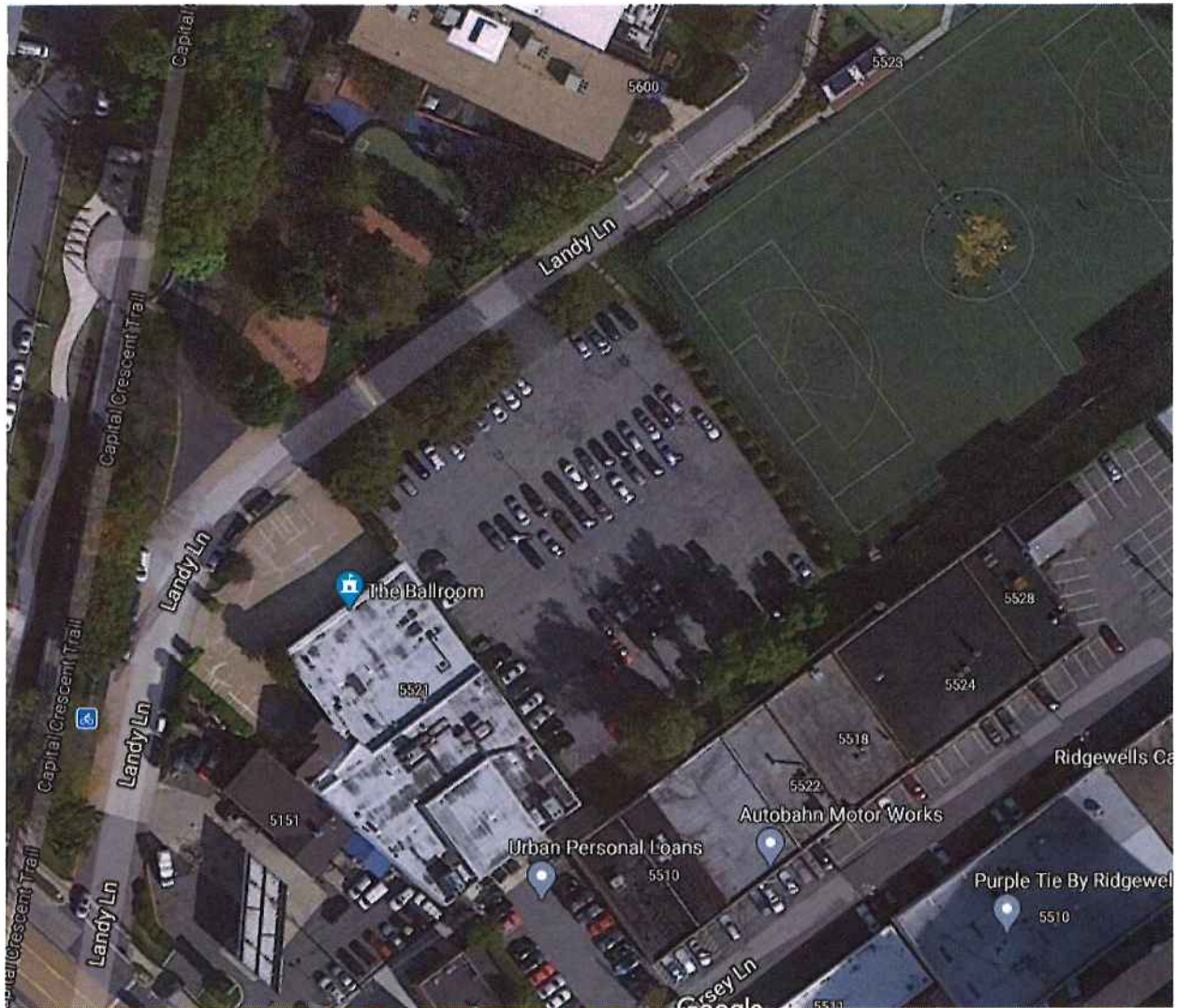
CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, October 20, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

AERIAL OF EXISTING CONDITIONS



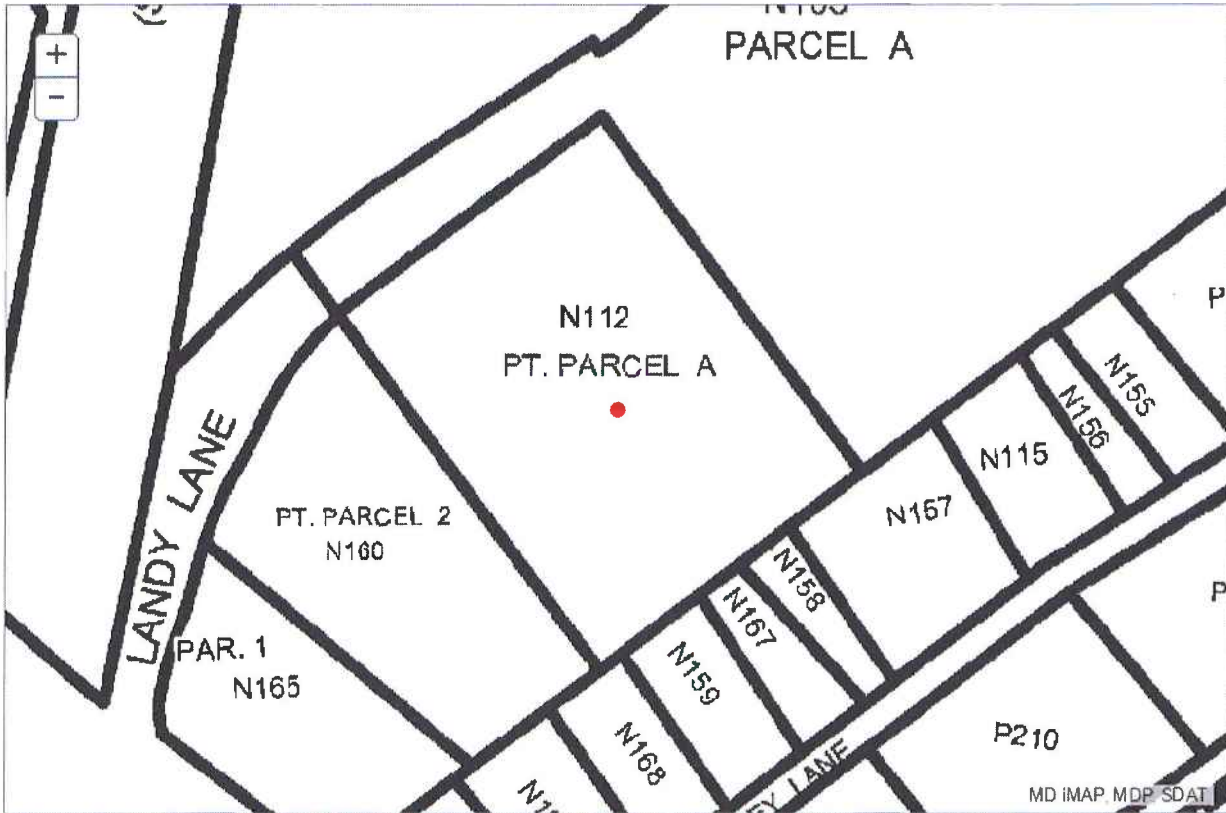
114602\000001\4817-5774-2810.v1
114602\000001\4817-5774-2810.v1

TAX MAP

New Search

Montgomery County

District: **07** Account Number: **03666630**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>.

ACPO Notice List

Adjoining Confronting / Civic ROA
Washington Episcopal School - Landy Lane
June 8, 2021

Tax Account Name 1	Name 2	Address1	Address City	State Postal Co.	Parcel	Blood Lot
07-003666830 HW31 LLC		6391 Millington Rd. Suite 410	Bethesda	MD 20814	NI12	
07-00418233 Morado Properties, LLC		5225 Dorsey Lane	Bethesda	MD 20816	MI15	8
07-00418266 Morado Properties, LLC		5225 Dorsey Lane	Bethesda	MD 20816	MI17	7
07-003374317 Washington Episcopal Day School Inc.		5600 Little Falls Parkway	Bethesda	MD 20816	MI03	
07-004373395 Dorsey Lane LLC		4905 Del Ray Avenue	Bethesda	MD 20814	MI38	P6
07-004373384 5514 Dorsey LLC		29 Goshen Court	Gaithersburg	MD 20816	MI59	
07-004231853 5521 Landy Lane Ltd PteShip		5811 Hillburne Way	Cherry Chase	MD 20815	MI60	3
07-00437407 Landy Lane Management Corp.		5811 Hillburne Way	Cherry Chase	MD 20815	MI66	P5
07-00418200 Morado Properties, LLC		5225 Dorsey Lane	Bethesda	MD 20816	MI67	
07-005050091 Landy Lane Mgmt Corp		5811 Hillburne Way	Cherry Chase	MD 20815	MI68	
07-001557706 Washington Episcopal Day School Inc.		5600 Little Falls Parkway	Bethesda	MD 20816	P050	
Homeowners & Civic Associations						
4701 Willard Terrace Association	David Cohen, Chairman	4701 Willard Avenue	Cherry Chase	MD 20815		
Bethesda-Cherry Chase CC	Giuseppe Italiano, Executive Director	7910 Woodmont Avenue	Bethesda	MD 20814		
Bethesda Urban Partnership	Dave Dabney, Executive Director	7700 Old Georgetown Road	Bethesda	MD 20814		
Brookdale Citizens Association Inc.	Jeff Burton, Deputy Exec. Director	7700 Old Georgetown Road	Bethesda	MD 20814		
Cherry Chase West Neighborhood Assn	Mirina Bownick, President	5225 Saxtons Avenue	Cherry Chase	MD 20815		
Cherry Chase West Neighborhood Assn	Joana Barron, Co-President	4704 Maroon Dr	Cherry Chase	MD 20815		
Cherry Chase West Neighborhood Assn	Paulina Baker, Secretary	4810 Dabney Parkway	Cherry Chase	MD 20815		
Cherry Chase West Neighborhood Assn	Sylvia F. Rubin, Public Liaison	4631 West Avenue Blvd.	Cherry Chase	MD 20815		
Citizen Coordinating Committee on FH	Michelle Rose, White, Chair	5203 Westpark Road	Bethesda	MD 20815		
East Co. Coordinating Committee on FH	Richard Egan, Chair	5500 Fiskeley Boulevard	Cherry Chase	MD 20815		
Friendship Heights Village Council	John McField, Village Manager	3200 Bayley Parkway	Silver Spring	MD 20904		
Friendship Heights Village Council	Michelle Wilk, Vice-Mgr	4433 South Park Avenue	Cherry Chase	MD 20815		
Friendship Heights Village Council	Michelle Rose, White, Mayor	4433 South Park Avenue	Cherry Chase	MD 20815		
Kanwood Condo Association	CFM Management - c/o Michael Maloney	5250 Charlotte Ave.	Alexandria	VA 22312		
Kanwood Condominium	Alan Doyle, President	5701 Evers Road	Bethesda	MD 20816		
Kanwood Court Homes Association Inc.	Diane Sullivan, President	5701 Brookside Dr	Cherry Chase	MD 20815		
Kanwood Court Homes Association Inc.	Bonjama Porto, President	5701 Brookside Drive	Cherry Chase	MD 20815-6666		
Kanwood House Inc Cooperative	Robert O'Han, President	5701 Brookside Drive	Cherry Chase	MD 20815-5460		
Kanwood Place Condominium	Philip Prudier, Director	5301 Westward Circle	Bethesda	MD 20816		
Kanwood Place Condominium Association	Chay Christian, President - Board of Direct	5301 Westward Circle	Bethesda	MD 20816		
Montgomery County Civic Federation	Alan Bower, President	10205 Parkway Drive	Kensington	MD 20895		
Montgomery County Civic Federation	Quincy Conroy, President	P.O. Box 1773-1773	Silver Spring	MD 20907		
Montgomery County Bankers Alliance	William Roberts, Esq, Chair - Treasurer	1001 Spring Street	Silver Spring	MD 20910		
Montgomery County Bankers Alliance Inc.	Matthew Losh, Director	PO Box 4661	Rockville	MD 20849-4661		
Montgomery County Taxpayers League	Edward Anastasi, President	6 Walker Avenue	Gaithersburg	MD 20877		
Montgomery Preservation Inc.	Audra Christians, Director	2200 Stoddard Road	Boyds	MD 20841		
Northern Montgomery County Alliance	Julie Chang, Chair	P O Box 4024	Rockville	MD 20843		
Serra Club - Montgomery County Group	Joanifer Rozem, Treasurer	535 Westard Avenue	Bethesda	MD 20816		
Springfield Civic Association	Cynthia Green, President	5801 Ridgeland Road	Bethesda	MD 20816		
Springfield Civic Association	Pete Sallinger, Zoning Chair	P O Box 10642	Cherry Chase	MD 20813		
Village of Drummond	Mayor	P O Box 10642	Cherry Chase	MD 20813		
Village of Drummond	Citizen Committee	4502 Drummond Avenue	Cherry Chase	MD 20815		
Village of Drummond	Dave Tompkins, Mayor	4522 Drummond Avenue	Cherry Chase	MD 20815		
Village of Drummond	Matthew Kirshad, Secretary	4705 Drummond Avenue	Cherry Chase	MD 20815		
Village of Drummond	Richard Mathis, President	5141 Westward Avenue	Bethesda	MD 20816		

114602\00001\4817-5774-2810.v1