

UP-2011-0003 I

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 12 day of April, 2011 by and between Bernice Ann Swam (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

RECITALS

- A. The Declarant has filed an application for permit with PAI requesting approval to construct an addition to the improvements located at 2916 Rockdale Road and more particularly shown as (the "Property") on Exhibit A which is attached hereto and made a part hereof. The property is zoned R.C.8 which is the particular zone in which the property is located.
- B. PAI has approved the Declarants' request to build the addition which will include an in-law residence, complete with kitchen, provided the dwelling and addition are used as a single family residence. **The addition will be housing for the Declarant with the benefit of being attached to her family.** Upon the death of the declarant, or if the declarant leaves or otherwise vacates the residence, whichever occurs first, the existing kitchen shall be removed and the living space shall be incorporated into the living space of the of the single family residential unit for the exclusive use of the Declarant's family.
- C. As a condition to it's approval of the Declarants' request, PAI has required the recording of this Declaration among the Land Records of Baltimore County to provide notice to any future owners, subsequent bona fide purchasers or users of the Property, that no part of any improvement or addition on the Property may be used for separate living quarters and that all such improvements shall be used as a single-family residence, unless otherwise approved by and at the discretion of PAI.

DECLARATIONS

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and PAI hereby declare as follows:

- 1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit.
- 2. The existing kitchen for the declarant shall be an accessory use to the principal use of the Property as a single family residence. Living quarters for the declarant shall be used only by declarant and not as an independent residential unit, and shall not be used by any other person or for any other reason.
- 3. Upon the death of the declarant or if declarant leaves or otherwise vacates the residence, whichever occurs first, the kitchen shall be removed and the living space shall be incorporated into the living space of the single family residential unit for the exclusive use of the Declarant's family.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS:

Patricia A. Lindsay

Bernice Ann Swam
BERNICE ANN SWAM, DECLARANT

State of Maryland, County of Harford: to wit:

I HEREBY CERTIFY that on this 12 day of April, 2011, before the SUBSCRIBER, a Notary Public of the State of Maryland, personally appeared Bernice Ann Swam, the Declarant herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and she acknowledges that she executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal

Devin O'Hara
Notary Public

My Commission Expires: 01.21.12

