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## **DECLARATION OF UNDERSTANDING**

## Recitals

- A. The Declarants, who are the owners of the property known as 18855 York Rd, tax account # 07-2300011667, being 1.3686 AC +/-, ES York Rd, 600' S Monkton Rd, have filed an application for a building permit with PAI requesting approval to construct a 2-story building on the property (garage and storage) located at above address and which is more particularly described in Application for Building Permit #B742327, as attached hereto as Exhibit A (the "Property) and made a part hereof. The property is zoned BL-CR. The proposed building is to be constructed on an existing partial foundation, and there is no water or sewer existing or proposed to serve the proposed building.
- B. As a condition to its approval of the Declarants' request, PAI requires the filing of this Declaration among the Land Records of Baltimore County to provide notice to any future owners, subsequent bona fide purchasers or users of this Property that no water and/or sewer may be extended or provided to the subject building and that all such improvement shall only be used as a garage and for storage, unless otherwise approved by and at the discretion of PAI. The subject building's use is limited and particularly restricted to the uses as described in the Application for Building Permit, B742327.

## **DECLARATIONS**

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarants 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 garage and for storage. No such improvements or additions shall ever be used as living quarters or commercial enterprise open to the public.
- 2. The proposed building shall not be served by water and sewer without full compliance with all laws and regulations of Baltimore County, including but not limited to zoning, building and environmental.
- 3. The building permit and this Declaration are subject to the order, conditions or restrictions as provided herein and, should a zoning hearing be required, subject to the order, conditions, or restrictions as set out in any order issued as a result of such hearing. If an order is issued as a result of such hearing, this Declaration must be amended by the inclusion of the order and recorded in the Land Records.

- 4. The Building Permit shall automatically terminate and the use of the proposed building immediately cease and desist upon the following condition: water and sewer are extended to the building without County approval, in which case the Declarants will be in violation of this Declaration and the Declarants must then repair the property to its original condition by removing the building.
- 5. The Declarants, in such event, shall provide written notification to PAI within thirty (30) days of the event, and the Declarants shall be required to record among the Land Records of Baltimore County on a form approved by the Director of PAI notification to a subsequent purchaser of the property that Building Permit #B742327 is no longer of any effect, is thereby rescinded and revoked.
- 6. These covenants, conditions and restrictions are to run with the land and shall be binding upon the Declarants, their successors and assigns and all parties claiming by, through or under them shall be taken to hold, agree and covenant with the Declarants, their successors and assigns, to conform to and observe said restrictions as to the use of the subject property and the construction of improvements thereon, and the Declarants, their successors and assigns,
- 7. The Declarants further agree that Baltimore County, Maryland shall have the right to enforce the covenants and declarations contained herein by instituting a lawsuit to enjoin any breach or enforce any covenant contained herein, including but not limited to seeking an injunction. If the Declarants are found to have breached any of its obligations under this Agreement, the Declarants shall reimburse Baltimore County, Maryland for any reasonable costs or expenses incurred by Baltimore County, Maryland, including but not limited to court costs and reasonable attorney's fees. Further, enforcement of these covenants, conditions and restrictions may be by proceedings, at law or in equity, against any person or persons violating or attempting to violate any of the covenants, either to restrain or to recover damages.
- 8. The Declarants agree to bear the cost of recording this Agreement among the Land Records of Baltimore County.
- 9. This Agreement contains the entire understanding of the parties and each of the parties hereto warrants that it has carefully read and understands this Agreement and is aware of the terms hereof.

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under seal on the date first above written. Smeller hydr TSmight Declarant Deelaran State of Maryland, County of Baltimore: to wit: I HEREBY CERTIFY that on this at day of July , 2013, before the Subscriber, a Notary Public of the State of Maryland, personally appeared Patrick D. Meadowcroft, Ayda Ann Swartz and Patrick Erol Meadowcroft, II, the declarants herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and they acknowledged that they executed for the foregoing instrument for the purposes therein contained. IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal. My Commission Expires: (0/30/2013)The Declaration of Understanding for Building Permit B742327 at: 16855 York Road 21111 Address of Property Is approved: Arnold Jablon, Director

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration

State of Maryland Land Instrument Intake Sheet County: Baltimore **□** Baltimore City Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.) (Type or Print in Black Ink Only-All Copies Must Be Legible) ( Check Box if addendum Intake Form is Attached.) 1 Type(s) of Instruments Mortgage -Othereclas Deed or Trust Lease Not an Arms-Improved Sale Unimproved Sale Multiple Accounts Conveyance Type Check Box Length Sale [9] Arms-Length [1] Arms-Length [2] Arms-Length [3] Recordation **Tax Exemptions** State Transfer (if Applicable) **County Transfer** Cite or Explain Authority **Consideration Amount** Finance Office Use Only Purchase Price/Consideration Transfer and Recordation Tax Consideration Consideration Any New Mortgage Transfer Tax Consideration \$ and Tax \$ Balance of Existing Mortgage Calculations \$ Less Exemption Amount \$ Other: Total Transfer Tax \$ Other: \$ Recordation Tax Consideration ) per \$500 =Full Cash Value: TOTAL DUE \$ \$ **Amount of Fees** Doc. 1 Doc. 2 5 \$ Recording Charge \$ Surcharge \$ Tax Bill: State Recordation Tax \$ \$ \$ State Transfer Tax \$ C.B. Credit: Dec/. County Transfer Tax \$ \$ \$ Ag. Tax/Other: Other Declaration District Property Tax ID No. (1) Grantor Liber/Folio Map Parcel No. Var. LOG 6 22 523 Declaration of Un Description of Plat Ref. **Subdivision Name** Lot (3a) Block (3b) Sect/AR (3c) SqFt/Acreage (4) **Property** SDAT requires Location/Address of Property Being Conveyed (2) submission of all Tax Acot # 2300011667 applicable information. Other Property Identifiers (if applicable) Water Meter Account No. A maximum of 40 characters will be indexed in accordance Residential or Non-Residential Fee Simple or Ground Rent Amount: with the priority cited in Partial Conveyance? Yes Description/Amt. of SqFt/Acreage Transferred: Real Property Article Section 3-104(g)(3)(i). List Improvements Conveyed: n+ Doc. 1 - Grantor(s) Name(s) - Grantor(s) Name(s) nn Swartz, & **Transferred** From - Owner(s) of Record, if Different from Grantor(s) Doc. 2 - Owner(s) of Record, if Different from Grantor(s) other Party Doc. 1 - Grantee(s) Name(s Doc. 2 - Grantee(s) Name(s) 8 **Transferred** To Owner's (Grantee) Mailing Address - Additional Names to be Indexed (Optional) Doc. 1 - Additional Names to be Indexed (Optional) Other Names to Be Indexed Instrument Submitted By or Contact Person Return to Contact Person 10 Contact/Mail Information Hold for Pickup

Phone: (410) 887-3284

Return Address Provided

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