

DECLARATION OF INTENT FOR SINGLE LOT AFFIRMING
REAL ESTATE TRANSFER EXEMPTION FROM MONTGOMERY COUNTY'S
FOREST CONSERVATION LAW

It is this _____ day of _____, stated as follows:

WHEREAS, _____
(Applicant) seeks (check one of the following):

- _____ Sediment control permit
- _____ Preliminary plan approval
- _____ Site plan approval
- _____ Mandatory referral review
- _____ Development plan approval
- _____ Project plan approval
- _____ Other (please specify) _____

(Checked item hereinafter referred to as (Development Application)); and

WHEREAS, Applicant seeks approval of its Development Application for property
located at _____
(Property); and

WHEREAS, the Development Application can be approved only if it complies with or is
exempt from Montgomery County's Forest Conservation Law (Montgomery County Code Chapter
22A, SS 22A-1 *et seq.*, and an amendments thereto) (FCL); and

WHEREAS, the Montgomery County Planning Board of the Maryland-National Capital Park
and Planning Commission (Planning Board) and designated Planning Board staff members are
responsible for administering the FCL; and

WHEREAS, Applicant wishes to demonstrate that its Development Application is exempt from
the provisions of the FCL; and

WHEREAS, to obtain the exemption Applicant must verify that the following conditions exist:

- (1) The subdivision approval is sought for the purpose of effecting the transfer of a legal or equitable interest in a portion of a lot or parcel for the purpose of providing a security, leasehold or other legal or equitable interest; and
- (2) The transfer will not involve a change in land use, new development or redevelopment, or any land disturbing or clearing activities

(Conditions)

THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The recitals set forth above are incorporated in full herein.
2. Applicant guarantees that the Property and Development Application conform with the Conditions referenced above
3. For purposes of ensuring compliance with the Conditions, the Planning Board or its designees may enter upon the Property at any time from the date of Applicant's signature of this document until the five-year restriction has expired.
4. This agreement shall constitute a covenant running with the land and shall be binding on the landowner, its administrators, executors, heirs and assigns.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this paper are true:

APPLICANT

NOTARY STATEMENT

State of Maryland, Montgomery County to wit:

I hereby certify, that on this ____ day of _____, before the subscriber, a Notary Public of the State of Maryland, in and for _____ County, personally appeared _____, and acknowledged the foregoing Declaration of Intent to be his/her act.

(Notary Seal)

Signature of Notary Public

Name of Notary Public

My commission expires