

## **Summary of Agreement Between Crestwood Village HOA and Osprey Property Company II LLC (Approved by the Board of Trustees at their regular meeting on November 30, 2021)**

Note: all Exhibits have been previously provided.

This letter agreement outlines the understanding of Crestwood and Osprey generally. It is understood by both parties that the final site plan is likely to require modifications to meet the requirements of the County; however, it is the intention of Crestwood and Osprey to enter into a formal easement agreement that is consistent with this letter of agreement.

As shown on Exhibit A – Revised Landscape Plan, Osprey has removed parking spaces and pulled the parking lot back in the northwest corner as far as possible while maintaining the County’s parking requirement. Overall, all of Osprey’s building and parking lot setbacks are per the County code.

Perimeter Fencing: Osprey agrees to provide a 6’ black chain link fence with slats around the entire perimeter of the site (refer to Exhibit A – Revised Landscape Plan). This fence will perpetually remain the responsibility of Osprey for repair/maintenance.

Berming/Landscaping: Osprey agrees to berm/landscape around the perimeter of the parking lots (refer to Exhibit A – Revised Landscape Plan) Height of the berm may vary, but the intention of the fence and the berming is to reduce or eliminate light from vehicle headlights.

Site Lighting: Osprey agrees to provide site lighting that matches the Colonial style lights Osprey presented on November 23, 2021 to the Crestwood Village HOA with a shield on the side of the light that faces HOA property.

Water/Sewer Easements: 20’ sewer and 30’ water easements needed (refer to Exhibit B – Water&Sewer Easement). Please note – both of these easements are to get Osprey to an existing County facility and/or easement area. Some notes regarding Exhibit B are attached for reference:

- Existing 20’ W/S Easement (Blue) – there is an existing 20’ water/sewer easement on the northwest side of the property that Osprey will be utilizing for one of the sewer lines.
- Proposed 20’ Sewer Easement (Small Red) – Osprey needs a small (~426 SF total area) sewer easement on the southwest side of the property for second sewer line.
- Proposed 30’ Water Easement (Large Red) – Osprey needs a larger (~2,693 SF total area) water easement on the southwest corner of the property for the water lines. This easement will need to have a small access drive from Arbor Drive to the water meters for the County to be able to maintain the meters. Osprey agrees to build, maintain, repair, and provide snow removal for the access drive.

HOA Contribution: Osprey agrees to contribute \$15,000.00 to the HOA in return for granting the water/sewer easement(s).

Osprey agrees to revise Exhibit A, Landscape Plan, to show perimeter fencing around the entire property and removing the 10' landscape easement note.

Osprey agrees to prepare an appropriate easement document in compliance with Frederick County law(s) for Crestwood Village, the County and Osprey Property Company II LLC (or its assigns) as signatories.

\*\*\*Note to the HOA from Osprey: We are not 100 percent sure of the county's full process and requirements, but our understanding is that the long-term easement is between Crestwood Village HOA and the County, which allows them access to the water and sewer lines (which will be public) if they ever need to repair or upgrade them. We (Osprey) are in the easement as the responsible party for constructing the lines to the county's standards and the county will inspect and accept the lines as public lines once we have completed the construction.