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DECLARATION OF COVENANTS AND RESTRICTIONS
RETENTION AND/OR REFORESTATION

THIS DECLARATION, made this 2 day of December, 1999, by James R. Bierer and Neale R. Bierer, Co-Personal Representatives of the Estate of James S. Bierer, Deceased (hereinafter the "Developer").

WITNESSETH:

IMP FD SURE \$	2.00
RECORDING FEE	28.00
TOTAL	30.00

WHEREAS, by Deed dated February 9, 1959, and recorded among the Land Records of Harford County, Maryland, in Liber G.R.G. No. 520, folio 74, Zero, Inc., granted and conveyed certain property containing 8.88 acres of land, more or less, unto Cornelia W. Bierer and James S. Bierer, her husband, as tenants by the entireties; and

Rest#	HABO	Acpt #	68903
CGH	PR	BLK #	714

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WHEREAS, by Deed dated August 30, 1968, and recorded among the aforesaid Land Records, in Liber G.R.G. No. 789, folio 269, J. Charles Rutledge, granted and conveyed two (2) parcels of land, containing an aggregate of 3.57 acres of land, more or less, unto Cornelia W. Bierer and James S. Bierer, her husband, as tenants by the entireties; and

Jan 12, 2000 09:14 am

WHEREAS, the said Cornelia W. Bierer departed this life thereby vesting title unto James S. Bierer by operation of law; and

WHEREAS, the said James S. Bierer died testate on August 26, 1998, and pursuant to the terms of his Last Will and Testament, his sons, James R. Bierer and Neale R. Bierer were appointed Co-Personal Representatives of the decedent's estate by the Circuit Court for Harford County, Sitting as the Orphans' Court (See Estate No. 31,331), and they are still acting in that capacity; and

WHEREAS, certain County laws mandate compliance with various restrictions and/or environmental protection when developing or subdividing the property in that area; and

WHEREAS, County law provides for the retention of existing forest and planted forest in relationship to development or subdivision of property, as more specifically provided in Sections 267-30.6. and 267-30.7., and more generally mandated in Article V.A., Section 267-30.1., entitled "Forest and Tree Conservation"; and

WHEREAS, the Developer understands that in order to develop/subdivide the property, certain forest or trees area required to be retained and/or replaced in accordance with these County laws; and

WHEREAS, the Developer understands that Section 267-30.5.(b)(13) requires the execution and recordation of this Declaration.

NOW, THEREFORE, the Developer hereby declares that the property designated as "Forest Retention Area," as shown on a plat entitled "Preliminary Plan, Land of Bierer," and recorded among the Plat Records of Harford County, Maryland, in Plat Book No. 99, folio 90 (hereinafter

LIBER 3188 FOLIO 0129

the "Plat"), shall be held, sold and conveyed subject to the following easements, covenants and/or conditions which are for the purpose of complying with the Forest Conservation provisions of the Harford County Code, and which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof.

1. Reforestation or afforestation, if applicable, shall occur in those areas designated on the Plat as "Forest Retention Area," and the approved Forest Conservation Plan.

2. The reforestation or afforestation shall comply with all applicable provisions of the Harford County Zoning Code, including, but not limited to, Sections 267-30.5, 30.6, 30.7, 30.8, 30.10 and 30.11.

3. The remaining forest on the site, as depicted on the approved Forest Conservation Plan, shall be retained under this covenant and subject to the limitations and guidelines of the Harford County Forest Conservation Ordinance, Article V.A., Section 267-30.1, et seq. of the Zoning Code.

4. In the event the newly planted forest or retained forest is destroyed or must be removed from its present site, the Developer understands that a new Forest Conservation Plan must be submitted in accordance with County law.

5. The Developer also understands and accepts that any disturbance, destruction or removal of the forest without following the due process of revising the approved Forest Conservation Plan is subject to the Penalties provisions of the Forest Conservation Ordinance, Section 267-30.15.

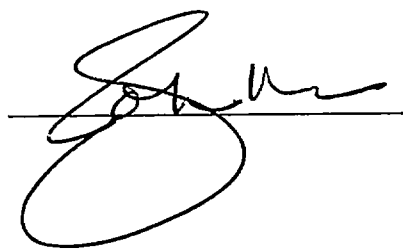
6. These covenants, conditions and restrictions contained in the Declaration, are binding on the Developer, its personal representatives, heirs, and assigns, and said Declaration shall be recorded among the Land Records of Harford County upon execution by the Developer.

7. This Declaration may be terminated or amended in whole or in part with respect to all or a portion of the property only with the written consent of both the owner of the property, or affected portion of the property, at the time of the termination or amendment and the then Director of the Harford County Department of Planning and Zoning. Any instrument terminating or amending this Declaration must be recorded in the Land Records of Harford County, Maryland.

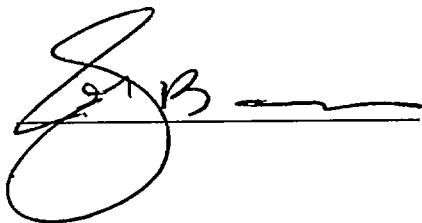
The provisions of this Declaration shall be enforceable by the Developer and/or Harford County, Maryland.

Any person other than the Developer who violates the provisions of this Declaration and/or applicable County law shall indemnify and hold the Developer harmless from all costs, expenses, fines and penalties incurred or imposed, including attorneys' fees incurred by the Developer, as a result of such violation.

WITNESS:



James R. Bierer (SEAL)
James R. Bierer
Co-Personal Representative
of the Estate of
James S. Bierer, Deceased

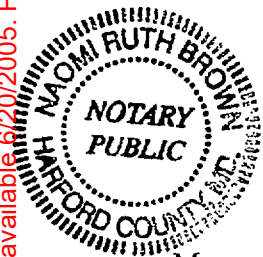


Neale R. Bierer (SEAL)
Neale R. Bierer
Co-Personal Representative
of the Estate of
James S. Bierer, Deceased

STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

I HEREBY CERTIFY, that on this 2 day of December 1999, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **James R. Bierer, Co-Personal Representative of the Estate of James S. Bierer, Deceased**, known to me (or satisfactorily proven) to be the herein named Declarant, and he acknowledged the foregoing Declaration of Covenants and Restrictions to be his act and that the same was executed for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

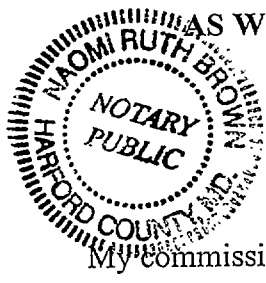


Naomi Ruth Brown
Notary Public

My commission expires: 9/01/01

STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

I HEREBY CERTIFY, that on this 2 day of December 1999, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **Neale R. Bierer, Co-Personal Representative of the Estate of James S. Bierer, Deceased**, known to me (or satisfactorily proven) to be the herein named Declarant, and he acknowledged the foregoing Declaration of Covenants and Restrictions to be his act and that the same was executed for the purposes therein contained.



AS WITNESS my hand and Notarial Seal.

Naomi Ruth Brown
Notary Public

My commission expires: 9/01/01

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned Maryland attorney.

CNA
P.O. Box 441
Bel Air MD 21014
879-7200

Albert J.A. Young
Albert J.A. Young