

Tax ID No.: _____

DEED OF RELEASE OF CONSERVATION EASEMENT

(for removal of all onsite easements and compensated offsite in forest mitigation bank)

DEFINITIONS

Grantor: _____ (insert name of grantors), fee simple owner(s) of real property subject to Plan approval conditioned on recordation of a Category I conservation easement agreement.

Grantee: Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ("Commission").

Property: Lot _____, Block _____, Subdivision: _____, Recorded among the Land Records of Montgomery County, Maryland in Plat Book Number _____ as Plat No. _____.

Planning Board: Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission.

Planning Director: Director of the Montgomery County Planning Department of The Maryland-National Capital Park and Planning Commission, or the Director's designee.

Plan: Forest Conservation Plan No. _____ approved by the Planning Board pursuant to Chapter 22A of the Montgomery County Code.

Exhibit 1: Record plat showing existing conservation easement(s).

Exhibit 2: Description and sketch of the existing conservation easement(s) over and across the Property, as recorded in the Montgomery County Land Records.

Exhibit 3: Resolution of the Montgomery Planning Board authorizing removal of conservation easement(s).

Exhibit 4: Certificate of Compliance to use an Off-site Forest Mitigation Bank, as recorded in the Montgomery County Land Records.

WITNESSETH

THIS DEED OF RELEASE OF CONSERVATION EASEMENT ("Release") is made this _____ day of _____, _____ by the Montgomery County Planning Board ("Planning Board") of the Maryland-National Park and Planning Commission ("M-NCPPC").

WHEREAS, in conjunction with _____
(insert parent plan type and plan number such as preliminary plan 120250110) known as
_____ (insert original plan name) the Grantor granted a
Conservation Easement to the Commission as shown on Plat _____, Exhibit 1
attached hereto and incorporated by reference into the terms of this agreement; and

WHEREAS, the conservation easement was recorded in the Land Records of
Montgomery County at _____ (insert book and page number of
conservation easement) ("Conservation Easement"), on _____ (insert day
conservation easement was recorded in land records), Exhibit 2 attached hereto and
incorporated by reference into the terms of this Agreement; and

WHEREAS, the Conservation Easement affected Property in the Subdivision known
as _____, such the Property being the
same as the real property located at _____; and

WHEREAS, on _____ (insert mailing date of the Planning Board's resolution
authorizing the release of the easement), by MCPB Resolution No. _____, attached
hereto as Exhibit 3 and incorporated by reference, the Planning Board approved a forest
conservation plan amendment associated with plan number _____, including
the removal of _____ (include amount of easement to be permanently
released) acres of the Conservation Easement on the Property subject to the purchase of forest
mitigation bank credit in an M-NCPPC approved off-site forest bank; and

WHEREAS, the required mitigation was accomplished through the purchase of the
required forest credits as certified by the Montgomery County Planning Department staff in the
Certificate of Compliance recorded on _____ (date) in the Land Records of Montgomery
County at _____ (insert book and page no. of Certificate of
Compliance), attached hereto as Exhibit 4 and incorporated by reference.

NOW, THEREFORE, in consideration of the above provisions and other
consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission
does hereby release the _____ acres (indicate the amount of conservation easement that
will be permanently released) of Conservation Easement located on the Property.

WITNESS, the following signatures and seals on the day and year first above written.

ATTEST:

THE MARYLAND NATIONAL CAPITAL PARK AND
PLANNING COMMISSION

Gavin Cohen
Secretary-Treasurer

Asuntha Chiang-Smith
Executive Director

Approved for Legal Sufficiency
M-NCPPC Office of the General Counsel

NOTARY STATEMENT

State of Maryland

County of _____

On this _____ day of _____, _____ before me, the undersigned individual, personally appeared Asuntha Chiang-Smith, who acknowledged to be the Executive Director, of Maryland National Park and Planning Commission, and that as such being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

SEAL

Signature of notary public

My commission expires _____

ATTORNEY OR GRANTOR CERTIFICATION

In accordance with Section 3-104(f)(1) of the Real Property Article of the Annotated Code of Maryland, I certify that this instrument was prepared by the undersigned, the Grantor or an attorney admitted to practice before the Court of Appeals of Maryland.

Grantor's or Attorney's signature

Print Grantor's or Attorney's name

AFTER RECORDING PLEASE RETURN TO:

IRC Division
Montgomery County Planning Department
2425 Reddie Drive, 14th Floor
Wheaton, MD 20902