



HYATT & WEBER, P.A.
ATTORNEYS AT LAW

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January 5, 2016

VIA E-MAIL aeleonard@annapolis.gov
AND FIRST CLASS MAIL

Ashley E. Leonard, Esquire
Assistant City Attorney Office of Law
160 Duke of Gloucester Street
Annapolis, Maryland 21401

RE: Thomas Woods

Dear Ashley:

There has been some confusion in finalizing the City of Annapolis Private Right of Way Agreement (the "Agreement"). As you now know, the plat of Thomas Woods Subdivision was executed by all of the appropriate City representatives and has been recorded among the plat records of Anne Arundel County at Plat Book 339, page 41, numbers 17517 and 17518. The plat contains language as follows: "Thomas Trail owned and maintained by the Homeowners' Association." Thomas Trail is the private road that provides access to the residential units within the community.

The private road agreement to be executed between the property owner, the Homeowners' Association and the City, states in Section 4.b. as follows: "b. The Subdivision Plat shall include the following notation: 'At no time from this date henceforth shall the owners of the individual housing units or the Association (on behalf of the owners) petition the City to take over the road/street rights-of-way or assume responsibilities for maintenance as outlined in the Maintenance Agreement recorded among the Land Records of Anne Arundel County at _____.'" "

Since the plat was already recorded, and the Agreement, which will be recorded among the Land Records of Anne Arundel County, otherwise provides that the Homeowners' Association shall be the fee simple owner of the streets and maintain them and prohibits the Association (or anyone else) from petitioning the City to take over the streets, we respectfully request that the language of 4.b. as currently contained in the Agreement, be substituted with the following language: "4.b. The Subdivision Plat shall include the following notation: 'Thomas Trail owned and maintained by the Homeowner's Association.'" By making this relatively simple change it will save considerable time and energy to prepare a new plat for signatures and recordation, and it is very clear in the Agreement and on the plat that the street is to be owned and maintained by the Homeowners' Association.

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Page 2

Please let me know if you need anything further.

Very truly yours,

HYATT & WEBER, P.A.

A handwritten signature in blue ink, appearing to read "Alan J. Hyatt". The signature is stylized with a large, sweeping initial "A" and a long, horizontal stroke extending to the right.

Alan J. Hyatt

AJH:kal

cc: Dimitri Sfakiyanudis

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