

## **Staff Report**

**R-22-15**

### **Private Right-of-Way Agreement: K Hovnanian Homes of Maryland, L.L.C. and The Enclave at Spa Homeowners Association, Inc.**

K Hovnanian Homes of Maryland, L.L.C. is the developer of a new development to be located at 1023 Spa Road, Annapolis, Maryland 21403, which will be ultimately be managed by The Enclave at Spa Homeowners Association, Inc.

The Enclave at Spa Homeowners Association, Inc. desires to assume responsibility and liability for the roads/streets within the boundaries of its community, pursuant to § 20.20.010(A) of the Code of the City of Annapolis, so that its roads/streets remain privately owned by that Association instead of the City taking ownership of or maintenance responsibilities for such roads/streets.

Pursuant to § 20.20.010(A) of the Code of the City of Annapolis, it is necessary for the City Council to approval this request by The Enclave at Spa Homeowners Association, Inc. to retain private ownership of its streets/roads.

The agreement would be executed between the City of Annapolis, K Hovnanian Homes of Maryland, L.L.C. and The Enclave at Spa Homeowners Association, Inc. Under the terms of the agreement, The Enclave at Spa Homeowners Association, Inc. would retain ownership of its roads/streets in exchanging for agreeing to certain maintenance responsibilities and the provision of certain easements to the City for City utilities.

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