

**RELEASE AND EXTINGUISHMENT OF
STORMWATER MANAGEMENT EASEMENT**

THIS RELEASE AND EXTINGUISHMENT OF STORMWATER MANAGEMENT EASEMENT (hereinafter referred to as the “**Release and Extinguishment**”) is made this _____ day of _____, 2024, by the MAYOR AND COUNCIL OF ROCKVILLE, a municipal corporation in the State of Maryland (hereinafter referred to as the “**City**”).

WITNESSETH:

WHEREAS, 2250 Tower Oaks Boulevard LLC, a Maryland limited liability company (herein referred to as “**Owner**”), is the owner of the property hereinafter referred to as the “**Subject Property**,” described as follows:

Parcel D, Block D in the Tower Oaks Subdivision recorded as Plat No. 23507 in the Land Records of Montgomery County, Maryland.

WHEREAS, the Owner’s predecessors in interest to the Subject Property established a 20 foot by 17 foot Stormwater Management Easement on the Subject Property, as shown on Plat No. 23507 (the “**Stormwater Management Easement**”); and

WHEREAS, the Stormwater Management Easement was created for the benefit of the City to provide the City with access to a portion of the Subject Property for the purpose of installation, construction, reconstruction, maintenance, repair, operation and inspection of a stormwater management facility and appurtenances thereto within the easement area shown on the plat (“**Easement Area**”); and

WHEREAS, the portion of the Subject Property on which the stormwater management facility was to be constructed is being redeveloped; as part of this redevelopment, new stormwater management facilities will be constructed to replace the previously proposed stormwater management facility. New stormwater management easements will be recorded concurrently with the termination of the existing Stormwater Management Easement; and

WHEREAS, the City has determined that the existing Stormwater Management Easement is no longer necessary; and

WHEREAS, the existing Stormwater Management Easement to be released is as shown on Plat No. 23507 and is made a part of this Release and Extinguishment (the “**Release Area**”).

NOW, THEREFORE, in consideration of the above recitals, incorporated herein by reference, the City hereby releases to the Owner its rights to the Release Area created by the Stormwater Management Easement, extinguishes all rights and interests in the Release Area, and further declares the Stormwater Management Easement null and void and of no further force or effect with respect to the Release Area.

Nothing herein shall be deemed to release or otherwise affect any other Easement or Right-of-Way that the Owner has recorded or may record in connection with the Subject Property.

IN WITNESS WHEREOF, the Mayor and Council of Rockville executed this Release and Extinguishment on the day and year written above.

WITNESS:

MAYOR AND COUNCIL OF ROCKVILLE

Sara Taylor-Ferrell

By:_____
Name:
Title: City Manager
Date:_____

Reviewed for legal sufficiency by:

Robert Dawson
City Attorney

* * *

STATE OF MARYLAND

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to wit:

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COUNTY OF _____

I HEREBY CERTIFY that on this _____ day of _____, 2024, before me, a Notary Public for the State and County aforesaid, personally appeared _____, who acknowledged himself/herself to be the _____ of the Mayor and Council of Rockville, a municipal corporation, and that he/she, as _____, being authorized to do so, executed the foregoing and annexed instrument on behalf of the corporation for the purposes therein contained, and acknowledged the same to be the act and deed of the corporation by signing the name of the Mayor and Council of Rockville by himself as _____.

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

Release and Extinguishment

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]