

GRANT OF PUBLIC IMPROVEMENTS EASEMENT

THIS GRANT OF PUBLIC IMPROVEMENTS EASEMENT is made this _____ day of _____, 202_, by and among _____

(hereinafter referred to as “**Grantor**”), and **THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND**, a municipal corporation organized under the laws of the State of Maryland (the "City")

WITNESSETH:

WHEREAS, the Grantor is the owner of certain real property located within Rockville, Maryland more particularly described on Exhibit A attached hereto and made a part hereof (the “**Subject Property**”); and

WHEREAS, the Grantor desires to develop the Subject Property in accordance with the terms and conditions of Site Plan No. STP 2020-00393 approved on April 10, 2020 (the "Approvals") and

WHEREAS, Grantor intends to subdivide the Subject Property pursuant to the Approvals, and as a condition of said subdivision, the City requires certain easements for public improvements within the Subject Property; and

WHEREAS, it is the desire and intent of the Grantor to hereby establish across the Subject Property easements for the construction, maintenance, and use of a public sidewalk (collectively, the “**Public Improvements**”).

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and for the purpose of complying with the Approvals, the Grantor and the City hereby agree as follows:

1. The foregoing recitals are incorporated herein and made a part hereof.
2. The Grantor hereby establishes, dedicates, and grants in perpetuity for the benefit of the City, its successors, transferees and assigns, and for the benefit of the public at large, non-exclusive easement over, across and through those portions of the Subject Property depicted on Exhibits B1-B5 attached hereto and made a part hereof (the “**PIE Easement Areas**”) for the maintenance, repair, replacement, inspection and use of the Public Improvements.
3. The Grantor hereby further grants the City an easement and right of passage on, through, over, under and across the PIE Easement Areas for purposes of inspecting the Public Improvements and performing any necessary repairs, maintenance or reconstruction thereto.
4. The foregoing grants are made subject to the following terms, restrictions, and conditions:

A. Except as necessary or desirable in connection with construction of the Public Improvements, the Grantor shall not otherwise construct, nor permit to be constructed, any building or structure within the PIE Easement Areas without first obtaining the City's written permission.

B. The Grantor shall obtain all required permits and approvals for the installation of the Public Improvements (the “Permits”) and post all required bonds. The Grantor shall install the Public Improvements within the PIE Easement Areas consistent with the City standards and in accordance with the Permits.

C. Following the release of all Permits and bonds, it shall be City’s responsibility to inspect, maintain, repair and replace the Public Improvements as necessary.

D. The Grantor reserves the right to grant such other easements, rights or privileges to such other persons or entities for the installation and repair of utilities, or for any other legal purpose, so long as such purposes do not substantially or materially interfere with the easements, obligations, understandings, and agreements established herein, and provided that all applicable City permits and approvals are first obtained.

5. The Grantor hereby certifies that there are no suits, liens, leases, mortgages or trusts affecting the Subject Property, other than those for which the holder in interest has signed this document or otherwise consented in writing to this Grant of Public Improvements Easement. The Grantor further certifies that all parties with an interest in the Subject Property necessary to give full effect to this Grant of Public Improvements Easement have signed, or otherwise consented in writing, to this document.

6. All correspondence directed to the City may be sent c/o the Director of Public Works, copy to the Director of Planning and the City Attorney, at City Hall, 111 Maryland Avenue, Rockville, Maryland 20850-2364. All correspondence directed to the Grantor may be sent to:

[GRANTOR]
[ADDRESS]

With copies to:

[NAME]
[ADDRESS]

And:

[NAME]
[ADDRESS]

7. The Grantor will warrant specially the PIE Easement granted herein and will execute such further assurances as may be requisite.

8. This Grant of Public Improvements Easement shall be governed by, and construed and enforced in accordance with, the laws of the State of Maryland.

9. All provisions of this Grant of Public Improvements Easement, including the benefits and burdens, shall touch, concern and run with the land, and shall inure to the benefit of and be binding upon the Grantor, the City, and each of their respective successors, transferees and assigns. In the event of a transfer by the Grantor of its interest in the Subject Property, the Grantor shall have no further liability under this Grant of Public Improvements Easement.

10. The Grantor does hereby agree to record this Grant of Public Improvements Easement in the Land Records of Montgomery County, Maryland at the Grantor's expense within ten (10) days following full execution of this instrument, and shall provide the City with documentary proof of recordation within five (5) days following said recordation.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Declaration of Public Improvements Easement under seal on the date first written above.

GRANTOR:

By: _____
Name: _____
Title: _____

WITNESS:

**THE MAYOR AND COUNCIL OF
ROCKVILLE, MARYLAND**

Print Name: _____

By: _____
Name: _____
Title: _____

Reviewed for legal sufficiency by:

Robert Dawson
Senior Assistant City Attorney

* * *

STATE OF: _____

*

COUNTY OF: _____

*

*

I HEREBY CERTIFY that on this ____ day of _____, 202_, before the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the authorized representative of _____, being authorized so to do, executed the foregoing instrument on behalf of the aforesaid company for the purposes therein.

IN TESTIMONY WHEREOF, I have caused the seal of the court to be affixed, or have affixed my official seal, this ____ day of _____, 202_.

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

* * *

STATE OF: _____

*

COUNTY OF: _____

*

*

I hereby certify that on this ____ day of _____, 202_, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, who did acknowledge that he/she, having been properly authorized, executed the same on behalf of the Mayor and Council of Rockville, Maryland in the capacity therein stated and for the purposes therein contained.

Witness my hand and official seal this _____ day of _____, 202_.

Notary Public

My commission expires: _____

[NOTARIAL SEAL]

Return original instrument to:

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

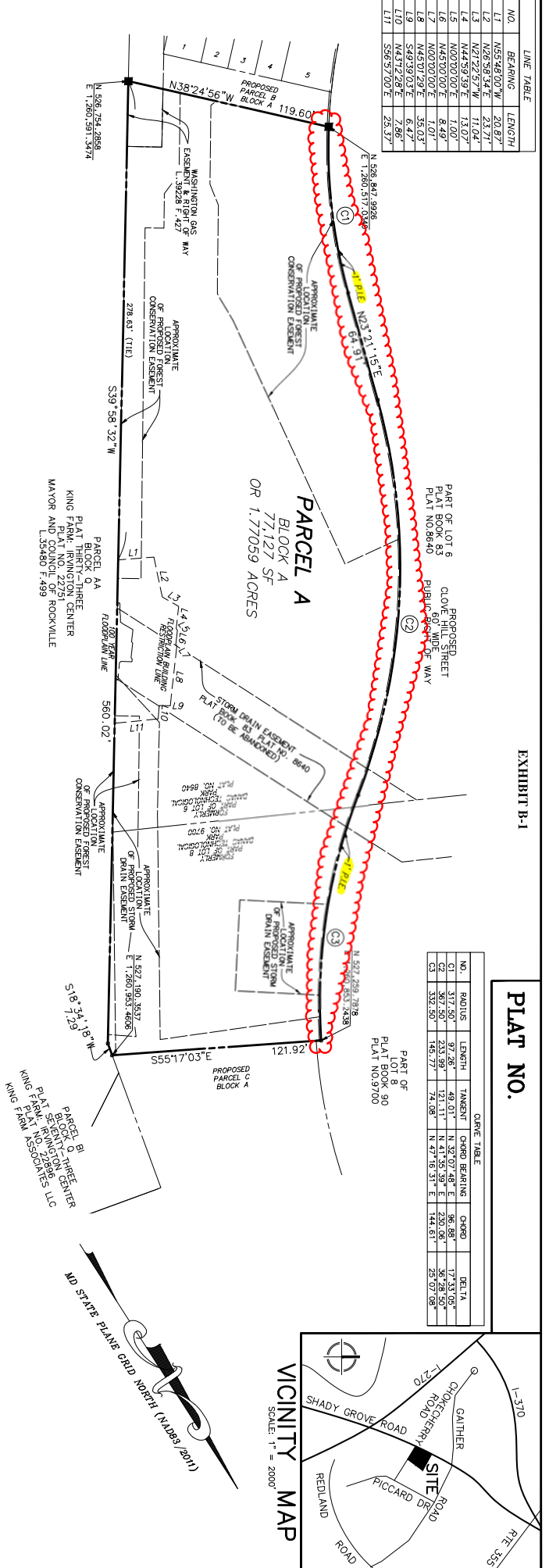
All of that certain parcel of land situated in the City of Rockville, Montgomery County, Maryland and described as follows:

PARCELS "A", "B", AND "C", BLOCK "A"; PARCELS "A" AND "B", BLOCK "B";
PARCEL A, BLOCK "C", AND PARCELS "A" AND "B", BLOCK "D" IN THE
SUBDIVISION KNOWN AS "PLATS 1-5, SHADY GROVE NEIGHBORHOOD
CENTER" AS PER PLATS THEREOF RECORDED IN PLAT BOOKS
_____ AT PLATS _____
AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

EXHIBIT B-1

PLAN SHOWING PUBLIC IMPROVEMENTS EASEMENT AREAS

LINE TABLE	NO.	BEARING	LENGTH
L1	N55°48'00"W	20.87'	
L2	N26°59'34"E	23.71'	
L3	N21°22'57"W	11.04'	
L4	N44°59'39"E	13.07'	
L5	N00°00'00"E	1.00'	
L6	N45°00'00"E	8.49'	
L7	N45°01'22"E	35.03'	
L8	S49°39'03"E	6.44'	
L9	N43°12'28"E	7.86'	
L10	N43°12'28"E	25.37'	
L11	S56°57'00"E	25.37'	



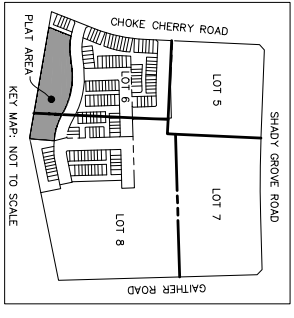
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HERON IS CORRECT. THAT IT IS A PLAT OF PART OF THE PROPERTY ACQUIRED BY BXP SHADY GROVE LOT 6 LLC, A DELAWARE LIMITED LIABILITY COMPANY, FROM GROVE ROCKVILLE 31 II LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY DEED TO DANAC TECHNOLOGICAL PARK, RECORDED IN PLAT BOOK 83 AS PLAT NO. 8640 AND ALSO BEING PART OF THE PROPERTY ACQUIRED BY BXP SHADY GROVE LOT 6 & LOT 8 AND ALSO BEING PART OF THE PROPERTY ACQUIRED BY BXP SHADY GROVE LOT 6 & LOT 8 AND ALSO BEING PART OF LOT 8, DANAC TECHNOLOGICAL PARK, RECORDED IN PLAT BOOK 90 AS PLAT NO. 9700 ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S SUBDIVISION HERON, ALL PIPES SHOWN THIS SURVEY AND MONUMENTS SHOWN THIS SURVEY WILL BE SET AT FINISHED GRADE, IN ACCORDANCE WITH CHAPTER 25, ARTICLE 21, SECTION 25-21-25 OF THE ROCKVILLE CITY CODE.

THE TOTAL AREA OF THIS PLAN OF SUBDIVISION IS 77,127 SQUARE FEET OR 1.77059 ACRES OF LAND, NONE OF WHICH IS DEDICATED TO PUBLIC USE.

JOSHUA G. PRICE
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 21846
LICENSE EXPIRES 05/31/2026



THE CITY OF ROCKVILLE PLANNING COMMISSION
ROCKVILLE, MARYLAND

APPROVED _____

WITHOUT COMMITMENT TO THE INSTALLATION OF WATER, SEWER AND STREETS

CHAIR _____ CITY MANAGER _____

NOTES:

- THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. F5862 WITH TAX ACCOUNT NOS. OF 04-00145038 (LOT B) AND 04-00145040 (LOT 6).
- THE OVERALL PROPERTY IS ZONED MKE (MIXED-USE EMPLOYMENT DISTRICT).
- THE HORIZONTAL DATUM IS MARYLAND STATE PLANE GRID NAD 83/2011.
- THIS SUBDIVISION PLAT IS NOT INTENDED TO SHOW EXISTING WATER AFFECTING THE OWNERSHIP AND USE, NOR EXISTING WATER RESTRICTING THE OWNERSHIP AND USE, OF THE PROPERTY. THE SUBDIVISION PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPLOT OR NOTE ALL MATTERS AFFECTING TITLE.
- PARCEL A, BLOCK A IS SUBJECT TO A STORMWATER MANAGEMENT EASEMENT AND MAINTENANCE AGREEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECOMENDATION OF THIS PLAT.
- PARCEL A, BLOCK A IS SUBJECT TO A STORM DRAIN EASEMENT AND MAINTENANCE AGREEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECOMENDATION OF THIS PLAT.
- UTILITY EASEMENTS WILL BE CREATED BY SEPARATE DOCUMENTS TO BE RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND FOLLOWING RECOMENDATION OF THIS PLAT.
- THIS PLAT IS SUBJECT TO A FOREST CONSERVATION EASEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND FOLLOWING RECOMENDATION OF THIS PLAT, SUBJECT TO A FOREST CONSERVATION PLAN.
- THIS PROPERTY IS SERVED BY WSSC WATER AND SEWER.
- THIS PROPERTY IS SUBJECT TO A PUBLIC IMPROVEMENT EASEMENT ('P.I.E.') TO BE RECORDED BY A SEPARATE DOCUMENT FOLLOWING RECOMENDATION OF THIS PLAT.

OWNER'S DEDICATION

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HERON, HEREBY ADOPT THIS PLAT OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE THE RIGHT OF WAY SHOWN HERON TO PUBLIC USE.

FURTHERMORE, AS OWNER OF THIS SUBDIVISION, OUR SUCCESSORS AND ASSIGNS, WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTATION TO BE SET BY A MARYLAND PROFESSIONAL LAND SURVEYOR IN ACCORDANCE WITH ARTICLE 21, SECTION 25-21-25 OF THE ROCKVILLE CITY CODE.

THERE ARE NO UNRECORDED SUITS, ACTIONS AT LAW, LIENS, LEASES, MORTGAGES OR TRUSTS AFFECTING THE PROPERTY INCLUDED ON THIS PLAT.

NAME:	DATE:	WITNESS:
BXP SHADY GROVE LOT 6 LLC		
AUTHORIZED SIGNATORY		
BXP SHADY GROVE LOT 8 LLC		
AUTHORIZED SIGNATORY		
DATE:		WITNESS:
DATE:		WITNESS:

SUBDIVISION PLAT

SHADY GROVE NEIGHBORHOOD CENTER

PARCEL A, BLOCK A
PLAT NO. 1
(BEING A RESUBDIVISION OF PART OF LOT 6 & LOT 8, DANAC TECHNOLOGICAL PARK)
4TH ELECTION DISTRICT
CITY OF ROCKVILLE, MARYLAND
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 40'
DATE: JULY, 2025

VIKAS MARYLAND, LLC
11000 Littlefield Ave. 400
Germantown, MD 20874
301.918.4100 | vikas.com
Our Site Set on the Future.

PL170225--00632

EXHIBIT B-2

PLAN SHOWING PUBLIC IMPROVEMENTS EASEMENT AREAS

EXHIBIT B-3

PLAN SHOWING PUBLIC IMPROVEMENTS EASEMENT AREAS

EXHIBIT B-4

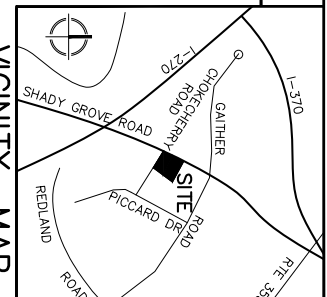
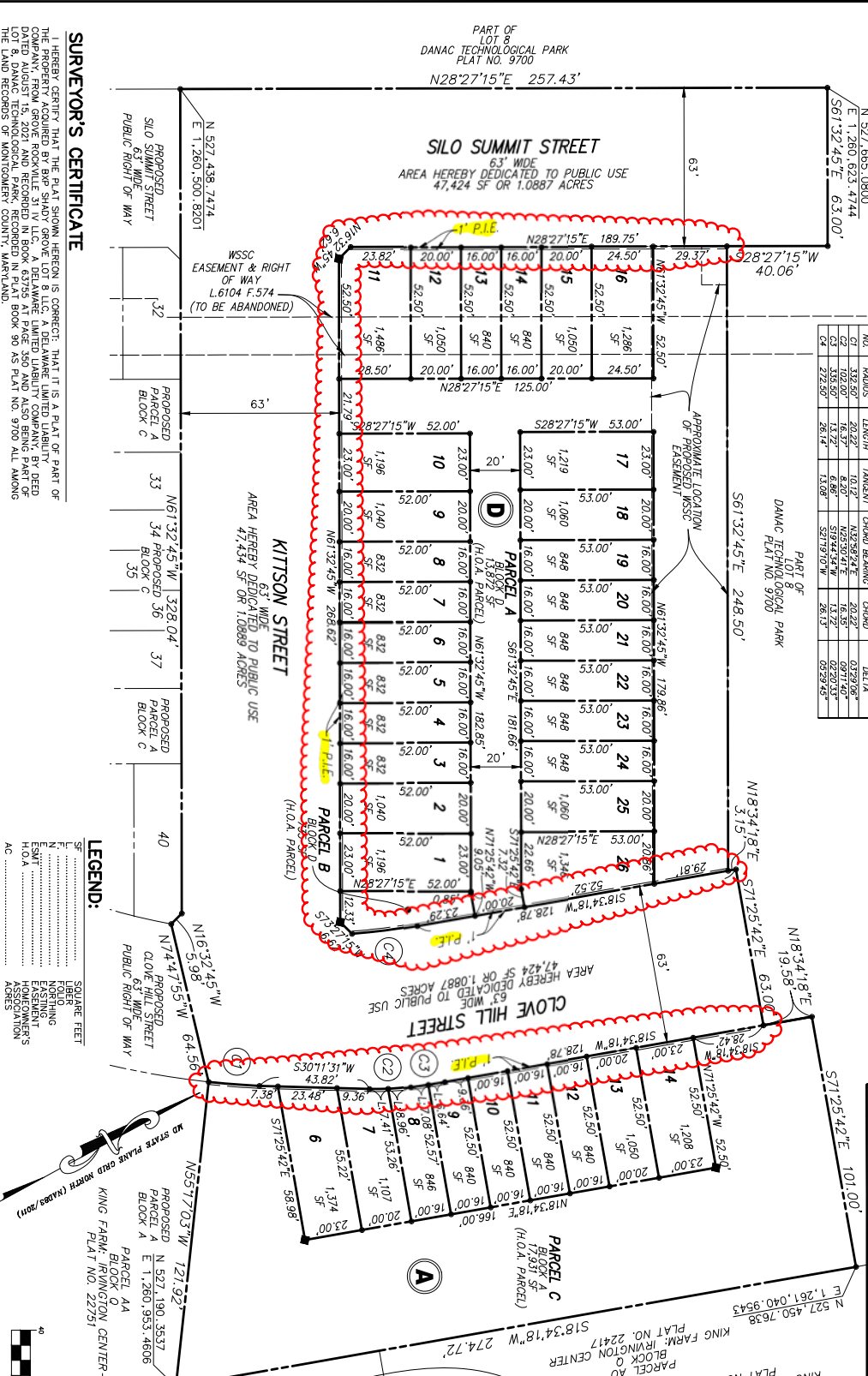
PLAN SHOWING PUBLIC IMPROVEMENTS EASEMENT AREAS

EXHIBIT B-5

PLAN SHOWING PUBLIC IMPROVEMENTS EASEMENT AREAS

CURVE TABLE

NO.	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
01	152.50'	20.22'	18.12'	N45°32'42"E	20.22'	03°39'06"
02	152.50'	13.72'	6.86'	S71°25'42"W	13.72'	02°22'03"
03	152.50'	13.72'	6.86'	S71°25'42"W	13.72'	02°22'03"
04	212.50'	26.14'	13.08'	S71°25'42"W	26.13'	05°29'45"



NOTES:

- 1) THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. 15862 WITH A TAX ACCOUNT NO. OF 04-00146038.
- 2) THE OVERALL PROPERTY IS ZONED MKE (MIXED-USE).
- 3) THE 657/2017 PLAT DATION IS MARYLAND STATE PLANE GRID.
- 4) THIS SUBDIVISION PLAT IS NOT INTENDED TO SHOW EVERY WATER ATTENTION; THE OWNERSHIP AND USE OF ANY WATER RIGHTS ATTENDING THE SUBDIVISION ARE NOT INTENDED TO BE AFFECTED BY THIS PLAT. THE SUBDIVISION IS NOT INTENDED TO BE A FOREST CONSERVATION PLAN.
- 5) UTILITY EASEMENTS WILL BE CREATED BY SEPARATE DOCUMENTS TO BE RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND FOLLOWING RECORDBOOK OF THIS PLAT.
- 6) THIS PLAT IS SUBJECT TO A FOREST CONSERVATION EASEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECORDBOOK OF THIS PLAT.
- 7) THIS PROPERTY IS SERVICED BY WSSC WATER AND SEWER.
- 8) PARCELS A AND B, BLOCK D, AND PARCEL C, BLOCK A, SHOWN HEREON ARE TO BE CONVEYED TO AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION FOLLOWING RECORDBOOK OF THIS PLAT.
- 9) PARCELS A, BLOCK D, AND PARCELS B, BLOCK A ARE SUBJECT TO A PUBLIC ACCESS EASEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECORDBOOK OF THIS PLAT.
- 10) PARCELS B, BLOCK D, SHOWN HEREON IS SUBJECT TO A FOREST CONSERVATION EASEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECORDBOOK OF THIS PLAT.
- 11) PARCELS A, BLOCK D, SHOWN HEREON IS SUBJECT TO A WSSC EASEMENT TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECORDBOOK OF THIS PLAT.
- 12) LOTS 1-19, LOT 20, AND PARCELS A, B, BLOCK D, AND PARCELS C, BLOCK A, SHOWN HEREON AS A PUBLIC IMPROVEMENT EASEMENT (SHOWN HEREON AS 'P.I.E.') ARE TO BE RECORDED BY SEPARATE DOCUMENTS AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, FOLLOWING RECORDBOOK OF THIS PLAT.

LEGEND:

- SQUARE FEET
- AREA HEREBY DEDICATED TO PUBLIC USE
- WSSC EASEMENT
- FOREST CONSERVATION EASEMENT
- EXISTING EASEMENT
- HOMEOWNERS ASSOCIATION
- AC

OWNER'S DEDICATION

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAT OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE THE RIGHT OF WAY SHOWN HEREON TO PUBLIC USE.

FURTHERMORE, AS OWNER OF THIS SUBDIVISION, OUR SUCCESSORS AND ASSIGNS, WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTATION TO BE SET BY A SURVEYOR AND PROFESSIONAL LAND OR PROPERTY LINE SURVEYOR IN ACCORDANCE WITH ARTICLE 21, SECTION 25.21.25 OF THE ROCKVILLE CITY CODE.

THERE ARE NO RECORDED SUITS, ACTIONS AT LAW, LIENS, LEASES, MORTGAGES OR TRUSTS AFFECTING THE PROPERTY INCLUDED ON THIS PLAT.

SUBDIVISION PLAT

SHADY GROVE NEIGHBORHOOD CENTER

PLAT 5

LOTS 1-26, PARCELS A & B, BLOCK D AND LOTS 6-14, PARCEL C, BLOCK A, SILO SUMMIT STREET, KITTSON STREET, & CLOVE HILL STREET

(BEING A RESUBDIVISION OF PART OF LOT 8, DANAC TECHNOLOGICAL PARK) OF ROCKVILLE 4TH ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 40' DATE: AUGUST, 2025

VIVA MARYLAND, LLC
 400 Germantown, MD 20872
 301.916.4100 viva.com

Our Site Set on the Future. PL12025-00636

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT; THAT IT IS A PLAT OF PART OF THE PROPERTY ACQUIRED BY BARE SHADY GROVE, LOT 8, BLOCK A, DANAC TECHNOLOGICAL PARK, DATED AUGUST 15, 2021 AND RECORDED IN BOOK 63755 AT PAGE 350 AND ALSO BEING PART OF LOT 8, DANAC TECHNOLOGICAL PARK, RECORDED IN PLAT BOOK 90 AS PLAT NO. 9700 ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DEDICATION HEREON, ALL PERS SHOWN THIS DATE WITH CHAPTER 23, ARTICLE 21, SECTION 25.21.25 OF THE ROCKVILLE CITY CODE.

THE TOTAL AREA OF THIS PLAN OF SUBDIVISION IS 14,178 SQUARE FEET OR 25.2723 OF THE ROCKVILLE CITY CODE.

JOSHUA G. PRICE
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION NO. 21846
 LICENSE EXPIRES 05/31/2026

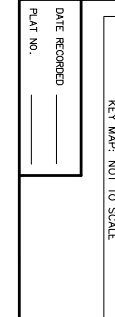
DATE _____

APPROVED _____
 THE CITY OF ROCKVILLE PLANNING COMMISSION
 ROCKVILLE, MARYLAND

WITHOUT COMMITMENT TO THE INSTALLATION OF WATER, SEWER AND STREETS

CHAIR _____ CITY MANAGER _____

DATE RECORDED _____ PLAT NO. _____



APPROVED _____

DATE RECORDED _____

PLAT NO. _____