

# Sample Agreement to Amend Private Recreation Facilities Agreement

\_\_\_\_\_ DSP \_\_\_\_\_

THIS AGREEMENT TO AMEND PRIVATE RECREATION FACILITIES made this \_\_\_\_\_ day of, by and between THE MARYLAND-NATIONAL CAPITALPARK AND PLANNING COMMISSION, a public body corporate, hereinafter referred to as the "Commission and\_ name of landowner a Maryland corporation hereinafter referred to as the "Developer."

WHEREAS, the Developer and the Commission, parties hereto, entered into a Private Recreation Facilities Agreement dated \_\_\_\_, recorded at Liber \_\_\_\_\_ folio \_\_\_\_\_, among the Land Records of Prince George's County for the purpose of providing certain recreation facilities as required through the approval of Preliminary Plan No. \_\_\_\_\_ for the subdivision entitled \_\_\_\_\_, located in the \_\_\_\_\_ Election District of Prince Georges County, Maryland ("Subject Property") from the Developer to the Commission for park and recreational purposes; and

WHEREAS, within the intervening time since the execution of the said Recreational Facilities Agreement dated \_\_\_\_, the Developer and the Commission agree that certain revisions to Detailed Site Plan No. \_\_\_\_\_ for the subject property have been approved by the Commission that reflect an alteration in the type, location and construction sequencing of certain of the recreational facilities upon the subject property, all of which has resulted in the need to revise the terms of the above-referenced Private Recreation Facilities Agreement; and

WHEREAS, the Subject Property is the \_\_\_\_\_ Property which is the subject of Preliminary Plan No. \_\_\_\_\_, Detailed Site plan No. \_\_\_\_\_ (as revised) pursuant to the said Recreational Facilities Agreement dated \_\_\_\_\_; and

WHEREAS, the Commission has stated the reason(s) why it is necessary to amend and;

WHEREAS, THE Developer and the Commission, parties hereto, have agreed to so amend the said Recreational Facilities Agreement dated \_\_\_\_\_, by the execution of this Agreement to Amend;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, the said parties hereto, their successors and/or assigns, in consideration, of the premises aforesaid and for other good and valuable consideration, do hereby agree as follows:

1. That notwithstanding anything to the contrary in this Agreement to Amend, the terms and conditions of the said Recreational Facilities Agreement dated \_\_, remain in full force and effect.
2. That this Agreement to Amend shall be recorded among the Land Records of Prince George's County and recording fees to be paid by the Developer, his successors and assigns.
3. That the recreation facilities to be constructed by the Developer, and the location of same, along with the triggering events by which they are to be bonded and completed, are hereby amended as follows:

ATTEST:

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

\_\_\_\_\_  
Joseph Zimmerman  
Secretary-Treasurer

\_\_\_\_\_  
Asuntha Chiang-Smith  
Executive Director

AGREEMENT TO AMEND

ATTEST:

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Secretary)

BY: \_\_\_\_\_  
(Vice President)

STATE OF MARYLAND

COUNTY OF \_\_\_\_\_: ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared Anju Bennett, who acknowledged herself to be the ACTING EXECUTIVE DIRECTOR OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, and that she, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public, Maryland

My commission expires:

STATE OF MARYLAND                    }  
COUNTY OF \_\_\_\_\_} ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself/herself such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

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Notary Public, Maryland

My commission expires: