

Resolution No.: 20-1068
Introduced: March 10, 2026
Adopted: March 24, 2026

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: APPLICATION NO. H-149 FOR AMENDMENT TO THE ZONING ORDINANCE MAP, Steven A. Robins Esquire, and Elizabeth Rogers, Esquire, Attorneys for the Applicant, Glenmont Forest Investors, LP; OPINION AND RESOLUTION ON APPLICATION; Tax Account Nos. 13-00975447 and 13-00975436.

REMAND OPINION

Glenmont Forest Investors, LP (“Applicant” or “Glenmont”) filed its Local Map Amendment (LMA) Application No. H-149 on January 23, 2024. The application sought to rezone approximately 34.87 acres of property from R-30 multi-family to CRF 1.75, C-0.25, R-1.5, H-75’ (Commercial Residential Floating). Exhibit 1.¹ The subject property is located at the southeast quadrant of the intersection of Randolph Road and Georgia Avenue, Silver Spring, Maryland as part of Parcel A, Plat No. 6337 and Parcel B, Plat No. 8065 in the “Americana Glenmont” subdivision and the “Americana Glenmont Apartments” subdivision (Tax Account No. 13-00975447 and 13-00975436). *Id.*

The District Council’s Resolution No. 20-616 approving the application of Glen Forest Investors, LP seeking to rezone certain land located at the southeast quadrant of the intersection of Randolph Road and Georgia Avenue in Silver Spring, Maryland, and more specifically approving the Local Map Amendment Application Number H-149 was vacated by Order of the Circuit Court dated May 30, 2025, and entered by the Clerk of the Circuit Court on June 3, 2025.² The Court ordered this matter remanded to the District Council and returned to the Hearing Examiner for further proceedings consistent with the Court’s decision, to further consider the issues of school adequacy and compatibility with the surrounding neighborhood, specifically the community to the north of the proposed development. The Court ordered that the Hearing Examiner was to permit further testimony and evidence by the parties and any other permitted persons so that an adequate

¹ All exhibits for this LMA can be found on OZAH’s website, at <https://www.montgomerycountymd.gov/OZAH/hearings/virtual-meeting.html>.

² Circuit Court Case Number C-15-CV-24-005724, a petition for judicial review was filed by Glen Waye Gardens Condominium Association, et. al.

factual basis could be developed to support recommendations by the Hearing Examiner to the Council on both those issues.

On November 10, 2025, the Hearing Examiner issued a Notice of Hearing which was mailed out to the parties and all persons entitled to notice under the Zoning Ordinance. It stated that a public hearing was scheduled for Tuesday, December 9, 2025, and specified the time and location of the hearing. The hearing was convened as outlined in the notice. Written opposition to the application was received, and the hearing was attended by the parties in the Circuit Court case.

Staff of the Montgomery County Planning Department (“Planning Staff” or “Staff”) transmitted a supplemental report on school adequacy dated August 8, 2025, in which Staff opined that although an adequate public facilities (“APF”) analysis would be conducted again at the Preliminary Plan stage of development, using a conservative approach at this stage, and applying the applicable provisions of Chapter 50, Section 4.3.J, and the 2024-2028 Growth and Infrastructure Policy with applicable guidelines, the public school capacity is adequate. Exhibit 75.a. Planning Staff also transmitted a supplemental report completed on November 20, 2025, analyzing the proposed development’s compatibility with the neighborhood to the north and concluded that it was compatible, noting the proposed density and uses were compatible with the Sector Plan; the minimized visual impact due to the 135-foot-wide distance across Randolph Road, as well as the lower elevation of the Property compared to Glen Way Gardens; and the binding elements. Exhibit 75.b.

The Council received the Hearing Examiner’s Report and Recommendation on February 6, 2026. Notice of the report was sent to all parties on that same date and included information about the right, under Section 7.2.1. of the Zoning Ordinance, to request an oral argument within 10 days of the issuance of the Report. No oral argument requests were received.

Remand Hearing

The Record on Remand comprised the following additional evidence:

<u>Exhibit Number</u>	<u>Description</u>
71.	Circuit Court’s Order Remanding Case Back to District Council
72.	05/30/2025 Transcript of Hearing
73.	Email exchange for Transcript Corrections
74.	Email exchange between Hearing Examiner and Maryland-National Capital Park and Planning Commission (M-NCPPC) regarding data about school adequacy
75.	Staff Supplemental Reports - Montgomery County Planning <ul style="list-style-type: none"> a. School Adequacy Analysis b. Neighborhood Compatibility Analysis
76.	Annual School Test Guidelines - Montgomery County Planning
77.	FY2026 Annual School Test - Montgomery County Planning
78.	FY2026 School Utilization Report - Montgomery County Planning
79.	7/1/2025 Public School Utilization Premium Payments Rates - Montgomery County Planning

80. Applicant's Pre-Hearing Statement
81. Certified Floating Zone Plan by Hearing Examiner
 - a. Updated Floating Zone Plan with Binding Element Agreed 12.16.25
82. Applicant's Supplemental Analysis
83. Applicant View 1
84. Applicant View 2
85. Notice of Public Hearing
86. Pre-Hearing Submission for Glen Way Gardens, Vicki Vergagni and James E. Johnston.
 - a. Exhibit List
 - I. Glenmont Sector Plan
 - II. Metro Walkability PLOC (Pedestrian Level of Comfort) Map 1 03-24-2025
 - III. Metro Walkability PLOC (Pedestrian Level of Comfort) Map 1 10-21-2024
 - IV. Metro Walkability PLOC (Pedestrian Level of Comfort) Map 2 03-24-2025
 - V. Metro Walkability PLOC (Pedestrian Level of Comfort) Map 2 03-24-2025
 - VI. Glenmont Forest – Metro to Glenmont Forest - 4 Paths
 - VII. Aerial View - Glenmont Metro Station and vicinity
 - VIII. Montgomery-County-Council District Profiles-2022-1
 - IX. Photo Location Map - Locations where photos in attachments X to XII were taken
 - X. Photos Taken at Greenery Lane/Randolph Road Entrance Overlooking Glenmont Forest Property
 - XI. Photos Taken From 2101 Lane Looking Towards Glenmont Forest Property
 - XII. Photos taken from 2107 Greenery Lane Overlooking Lidl/Glenmont Forest Property
 - XIII. Glen Way Condominium Units
 - XIV. Bus Routes
 - XV. Compatibility
 - XVI. PLOC (Pedestrian Level of Comfort) Criterion
87. 11/25/25-Applicant's Objection to Transportation-Related Testimony
88. 12/08/25- Response to Applicant's Objection filed in Exhibit 87.
89. Walkability-Pedestrian Circulation
90. Updated Declaration of Covenants

At the hearing on December 9, 2025, Applicant was represented by Steven Robins, Esq., and Elizabeth Rogers, Esq. Petitioners in the Circuit Court proceeding who were objecting to the application were represented by Michelle Rosenfeld, Esq.³ Applicant presented testimony under oath by Mr. Gary Unterberg of Rogers Consulting, who was qualified as an expert in landscape architecture, and was cross-examined by Ms. Rosenfeld.

After a recess, the parties stipulated on the record that they had reached a settlement, the terms of which are that the objecting parties that brought the proceeding in Circuit Court that resulted in this remand are withdrawing their objections in exchange for an amendment to the Floating Zone Plan to which Applicant would add a fourth binding element. Transcript (TR) 6-8.

³ Ms. Rosenfeld appeared on behalf of Glen Way Gardens Condominium, Inc., Ms. Vicki Vergagni, both in her role as president of Glen Way Condominium, and as an individual, and Mr. James E. Johnston, also a resident of Glen Way Condominium. Transcript (T-2).

Binding Elements in the Floating Zone Plan (FZP) prior to settlement (Exhibit 81)	Binding Elements in the FZP following settlement Exhibit 81(a)
<ol style="list-style-type: none"> 1. The maximum building height is limited to 45 feet, for a distance of 100 feet from the eastern property boundary. 2. The use of the property will be limited to Multi-Unit Living, Townhouse Living and up to 5,000 sf of non-residential use. 3. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) or Montgomery County Department of Housing and Community Affairs (MCDHCA)- approved equivalent consistent with the requirements of Chapter 25A. 	<ol style="list-style-type: none"> 1. The maximum building height is limited to 45 feet, for a distance of 100 feet from the eastern property boundary. 2. The use of the property will be limited to Multi-Unit Living, Townhouse Living and up to 5,000 sf of non-residential use. 3. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) or Montgomery County Department of Housing and Community Affairs (MCDHCA)- approved equivalent consistent with the requirements of Chapter 25A. 4. <u>The building height shall not exceed a maximum of 45 feet, between the northeast corner of the Property and a point 470 +/- feet west of that corner along Randolph Road, for a depth of 100 feet as measured from the Randolph Road property line.</u>

Subject Property

The subject property contains approximately 34.87 acres of land and is bounded by Randolph Road to the north along with the County’s 4th District Police Station and a parking lot owned by the Maryland DOT SHA, Georgia Avenue to the west along with a church at the southwest corner, a two-story townhouse community to the south, and a single-family neighborhood to the east and a small private lot between it and Wheaton Regional Park. Exhibit 46, Attachment 1, pg. 3. The Property contains 19 two-to-three story buildings operating a garden-style apartment complex known as the Americana Glenmont Forest Apartments constructed in 1962, with a total of 482 dwelling units. *Id.*

Surrounding Area

The surrounding area is typically identified and characterized in a Floating Zone case. The boundaries are defined by those properties that will experience the direct impacts of the use. This area is then characterized to determine whether the Floating Zone Plan will be compatible with the impacted area

Staff identified the neighborhood boundaries as “bordered by Glenallan Avenue to the north, Wheaton Regional Park to the east, Shorefield Road to the south, and Georgia Avenue to the west.” Exhibit 46 pg. 3. Staff further identified the neighborhood zoning patterns as “varied”

and the uses as “mixed-use in character with a variety of housing, commercial, and institutional uses” further noting the Glenmont Shopping Center and Glenmont Metro Station to be within the Neighborhood boundaries. *Id.* at 4. The Hearing Examiner agreed with Staff that the uses and zones are varied but found the most intense uses were located across Randolph Road from the subject property. The Hearing Examiner, in the August 19, 2024, Report and Recommendation, also noted that the subject property immediately abuts to the North without a road break an R-90 single-family detached community consisting of approximately 20 single-family lots.

Proposed Development

Glenmont proposes to redevelop the property with a “mixed-use, predominately residential development” that will “include up to 5,000 square feet of neighborhood-serving commercial use and up to 2,275 multi-family living units.” Exhibit 45, pg. 6. The residential units will be primarily rental with the associated parking, open space, public benefits and amenities. *Id.* In addition, the Applicant will evaluate a possible for sale option in the future. *Id.*

The Applicant intends to redevelop the property in phases. *Id.* at 27. The project places the multi-family buildings into smaller blocks by a series of internal private streets with the tallest buildings up to 75 feet to be located closer to Georgia Avenue and Randolph Road, while those buildings within 100 feet of the single-family detached neighborhood to the east will be no higher than 45 feet. Exhibit 46, pg. 9.

The FZP contains four binding elements which are listed on the Amended Declaration of Covenants offered by Applicant and attached to this resolution in Appendix A. Remand Exhibit 90.

Criteria for Approval

Every application for rezoning to a Floating Zone must be accompanied by a Floating Zone Plan (FZP) that meets certain requirements. *Zoning Ordinance*, Section 59-7.2.1.B.2.g. The Applicant has filed an FZP (Exhibit 81.a and related documents) which is described in the Hearing Examiner’s Report. *Remand HE Report* pg. 5-6.

As stated, a Floating Zone application must meet the standards required by the Zoning Ordinance and State law. Generally, these standards fall into five categories: (1) conformity to the applicable Master Plan, (2) compatibility with adjacent uses and the surrounding area, (3) the adequacy of public services to support the proposed development, (4) technical requirements regarding whether the property is eligible to apply for a Floating Zone, and (5) whether the FZP meets the development standards of the zone requested.

Except where specifically stated otherwise, the District Council on remand adopts by reference all the facts, findings and conclusions outlined in the August 19, 2024, Report and Recommendation of the Hearing Examiner as supplemented on remand by the facts, findings and conclusions in the Hearing Examiner Report and Recommendation of February 6, 2026.⁴

⁴ The Hearing Examiner’s Reports and Recommendations can be found on the OZAH website, at <https://www.montgomerycountymd.gov/OZAH/reports.html>.

Intent of the Floating Zones (Section 59.5.1.2)

The District Council must determine whether the FZP fulfills the intent of the Floating Zones. Several of these have already been addressed.⁵ The remaining (from Section 59.5.1.2) are:

Section 59-5.1.2.A.3. Implement comprehensive planning objectives by:

3. *allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property; and*

For the reasons outlined in the prior proceeding and as supplemented by the record on remand the District Council finds that this requirement has been satisfied.

Section 5.1.2.B. Encourage the appropriate use of land by:

1. *providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;*
2. *allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population;*
3. *ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation; and*

For the reasons outlined in the prior proceeding and as supplemented by the record on remand the District Council finds that this requirement has been satisfied.

Applicability of the Zone (Section 59.5.1.3)

Section 59-5.1.3 B states if a Floating Zone is recommended in a master plan no prerequisites or locational criteria are required for a Local Map Amendment. The Sector Plan recommends the for a “CRF-1.75, C-0.25, R-1.5, H-75 and CRNF-1.5, C-0.25, R-1.5, H-45 or other similar zones. Exhibit 46, pg. 19. The District Council previously found that the requirements of this section had been met, as did the Hearing Examiner. *HE Report* of August 19, 2024, pg. 43. This finding was not open to review on remand.

The Purpose of Commercial/Residential Floating Zones, Permitted Uses, and Permitted Building Types (Sections 59.5.3.2 through 59.5.3.4)

⁵ The intent of Floating Zones contained in Sections 59-5.1.2.A.1 and 2 and 59-5.1.2.C of the Zoning Ordinance has already been addressed in the Council's findings relating to the compatibility of the FZP with surrounding uses and the adequacy of public facilities. The balance of the Floating Zone intent clauses is discussed here.

Zoning Ordinance Division 59-5.3 specifies the purposes of the Commercial/Residential Floating Zone and establishes the allowed uses, building types, and development standards. The FZP must fulfill the purposes of the Commercial/Residential Floating Zones and meet all technical standards.

Section 59.5.3.3 of the Zoning Ordinance limits the uses permitted in the CRF Zone to “only” those uses permitted in the CR Zone. Townhouse and multi-unit living are both permitted in a CR Zone.⁶ In addition, certain commercial uses are also permitted in a CR Zone.

Purpose. The District Council finds on remand that the FZP as amended with the inclusion of binding element 4 is compatible with the adjacent neighborhood which is one of the purposes of the Commercial/Residential Zones. *Zoning Ordinance*, Section 59.5.3.2.C. The remaining purposes are:

Section 5.3.2. Purpose

The purpose of the Commercial/Residential Floating zones is to:

- A. allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;*
- B. allow flexibility in uses for a site; and*
- C. provide mixed-use development that is compatible with adjacent development.*

The District Council previously found the FZP features the taller buildings closest to the Georgia Avenue and Randolph Road intersection and uses the maximum setbacks to the east and south as a binding element to accomplish compatibility with the adjacent residential uses. The FZP follows the Sector Plan’s recommendations for rezoning and development while also maintaining a primarily residential use. The District Council reaffirms its previous finding that this standard has been met.

Development Standard of the Zone (Section 5.3.5)

Planning Staff prepared a table comparing the development standards in the CRF Zone with those shown on the FZP. Exhibit 46, pgs. 21-22. The Table demonstrates that the proposed development may meet all the development standards of the required zone. The Approved Floating Zone Plan determines the setbacks from the Site Boundary. *Zoning Ordinance* Section 59.5.3.5.B.2. Remaining development standards may be finalized later during the site plan process unless so restricted by a binding element. The District Council agrees with the Hearing Examiner that the FZP meets all the development standards of the Zone.

General Development Standards (Article 59.6)

Article 59.6 of the Zoning Ordinance contains general development standards for most developments. These standards regulate the number and design of parking spaces, drive aisles, landscaping, lighting, and public and private open space. The District Council previously found that based on the undisputed evidence at this stage, the Applicant’s proposal will be able to meet

⁶ See *Zoning Ordinance* Use Table 3.1.6.

these standards subject to review and modification of the specific requirements during site plan review. This finding was not reopened for review on remand.

Conclusion

Based on the foregoing analysis and after a thorough review of the entire record of all stages of this application, including the Hearing Examiner's Report and Recommendation issued August 19, 2024, the Hearing Examiner's Report and Recommendation on Remand to the District Council issued on February 6, 2026, re-examining the questions of school adequacy and compatibility with the neighborhood to the north, and the stipulation of settlement by the parties as stated on the record during the hearing on remand and included in Exhibit 90 – Amended Declaration of Covenants, the District Council concludes that the proposed reclassification and Floating Zone Plan, shown on the Floating Zone Map, as amended on remand and appearing in the record as Exhibit 81(a), will meet the standards set forth in the Zoning Ordinance, and is consistent with Circuit Court's instructions which sought to address the Petitioners' concerns.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, Maryland, approves the following resolution:

Local Map Amendment Application No. H- 149, requesting reclassification from the existing R-30 Zone to CRF-1.75 C-0.25, R-1.5, H-75' (Commercial Residential Floating) for property located at 2300 Glenmont Circle, Silver Spring, Maryland as part of Parcel A, Plat No. 6337 and Parcel B, Plat No. 8065 in the "Americana Glenmont" subdivision and the "Americana Glenmont Apartments" subdivision (Tax Account No. 13-00975447 and 13-00975436), is hereby **approved** in the amount requested and subject to the specifications and requirements of the Floating Zone Plan, Exhibit 81.a, provided that the Applicant files a final executed Declaration of Covenants as shown in Appendix A hereof, reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with Sections 59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

This is a correct copy of Council Action:



Sara R. Tenenbaum
Clerk of the Council

Parcel Identification Numbers: 13-00975436
13-00975447

Title Insurance: None

**AMENDED COVENANTS
FOR FLOATING ZONE LOCAL MAP AMENDMENT**

DECLARATION OF COVENANTS

This Declaration of Covenants, made this ____ day of _____, 2026, by Glenmont Forest Investors, LP, a Maryland limited partnership ("Owner"), owner of the property located at 2300 Glenmont Circle in Silver Spring, Montgomery County, Maryland, and described on Exhibit A attached hereto ("Property").

WITNESSETH:

WHEREAS, on October 27, 2023, the Owner and/or those in privity with them ("Applicant"), filed Zoning Application H-149, requesting the reclassification of the Property from the R-30 zone to the CRF-1.75, C-0.25, R-1.5, H-75' Zone, in accordance with Section 59-7.2.1 of the 2014 Montgomery County Zoning Ordinance; and

WHEREAS, the Applicant submitted a Floating Zone Plan ("FZP") (Ex. 30) and proposed covenant (Ex. 58) as part of the original rezoning application pursuant to Zoning Ordinance §59-7.2.1.B.2.g.iv. for the purpose of clarifying various development restrictions (*e.g.* building height, allowed uses, minimum percentage of Moderately Priced Dwelling Units), as depicted on the FZP; and

WHEREAS, Section 59-7.2.1. of the Zoning Ordinance requires that Zoning Application H-149 and the FZP be submitted to the Montgomery County Council, sitting as the District Council ("Council"), for approval; and

WHEREAS, upon approval of the rezoning and the FZP by the Council, Section 59-7.2.1.F.3. of the Zoning Ordinance requires the submission and filing in the Land Records of Montgomery County, Maryland, of an executed covenant reflecting in specific language any restricted development standards, development program, or limitation on uses contained in the approved FZP; and

WHEREAS, the Council approved the FZP by Resolution No. 20-616, dated September 24, 2024; and

WHEREAS, the Applicant recorded a Declaration of Covenants in the Land Records for Montgomery County, Maryland at Book 68460, Page 317 on October 03, 2024 in accordance with Section 59-7.2.1.F.3 of the Zoning Ordinance; and

WHEREAS, the rezoning application was appealed to the Circuit Court for Montgomery County, Maryland (the "Circuit Court"); and

WHEREAS, the Circuit Court remanded Zoning Application H-149 back to the District Council in connection with Case No. C-15-CV-24-005724 (the "Remand"); and

WHEREAS, in connection with the Remand, the Applicant submitted a revised Floating Zone Plan ("FZP") (Ex. ___) and updated draft of the Declaration of Covenants (Ex. ___) pursuant to Zoning Ordinance §59-7.2.1.B.2.g.iv. for the purpose of clarifying various development restrictions (*e.g.* building height, allowed uses, minimum percentage of Moderately Priced Dwelling Units); and

WHEREAS, in connection with the Remand, the Council approved the updated FZP (Ex. ___) on _____, as reflected in Resolution No. _____;

WHEREAS, in accordance with Section 59-7.2.1.F.3. of the Zoning Ordinance, the Applicant is submitting this Amended Declaration of Covenant, which supersedes and replaces the Covenants previously recorded in the Land Records at Book 68460, Page 317.

NOW, THEREFORE, in consideration of the foregoing and in compliance with the Zoning Ordinance, the Owner on behalf of themselves, and their heirs, personal representatives, successors or assigns, hereby declare, covenant and agree, that so long as the Property remains in the CRF-1.75, C-0.25, R-1.5, H-75' Zone, the Property (and all its parts or subparts) shall be transferred, sold conveyed and occupied subject to the conditions, covenants and restrictions set forth herein:

1. So long as the Property is zoned CRF-1.75, C-0.25, R-1.5, H-75' Zone, no development, construction or use will be started, erected or maintained on the Property that does not conform to the binding elements of the FZP (Ex. ___), amended as may be authorized by law, ordinance or regulation. Further, the FZP contains the following binding restrictions and limitations by which the Owner shall be bound. All other elements will be governed by the provisions of the Montgomery County Code:

1. The maximum building height is limited to 45 feet, for a distance of 100 feet from the eastern Property boundary.
2. The use of the Property will be limited to Multi-Unit Living, Townhouse Living, and up to 5,000 sf of non-residential use.
3. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) or Montgomery County Department of Housing and Community Affairs (MCDHCA)-approved equivalent consistent with the requirements of Chapter 25A.
4. The building height shall not exceed a maximum of 45 feet, between the northeast corner of the Property and a point 470+/- feet west of that corner along Randolph Road, for a depth of 100 feet as measured from the Randolph Road property line.

2. These Covenants will be recorded among the Land Records of Montgomery County, Maryland, immediately following the grant of the CRF-1.75, C-0.25, R-1.5, H-75' Zone for the Property.

Further, these Covenants shall run with the land; shall be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns; shall inure to the benefit of each owner thereof and to Montgomery County, Maryland, so long as the Property is zoned CRF-1.75, C-0.25, R-1.5, H-75' and shall remain in effect until such time as the Property is rezoned or the restrictions on development are removed or are amended by action of the Council or other governmental body having jurisdiction, or are declared invalid by any court of competent jurisdiction, at which time the covenants and restrictions shall terminate and have no further force and effect. These Covenants shall not take effect until the Property is rezoned to the CRF-1.75, C-0.25, R-1.5, H-75', and the Council approves the FZP (Ex. No. ____).

3. The binding elements contained in this Declaration of Covenants and in the FZP shall be enforceable by the Council pursuant to Section 59-7.2.1.J. of the Zoning Ordinance.

4. This Declaration of Covenants may be amended by the Owners or their successors or assigns to conform to any modification made by the Council in the binding elements contained in the FZP, or any amendment thereof.

5. This Declaration of Covenants may be executed in any number of counterparts, each of which shall be deemed an original, and all of which together, shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Owner has set their hands and seals on the day and year written below.

Witness:

**GLENMONT FOREST INVESTORS
LIMITED PARTNERSHIP,**
a Maryland limited partnership.

By: Glenmont Investment Corp.,
a Maryland corporation,
its General Partner

By: _____

By: _____

Date: _____

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____; to wit,

I hereby certify that on this _____ day of _____, 2024, before the subscriber, a Notary Public of the State of _____, and for the County of _____, personally appeared _____ on behalf of Glenmont Investment Corp., a Maryland corporation, the General Partner of GLENMONT FOREST INVESTORS, LP, a Maryland limited partnership, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, who did acknowledge that he, having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

Notary Public

My Commission expires: _____

[NOTARIAL SEAL]

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that I am an attorney duly admitted to practice before the Court of Appeals of Maryland and that the foregoing instrument was prepared by me or under my supervision.

Elizabeth C. Rogers

Exhibit "A"

Property Description

Part of Parcel A in the "Americana Glenmont" Subdivision as recorded among the Land Records of Montgomery County, Maryland at Plat No. 6337; and Part of Parcel B in the "Americana Glenmont Apartments" Subdivision as recorded among the Land Records at Plat No. 8065.