

EXHIBIT C

ONE-YEAR MAINTENANCE AGREEMENT

THIS ONE-YEAR MAINTENANCE AGREEMENT, made the 14<sup>th</sup> day of November, 2022 by and between King Road Associates, LP, a Maryland limited partnership (Developer), (hereinafter called "Developer") and Mayor and Council of Boonsboro, a body corporate and politic of the State of Maryland (hereinafter called "Boonsboro").

**WHEREAS**, the above-named Developer has undertaken to construct certain subdivision improvements at Sycamore Run, Phase #1, 2 and 3 in Boonsboro, Washington County, Maryland, namely, the installation of streets, sidewalks, curbs and gutters, sediment and erosion controls, streetlights, stormwater management, water and sewer infrastructure, storm drains, and landscaping; and

**WHEREAS**, Developer has completed said subdivision improvements and the subdivision improvements have been inspected by Boonsboro and are in compliance with specifications as shown on Exhibit A plans included with the Public Works Agreement between the parties. The Developer

shall warrant the aforementioned subdivision improvements for one (1) year and shall cause this instrument to be executed and delivered to Boonsboro before Boonsboro accepts, takes over and/or maintains said subdivision improvements.

**NOW, THEREFORE, WITNESSETH** that for and in consideration of the undertakings hereinafter set forth, the parties agree as follows:

1. The Developer shall maintain the above-described public works improvements at Sycamore Run, Phase #1, 2, and 3 for a one-year period commencing on November 14, 2022, and ending November 14, 2023. It is hereby agreed and understood by the parties that Boonsboro may require further modifications to the public works improvements prior to November 14, 2023, to comply with previously stated specifications.

2. After said one-year period, the above described improvements shall be dedicated to public use.

3. In connection with Developer's requirements under the

Public Works Agreement with Boonsboro, Developer has heretofore posted irrevocable Letters of Credit or Bonds with Boonsboro. The applicable Letter of Credit or Bond was reduced by ninety-five percent (95%) based upon the completion of all improvements and the Developer was authorized to obtain a new or modified Letter of Credit and/or Bond to reflect this reduction. The new or modified Letter of Credit and/or Bond shall not be renewed beyond the expiration of the one-year maintenance period on November 14, 2023.

4. In the event of any default hereunder on the part of the Developer, a written statement of the particular facts showing default and date thereof which shall act as a notice of default, shall be mailed by Boonsboro to the Developer, certified mail, and the Developer shall have twenty (20) days to commence to cure such default and shall complete such cure within sixty (60) days of commencing to cure the default. In the event the default is not cured within said sixty (60) days, Boonsboro may elect to draw upon the Letter of Credit or Bond for the above-described maintenance in accordance with its terms.

5. The Developer acknowledges that Boonsboro shall have the right to enter upon the Property at any time with one hundred twenty (120) days prior to the expiration of this One Year Maintenance Agreement and at such time, Boonsboro shall have the right to cite the Developer for any failure to complete the construction of the improvements in accordance with the Subdivision Agreement executed in conjunction with the development; additionally, Boonsboro shall have the right to cite the Developer for failure to perform in accordance with this One Year Maintenance Agreement, the intent of this paragraph being to allow Boonsboro to file a claim in order to preserve its rights against the surety of the Developer.

**WITNESS** the hands and seals of the Developer and the Mayor and Council of Boonsboro.

Developer:

Attest:

King Road Associates, LP, a

Maryland limited partnership



(SEAL)

By: Susan Braxton Fant

Susan Fant, ~~Partner~~ Member & Manager

Attest:

Mayor and Council of Boonsboro

(SEAL)

Howard W. Long  
Mayor