

# CHAPMAN FOREST FOUNDATION, INC.



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Hon. Thomas McLain Middleton  
Miller Senate Office Building, 3 East Wing  
11 Bladen St.  
Annapolis, MD 21401 - 1991

May 25, 2005

Dear Sen. Middleton:

We of the Chapman Forest Foundation are very pleased with the agreement we have reached with the Charles County Commissioners regarding Chapman Forest. We believe that this agreement will serve the people of Charles County and of Maryland very well for a very long time. Two important elements of the agreement are as follows.

The Foundation endorses the goal of the development of the 50 acre section, as described in the Memorandum of Agreement, so as to provide employment opportunities in Charles County, as envisioned as part of the agreement that resulted in the transfer of Chapman Forest to the State of Maryland. In the cooperative spirit described in the agreement, the Commissioners and the Foundation will fulfill their roles to assure optimal storm water management of development in the fifty acres, so that neither Long Herring Run nor the Wetland of Special State Concern will suffer adverse impact.

The Commissioners recognize that the Foundation has proven itself the manifestation of the informed public will of the people of Charles County and of Maryland. They endorse the aims of the Foundation and they will support the Foundation's efforts to raise funds for assisting the State in maintaining the property, so that the Foundation can plan for Chapman Forest's future. The Commissioners will support and facilitate a partnership between the State and the Foundation that will result in a management agreement empowering the Foundation to plan the property's future.

These two elements together will result in the fulfillment of the letter and the spirit of the October 1998 transfer of the land to the State of Maryland. We are happy to fulfill our end of the agreement now and in the future, in cooperation with the Charles County Commissioners.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Bick". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Bonnie Bick  
President, Chapman Forest Foundation, Inc.

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## MEMORANDUM OF AGREEMENT

THIS Memorandum of Agreement is between the County Commissioners of Charles County, Maryland, (hereinafter, "the Commissioners"), and the Chapman Forest Foundation, Inc., a tax exempt charitable organization under Internal Revenue Section 501(c)(3), headquartered in Charles County (hereinafter, "the Foundation").

As a result of a public education campaign initiated and pursued by the Foundation for many years, in 1998 the State of Maryland purchased from a developer a 2,250 acre tract of land approved for mixed use development. Hereinafter, the term "Chapman's Landing" refers to the mixed-use development proposal which was abandoned when the State of Maryland purchased the tract of land, and the term "Chapman Forest" refers to the 2,250 acre tract of land.

The reason for the purchase was so that the people of Maryland could enjoy and benefit from Chapman Forest's biodiversity, its historic character, its potential for scientific and archaeological research, and its many public access opportunities consistent with maintaining the previously mentioned attributes unharmed and intact.

According to the terms of the purchase agreement, the developer received a cash payment from the State, a portion of which was provided by a conservation organization. In return, the developer agreed to forfeit and did forfeit all ownership interest and all development rights in the property.

As part of the purchase agreement, in consideration of the loss of the substantial economic development opportunities which had been conditions of approval for the proposed Chapman's Landing development, the County Commissioners received groundwater rights beneath Chapman Forest and an assurance from the State that the State would reserve for joint State-County industrial development a fifty acre section of Chapman Forest (hereinafter the "fifty acre section"), with the understanding that the County and the State would in the future reach an agreement that would lead to the site's development for County approved economic development purposes. This fifty-acre site is on a relatively flat piece of land. It is in the headwaters of Long Herring Run, the southernmost of the two major

tributaries of Mattawoman Creek on the south side of Chapman Forest. The vitality of Long Herring Run is one of the important attributes of Chapman Forest, and the stream valley of Long Herring Run may include a Maryland Wetland of Special State Concern as defined in Code of Maryland Regulations (COMAR) Title 26, Subtitle 23, Chapter 06, Sections 01 & 02.

The Foundation was formed in 1991 (under the name Friends of Mount Aventine) and its goal has always been the preservation and management of Chapman Forest so that future generations can enjoy and benefit from its biodiversity, its historic character and cultural resources, its scenic beauty, and the educational and research opportunities it provides and also those public access and eco-tourism and heritage tourism opportunities that are consistent with maintaining the land's extraordinary attributes unharmed and intact in perpetuity. In the years since its formation, the Foundation has consistently and diligently evidenced its able dedication to this goal, and its competence and creativity in gathering expertise and creating appropriate activities for the public.

While Chapman Forest is a State property, its presence in Charles County makes it a responsibility of the County Commissioners to consider what role they may play in its future. Because of the mission and the above-cited competence and creativity demonstrated by the Foundation over the years with regard to the land, the Commissioners have decided and do agree to commit to developing a partnership agreement with the Foundation, and lend their full support to the realization of a partnership agreement between the Foundation and the State of Maryland, which owns Chapman Forest.

The principles of the partnership between the Commissioners and the Foundation will be as follows. The Foundation will gather and organize expertise that will design management planning for Chapman Forest, except for the fifty acre section. This management will include educational programs, research programs, public access and eco-tourism and heritage tourism programs. These programs will be designed to afford rich opportunities for public access without threatening the integrity of the biodiversity, the historic character or the cultural resources, or the scenic beauty of Chapman Forest. The Commissioners will endorse the aims of the Foundation, recognizing it as the manifestation of the informed public will of the people of Charles County and the people of Maryland, so that the Foundation can plan for Chapman Forest's future. The Commissioners will also support and endorse the efforts of the Foundation to raise funds for assisting the State of Maryland in maintaining the property and the improvements therein, including the historic Mount Aventine manor house and grounds. The Commissioners will also

endorse, support and help facilitate a partnership between the State of Maryland and the Foundation that will result in a management agreement empowering the Foundation to plan the property's future. The Commissioners and the Foundation will remain in conversation about how best to cooperate with each other.

Furthermore, the Foundation endorses the goal of the development of the 50 acre section so as to provide employment opportunities in a way consistent with all environmental laws and regulations and also with this Agreement, and will advocate the realization of this project. As part of this advocacy the Foundation will explain to the Maryland Board of Public Works, the general public, the network of environmental organizations throughout the State of Maryland, and members of the legislature of Maryland that the development of the fifty acre section, consistent with this Memorandum of Agreement, will benefit the people of Maryland and of Charles County both in terms of environmental protection and preservation, and beneficial economic development, especially in that it furthers the purposes of the 1998 purchase of Chapman Forest by the State of Maryland.

The Commissioners agree to implement best stormwater management practices for the development on the fifty acre section in accordance with federal State and County regulations and not to seek any waiver or variance in regard to stormwater management, and to consult with the Foundation regarding stormwater management for the fifty acre section, and the Foundation agrees to seek, in a timely manner, funding for the additional cost of any stormwater management improvements beyond that required by law or regulations, so as not to unreasonably delay the tract's development. The Foundation will seek to secure grants to help fund this obligation for optimal stormwater management so that neither Long Herring Run nor the Wetland of Special State Concern will suffer any adverse impact, and the County will cooperate in supporting said grant applications because it shares this goal.

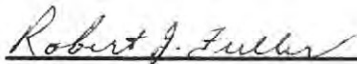
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SIGNED

COMMISSIONERS OF CHARLES COUNTY

  
Wayne Cooper

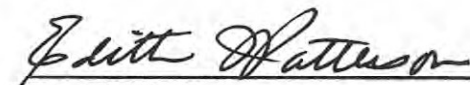
President, Charles County Commissioners



Robert J. Fuller  
Commissioner



Candice Quinn Kelly  
Commissioner



Dr. Edith J. Patterson  
Commissioner



Allan R. Smith  
Commissioner

DECLARATION OF THE CHARLES COUNTY COMMISSIONERS ON  
CHAPMAN FOREST AND THE CHAPMAN FOREST FOUNDATION

WHEREAS, Chapman Forest is a 2,250 acre treasure of natural and cultural resources with over 2 miles of Potomac River shoreline, and with several tributaries of the Mattawoman Creek; and

WHEREAS, this property belonging to the State of Maryland has unique natural and historical attributes that make it of great value to the people of Maryland and the people of Charles County now and in the future; and

WHEREAS, Chapman Forest has large expanses of contiguous forest, which make possible a degree of biodiversity unmatched in the Washington metropolitan area, and of national significance; and

WHEREAS, the exceptional biodiversity of Chapman Forest make it a uniquely valuable place in which to conduct scientific research; and

WHEREAS, Chapman Forest contains a great wealth of historic and archaeological resources that can provide great inspiration and rich opportunities for education and historical and archaeological research; and

WHEREAS, preserving the above mentioned attributes of Chapman Forest will bring great and irreplaceable long term economic benefits to the community because of the heritage tourism benefits and the enhanced prestige it will afford the State and County; and

WHEREAS, there are many public access opportunities that can provide the public with extraordinary enjoyment, enrichment, satisfaction and education, all without harming the biodiversity and integrity of Chapman Forest, so that generations to come can enjoy it as those of us now living can; and

WHEREAS, Chapman Forest Foundation, Inc., is the organization that was established

specifically for the purpose of securing the preservation of Chapman Forest and ensuring that its management protects its unique attributes while creating rich opportunities for enjoyment and education; and

WHEREAS, the Chapman Forest Foundation has over the years demonstrated consistently its skilled dedication to the purpose of protecting the sensitive biodiversity, the authenticity and the historic character of Chapman Forest, while providing a wealth of public access opportunities consistent with that protection; and

WHEREAS, the State of Maryland owns Chapman Forest but also considers input and concerns from the people and the elected government of Charles County, where Chapman Forest is situated;

NOW, THEREFORE, it is this 25<sup>th</sup> day of April, 2005, that the County Commissioners of Charles County, Maryland, hereby express their intent to act in partnership with the Chapman Forest Foundation, in order to help the Foundation achieve its aims and realize its vision, which are beneficial and desirable for the people of Charles County; and

FURTHERMORE, the County Commissioners will look to the Foundation to provide this vision and will assist the realization of it by endorsing the Foundation's efforts to raise the funds that will be necessary for the management of Chapman Forest in such a way that will protect its biodiversity and historic character, for which attributes the land was preserved, while affording rich public access opportunities consistent with that protection.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

  
Wayne Cooper, President

*Robert J. Fuller*

Robert J. Fuller  
Commissioner

*Candice Quinn Kelly*

Candice Quinn Kelly  
Commissioner

*Edith J. Patterson*

Dr. Edith J. Patterson  
Commissioner

*Allan R. Smith*

Allan R. Smith  
Commissioner

WITNESS:

*Linda C. Rollins*

CHAPMAN FOREST FOUNDATION

*Bonnie Bick*

Bonnie Bick, President