

# Golf Course Study



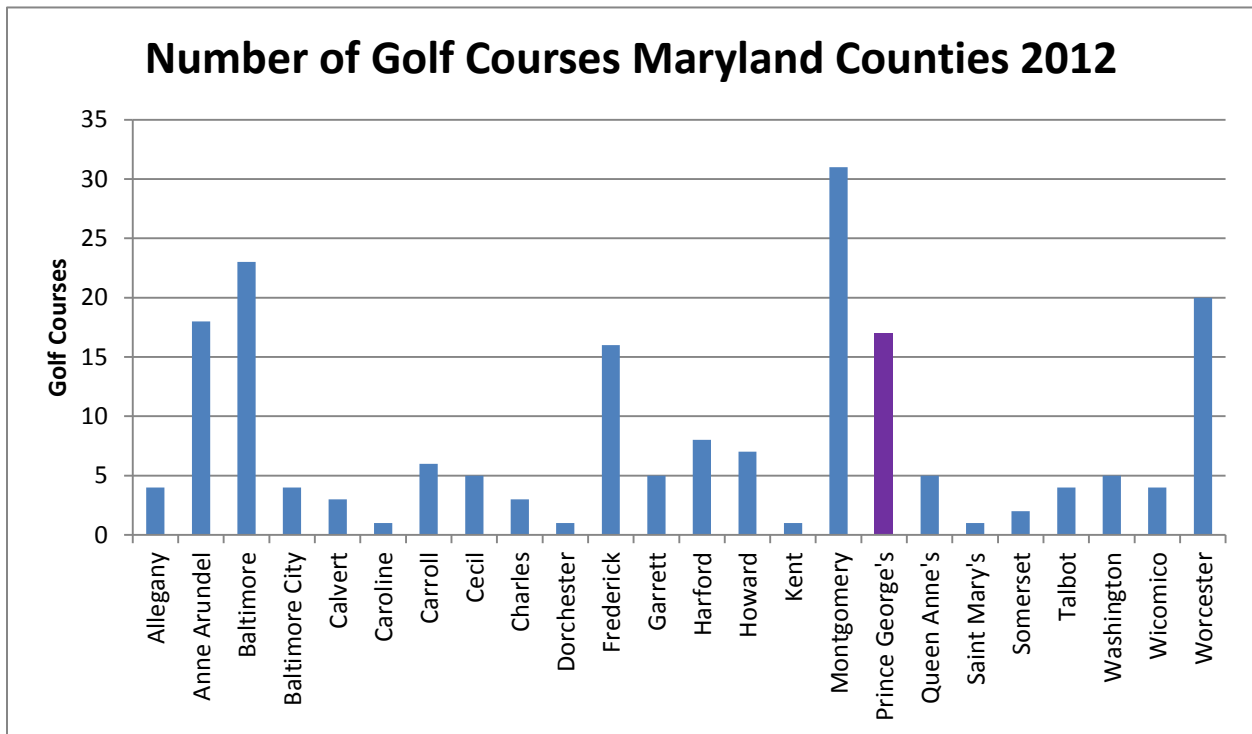
The Maryland-National Capital Park and Planning Commission  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772  
[www.mncppc.org/pgco](http://www.mncppc.org/pgco)

May 2013

This study was initiated at the request of the County Council. The impetus for the study is the recent closing of two golf courses in the county, Lake Arbor Country Club and the Marlborough Country Club. The purpose of the study is to examine the current state, trends, and future prospects for the golf industry in the county and the region; explore potential reuse options for unneeded or obsolete golf courses such as Lake Arbor and Marlborough; examine/identify current planning, zoning, and development issues; and suggest ways to resolve the current situation.

Currently Maryland has 194 golf courses with 126 considered public, 61 private, and 7 military. Attachment 1 of this report provides a detailed listing of all the golf courses located in the state. Among Maryland counties Prince George’s County currently ranks 5<sup>th</sup> with a total of 17 golf courses. Montgomery County leads the state with 31 courses, followed by Baltimore with 23, Worcester 20, and Anne Arundel 18. Table 1 below shows the number of golf courses by county for the state.

**Table: 1**



Source: M-NCPPC web compilation 2012

The map on the following page shows the existing, closed, and cancelled locations of golf courses in the county. Three of the seven military golf courses in the state are located in the county at Joint Base Andrews. Two courses, National Golf Club at Tantallon and the Country Club at Woodmore, are both private courses. The oldest course in the county was originally located at the Prince George’s County Ballroom site and was known as Beaver Dam Golf and Country Club. Today the site functions as a youth golf training facility and is operated by the Department of Parks and Recreation. The Beaver Dam Country Club relocated to its current site and was renamed the Country Club at Woodmore. Courses appear to be evenly distributed throughout the county.

# Prince George's County Golf Courses

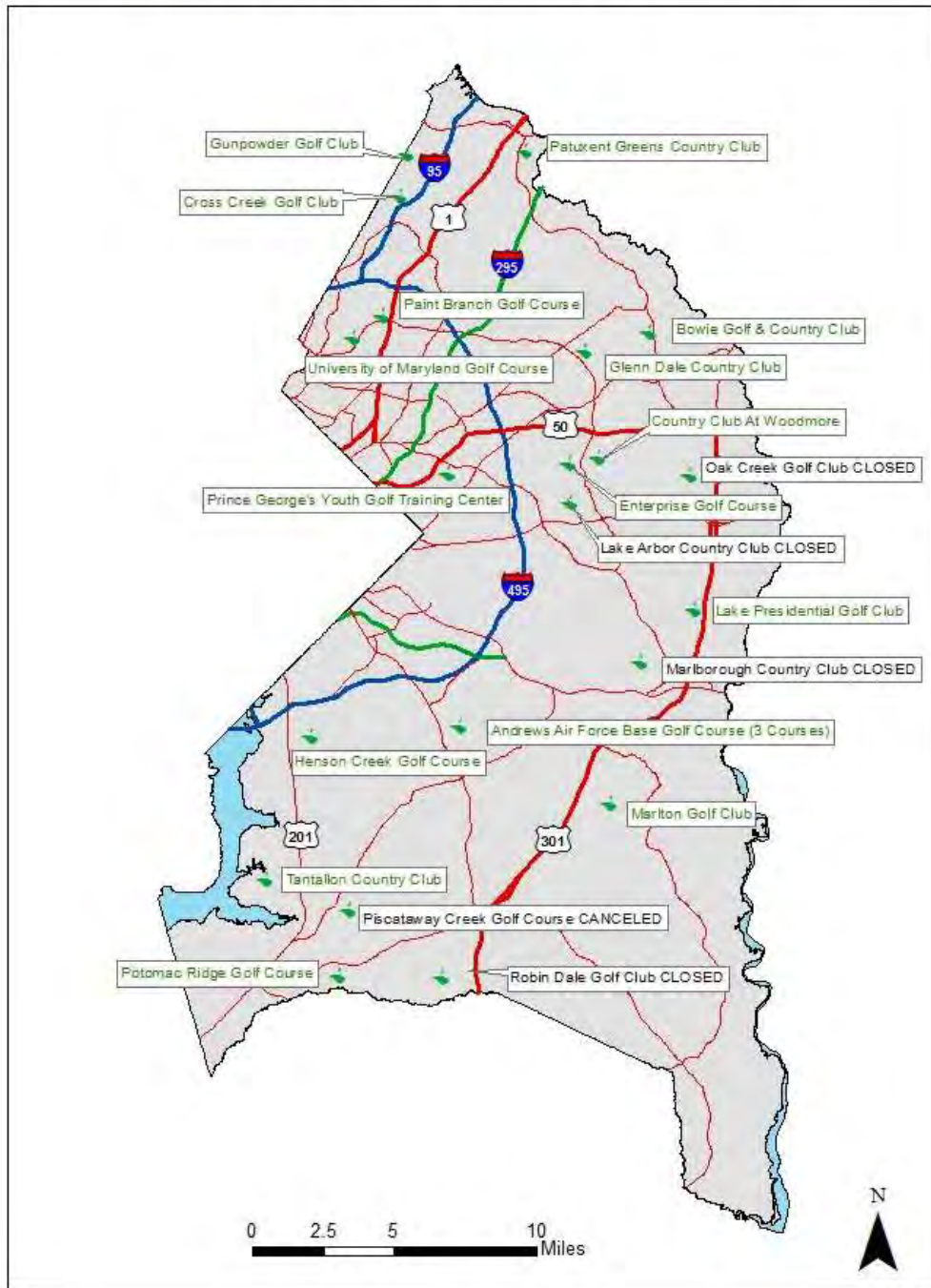


Table 2 below is a listing of courses in the county that are currently operating or are intended to be operational in the near future. With the exception of Oak Creek, all of the courses are open. Oak Creek

was opened in 2007 as a private course and closed in 2011, primarily due to its inability to attract members. The course was recently purchased by Toll Golf, a division of Toll Brothers, Inc., and its target date for opening the course is May 1, 2014.

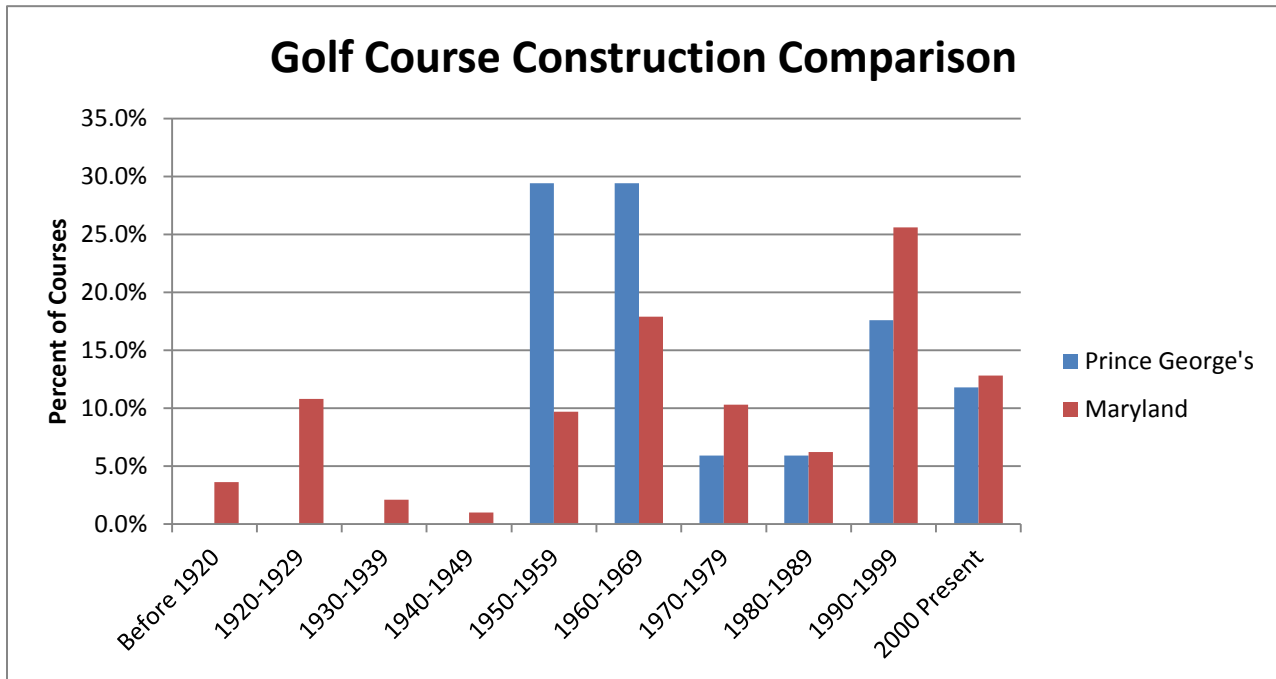
**Table 2:**

Prince George's County Golf Courses 2013						
Name	Address	City	Zip Code	Type*	Holes	Established
Andrews AFB Course East	4442 Perimeter Road	JB Andrews	20762	Military	18	1956
Andrews AFB Course South	4442 Perimeter Road	JB Andrews	20762	Military	18	1956
Andrews AFB Course West	4442 Perimeter Road	JB Andrews	20762	Military	18	1998
Atlantic Golf at Potomac Ridge	15800 Shapersville Road	Waldorf	20601	Public	27	1996
Bowie Golf & Country Club	7420 Laurel-Bowie Road	Bowie	20715	Public	18	1959
Country Club at Woodmore	12320 Pleasant Prospect	Mitchellville	20721	Private	18	1981
Cross Creek Golf Course	12800 Bay Hill Drive	Beltsville	20705	Public	18	2002
Enterprise Golf Course	2802 Enterprise Road	Mitchellville	20721	Public	18	1969
Glenn Dale Golf Club	11501 Old Prospect Hill Road	Glenn Dale	20769	Public	18	1956
Gunpowder Golf Course	14300 Gunpowder Road	Laurel	20707	Public	18	1956
Henson Creek Golf Course	7200 Sunnyside Lane	Fort Washington	20744	Public	9	1960
Lake Presidential Golf Club	3151 Presidential Golf Drive	Upper Marlboro	20774	Public	18	2008
Marlton Golf Club	9413 Midland Turn	Upper Marlboro	20772	Public	18	1998
National Golf Club at Tantallon	300 St. Andrews Drive	Fort Washington	20744	Private	18	1961
Oak Creek Golf Course	600 Bowieville Manor Lane	Upper Marlboro	20774	Public	18	2007/2014
Paint Branch Golf Complex	4690 University Boulevard	College Park	20740	Public	9	1964
Patuxent Greens Country Club	14415 Greenview Drive	Laurel	20707	Public	18	1970
University of Maryland Golf Course	103 Golf Course Road	College Park	20740	Public	18	1968

*\*Denotes who can play: Military – Armed forces personnel; Private – Club members only; and Public – Open to the general public.*

Like the country as a whole, Maryland experienced a construction boom in new courses from 1990 to the present. Thirty-eight percent of all golf courses in the state were constructed during this period. The county experienced an increase in golf course construction during this period, accounting for 29 percent of the county's courses. The majority of golf course construction in the county (59 percent) took place from 1950 to 1969, which coincided with a significant increase in the county's population. Table 3 on the following page provides the percentage of golf courses constructed by year for the state and the county.

Table 3:



One general way to gauge whether the supply of golf courses in a community is adequate is to calculate the population per 18 holes. The accepted range is rather broad at between 20,000 to 50,000 people per 18 holes.<sup>1</sup> The broadness of the range reflects the number of demographic variables that affect golf participation rates in communities throughout the country. As an example, Florida has a relatively high golf participation rate, which is primarily based on its high concentration of higher income, older (retired) white residents. Weather is another important factor, and in climates where golf can be played year-round participation rates are higher.

With a total 2010 population of 5,737,552, Maryland has approximately 29,350 persons per 18 holes.<sup>2</sup> Table 4 on the following page shows how all Maryland counties rate on this particular indicator. Although the county appears not to fall within this population range, the racial and ethnic make-up of the county's population is a factor that must be considered. According to the 2010 Census, 66.4 percent of the county's population was African-American. This is significant when considering the African-American golf participation rate. African-Americans' participate at half the 14.5 percent rate of whites according to the most recent data available from Golf 20/20, an industry group whose goal is to expand the game.<sup>3</sup> Taking into account the racial and ethnic make-up of the county, it appears to be adequately served by golf courses according to this metric. It is also important to note that Maryland as a whole is well served and the county's neighbors—Anne Arundel, Calvert, Charles, Howard, and Montgomery Counties—all fall within the 20,000 to 50,000 people per 18 holes range. With different course layouts,

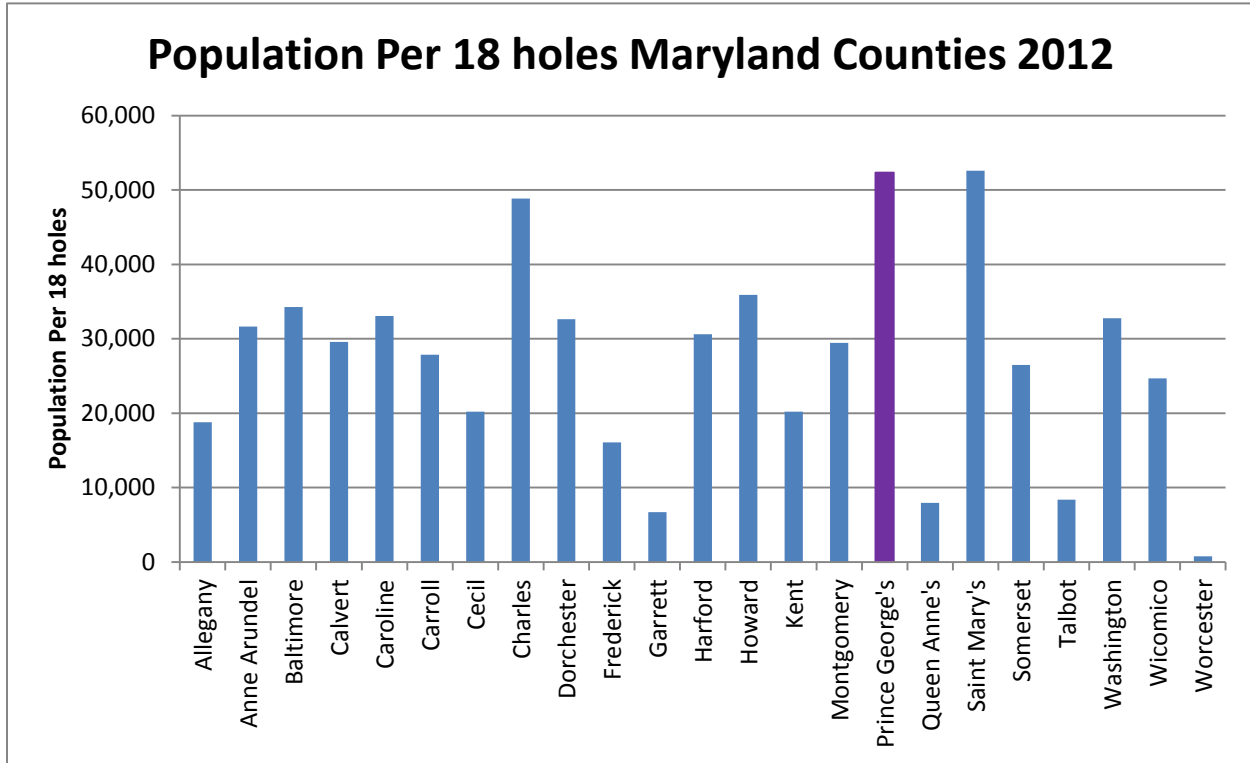
<sup>1</sup> National Recreation and Park Association, "Recreation, Park, and Open Space Standards and Guidelines," 1990.

<sup>2</sup> 2010 Decennial Census.

<sup>3</sup> Golf 20/20, 2007 Note: participation rate could be affected by a number of variables, including income, ethnicity, and place of residence. For example, African-American incomes in the county are higher than national norms, and this may increase golf participation here.

environments, degrees of difficulty, and scenery the game of golf naturally lends itself to the desire of many golfers to travel and play a variety of courses. Taken to the extreme, playing golf is a destination activity, which explains why Worcester County (home to Ocean City) has 754 people per 18 holes.

**Table4:**



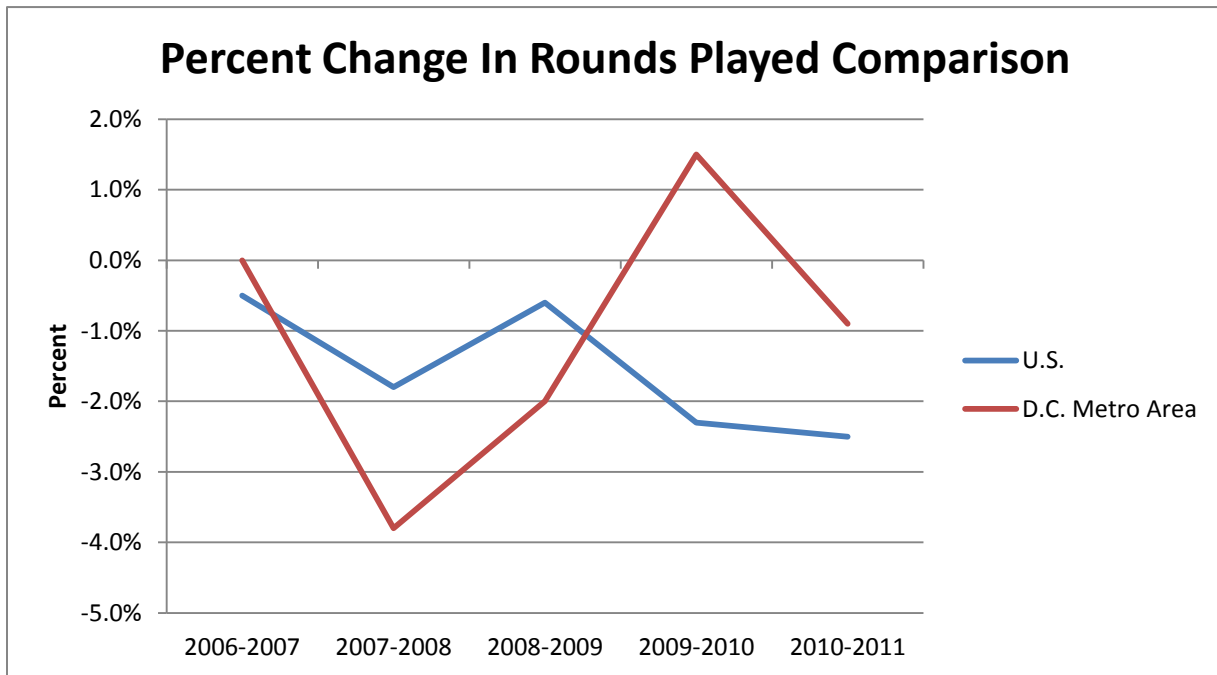
According to the National Golf Foundation (NGF) the current environment for golf courses in the U.S. is the most unfavorable since the 1930s. The two main factors that have negatively affected the industry include 1) an oversupply of golf courses from a construction boom of new courses tied mainly to residential developments during the 1990s and continuing into the early 2000s, and 2) the decline in active golfers and in the number of rounds that active golfers play. Concerning the first factor, the market driver was not golf *per se* but creation of an amenity that could be used to sell houses. Developers did not usually consider what the market was for golf, but they knew that a golf course could be a useful incentive for selling houses. From 1990–2011, while the number of courses rose 15 percent, the total number of rounds declined seven percent, rounds played per 18 holes declined 20 percent, and the number of active golfers declined by two percent.<sup>4</sup> During the 1990s the country added over 400 golf courses per year, which eventually created a severe over supply in the market.<sup>5</sup> The market now appears to be self-correcting, and for the past six years, more golf courses have closed than have opened. As an example, according to the NGF, in 2011 only 19 new golf courses opened nationally while 146 courses closed. Since 2008 when the last course (Lake Presidential) was built in the county, three courses closed (Lake Arbor, Marlborough, and Oak Creek).

<sup>4</sup> National Golf Foundation, 2012.

<sup>5</sup> National Golf Foundation, 2012.

Like the nation as a whole, the golf industry in the Washington metropolitan area, Maryland and the county has also experienced some difficulties. Table 5 below shows how the Washington metropolitan area compared with the U.S. in percent change in rounds played year over year from 2006 to 2011. In general the trend for the nation and the Washington metropolitan area is negative. With the exception of an increase in rounds played from 2009–2010, the region has experienced declines in the rounds played. Our Department of Parks and Recreation reports that two of their public courses (Henson Creek and Paint Branch) operate at a loss and rounds at Enterprise have declined significantly from 50,000 per year in the 1990s to today’s ongoing struggle to sustain 40,000 rounds per year. A number of courses have also recently closed in the county. Both Marlborough Country Club and Lake Arbor Country Club closed at the beginning of 2010 and were foreclosed upon in April 2011. The Robin Dale Golf Club in Brandywine was put up for sale in 2003 and was closed and purchased in 2006 by a sand and gravel interest. The course at Oak Creek in Bowie opened in April, 2007, and operated at a loss for a brief period before closing in early 2011. The Oak Creek Golf Course was recently purchased by Toll Golf, the golf and country club division of Toll Brothers, Incorporated. The course will be repositioned as a public course and Toll Golf has set a preliminary opening date of May 1, 2014. Most recently the golf course planned for Villages of Piscataway was removed from consideration by the developer and the Planning Board. In summary, since 2006 four courses have closed and one proposed course was removed from consideration.

**Table 5:**



Source: National Golf Foundation, 2012

Although no managers would go on record, discussions with area course managers reflect what staff has heard from our Parks and Recreation Department. The numbers of rounds played has been declining at area courses and managers have lowered prices in order to maintain market share. This has squeezed

profits as the cost to maintain courses remains the same or increases with the cost of materials and labor. Most managers agreed that in general there are too many courses in the area based on the number of rounds being played.

The projected forecast for the golf industry is not favorable. Most industry experts do not see any type of turnaround for at least five years, or until the excess supply in courses is removed. There is even significant concern that active golfers will continue to decline as the baby boomers age and the interest in golf among younger generations lessens. While cost has long been a consideration for individuals contemplating golf, the time it takes to play is also a significant concern. The time commitment involved with playing 18 holes reduces the appeal of golf for younger generations. The average time to play 18 holes runs from four to four and a half hours; add in travel time and one can expect to allot the whole day. Some in the golf industry are promoting the idea of 12-hole rounds to lessen the time commitment, in the hopes of getting more people to play. The current market for golf within the county is struggling, but the recent closures may help stabilize the market for the remaining courses.

### **Detailed Examination of Lake Arbor and Marlborough Country Club**

The following section of this report will focus on the two recently closed golf courses in the county that do not have a reuse plan in place, specifically Lake Arbor Golf Course and the Marlborough Country Club. The report will examine the history of the courses, ownership, zoning, covenants, development constraints and the potential for reuse or redevelopment.

#### **Lake Arbor Golf Course**

##### ***History***

The Lake Arbor Golf Course is located at 1401 Golf Course Drive, Mitchellville, Maryland. The course was built in 1970, closed in 2010, and foreclosed upon on April 12, 2011. Originally the property consisted of approximately 134.19 acres. On December 29, 1998, the LA Golf Club, LLC, sold Parcels "C" and "D," which contained the Arbor Room, basketball and tennis courts, a swimming pool and bathhouse, a parking lot and open space to the Lake Arbor Foundation, Inc., for \$1,000,000. In its present form the remaining golf property consists of approximately 127.60 acres and is zoned Rural Residential (R-R), which allows for a theoretical yield of 2.17 dwelling units per acre. The existing use of the property as a golf course is permissible as an approved special exception under current zoning. The property is improved with an 18-hole golf course, driving range, 2,475 square foot clubhouse, a cart storage building, maintenance facility, and asphalt parking area. The property is in generally poor condition and suffers from deferred maintenance throughout. The property generates approximately \$22,000 a year in real property tax.

##### ***Condition***

As mentioned above the course and grounds are in poor condition. A visual inspection of the grounds revealed no turf on the fairways and greens anywhere. Sand bunkers were filled with vegetation and visually devoid of sand. The asphalt cart paths were also in poor condition with substantial pot holes, deteriorated edges, and cracking throughout. There are a number of bridges that pose a significant safety concern due to rotten decking and deteriorated structural members. The cart path tunnel that passes under Golf Course Drive has corroded and there are numerous holes in the tunnel wall.



The clubhouse, cart building and maintenance facility are also in poor condition. At the time of staff's first site visit in September 2012, the clubhouse and cart building were unsecured. The clubhouse had sustained significant damage due to vandalism. The cart building also suffered damage from vandalism and evidence of small fires throughout the building are an additional concern. The maintenance facility was accessible through a hole in the fence. The buildings are unsecured and their roofs leak. There is evidence of material spills throughout the site, and multiple pieces of golf course equipment such as mowers, seeders, and golf carts have been discarded. There is some question about whether it would be financially feasible to rehabilitate the existing buildings due to their current condition. In any event, clean-up and rehabilitation of the existing buildings would require a significant financial investment. The Community Standards section of the Department of Environmental Resources has been notified of the unsecured buildings and will work with the current owner to ensure that the buildings are properly secured.

In general, due to the deteriorated condition of the grounds and facilities, it would take a substantial financial investment to return the golf course to operation. Staff with the Department of Parks and Recreation toured the facility with a golf course architect who reported that the physical layout of the course is outdated. Given the financial investment required and the current obsolete layout, the value of the property as a golf course is suspect and may no longer represent a viable use for the property. With the county's golf market in its current state, it is extremely doubtful that a golf course at this location is a feasible financial venture.

### ***Ownership***

During the existence of the golf course, ownership has changed a number of times through arms-length transactions and the creation of various legal entities. The second most recent transaction was between the seller LA FCL, LLC, (a Maryland limited liability company) and the buyer, the Lake Arbor Golf Club, LLC, owned by Hercules and Rhonda Pitts. The Lake Arbor Golf Club, LLC, purchased the property on November 8, 2005 for \$2,500,000. The Lake Arbor Golf Club, LLC, obtained a loan from PR Investor Services, Inc., to purchase the property but subsequently paid off the original loan by obtaining another from Codale Commercial Lending, LLC, on May 8, 2008. On April 12, 2011 Codale Commercial Funding, LLC, became the owner of the property through foreclosure for an outstanding debt of \$2,088,250.

### ***Zoning***

As noted earlier the property is zoned R-R, which permits approximately one-half-acre residential lots. In this case it also allowed for the golf course as a nonresidential special exception use. The standard lot size for this zone is 20,000 square feet, resulting in maximum dwelling units per net acre of 2.17 and an actual estimated average dwelling units per acre of 1.50. Lake Arbor was originally known as the Newbridge Cluster Development (Case No. 4-77120) and is representative of an early cluster subdivision. With the provision of the golf course as open space the developer was allowed to cluster the houses and reduce lot sizes. Today the development contains a number of the lots in the 10,000 square foot range instead of the standard 20,000 square feet. The calculation on the next page provides a rough estimate of the dwelling units per acre achieved within the Lake Arbor development.

Total R-R zoned acres	354.00
Total Dwelling Units	606.00
Net Buildable	÷354.00
Dwelling Units Per Acre	1.71

The maximum theoretical yield for the R-R Zone is 2.17 units per acre. This maximum theoretical yield does not take into account such factors as topography, wetlands, or roads, so when the estimated average historical yield is calculated R-R yields on average 1.50 units per acre. The 1.71 dwelling units per acre calculated above is within the estimated average and maximum allowable range of 1.50 to 2.17. As is usually the case, it appears that the developer maximized the development potential under the current zone.

### **Covenants**

As a condition of approval for the cluster subdivision the Prince George’s County Planning Board required that the golf course remain forever in its present state, or remain undeveloped and as “open space,” as defined in Section 27-487 and 27-489 of the Zoning Ordinance of the Prince George’s County Code. Attachment 2 of this report is the declaration recorded at Liber 4961 Folio 834 in the land records for Prince George’s County, Maryland—as executed by the property owner and the neighborhood association at the time—that requires the condition as set forth by the Planning Board. Attachment 3, also included, contains sections 27-487 and 27-489 of the Zoning Subtitle of the Prince George’s County Code which defines “open space.” As noted in Section 27-487: *“All such lot reductions shall be compensated for by an equivalent amount of land in cluster open space to be preserved and maintained for its scenic value, for recreation or conservation purposes, or for schools, community buildings or related uses. Improvements shall be limited to serving such purposes.”* The declaration and covenants remain with the property for perpetuity and are binding upon all respective successors and assigns.

The following two pages carry photographs showing the unsecured nature of the buildings as well as discarded equipment that would require a substantial cleanup effort.

Photographs: Lake Arbor Country Club



Unsecured entrance at the Club House.



Unsecured entrance to the golf cart shed.



Unsecured maintenance building.



Discarded equipment.

## **Marlborough Country Club**

### ***History***

The Marlborough Country Club is located at 4750 John Rogers Boulevard, Upper Marlboro, Maryland. The course was built in 1974, closed in 2010, and foreclosed on April 12, 2011. The golf course consists of approximately 131.6 acres and is zoned Residential Urban Development (R-U) (Urban 8.0), which is described as a mixture of residential types generally associated with an urban environment that provides for the limited commercial uses necessary to serve the dominant residential uses. The entire property, known collectively as the Villages of Marlborough, consists of approximately 410 acres, of which 367 acres (which included the golf course) were rezoned from R-R to R-U in Application A-7260 by the District Council on December 13, 1976. The existing use of the property as a golf course was granted by Special Exception 2818 on September 24, 1974. Ultimately, after the property was rezoned the developer used the golf course as a “public benefit” for which a density bonus was received. The density bonus received by the developer will be discussed in further detail under the zoning section of this report. The property is improved with an 18-hole golf course, driving range, 13,229 square foot clubhouse, maintenance facility, cart storage building, swimming pool, tennis courts, and asphalt parking area. The property is in very poor condition and suffers from deferred maintenance and significant vandalism throughout. The property generates approximately \$27,050 a year in real property tax.

### ***Condition***

As mentioned above the course and grounds are in poor condition. A visual inspection of the grounds revealed no turf on the fairways and greens throughout. Except for their topography the greens were indistinguishable from the surrounding grounds. All of the sand bunkers were weed-filled depressions and visually devoid of sand. The asphalt cart paths were also in poor condition with total sections eroded and washed-out, substantial pot holes, undermining, and deteriorated edges throughout. A number of bridges pose significant safety concerns due to rotten decking and railings, missing railings, and deteriorated structural members. Numerous trees have also come down on the fairways. There is evidence of flood damage to the course, especially along the border with the Western Branch. Significant damage from motorcycles and all-terrain vehicles was also noted throughout the property.

The clubhouse, cart building, maintenance facility, swimming pool, and tennis courts are also in poor condition. At the time of staff’s first site visit in September 2012, the clubhouse, cart building, maintenance facility, and swimming pool were unsecured. The clubhouse has sustained significant damage, primarily due to vandalism. On the exterior almost every window has been broken. The double glass doors leading to the covered patio at the back of the building have broken and are partially removed from their frame. On the interior the rooms are littered with broken equipment and supplies, all copper wiring and plumbing has been removed, finishes including carpeting, drywall, light fixtures, kitchen equipment, bathroom fixtures, and molding have been removed, ripped-up, and essentially destroyed. The cart building and maintenance facility has also suffered significant damage from vandalism. While the outside fence for the pool area remains secure, the pool can be accessed simply through the clubhouse and presents a significant safety hazard. Although the walls of the pool have significant cracks it is still capable of holding rain water. It is doubtful that it would be financially feasible to rehabilitate any of the existing buildings due to their current condition. The Community Standards section of the Department of Environmental Resources has been notified of the unsecured buildings and will work with the current owner to ensure that the buildings are properly secured.

## **Ownership**

During the existence of the golf course, ownership has changed a number of times through multiple arms-length transactions and the creation of various legal entities. The second most recent transaction was from The Fairways Group, LP, a Delaware limited partnership to the Marlboro Golf Club, LLC, owned by Hercules and Rhonda Pitts. The Marlboro Golf Club, LLC, purchased the property on June 16, 2006 for \$2,050,000. The Marlboro Golf Club, LLC obtained a loan from PR Investor Services, Inc., to purchase the property, but subsequently paid off the original loan by obtaining another from Codale Commercial Lending, LLC, on May 8, 2008. On April 12, 2011, Codale Commercial Funding, LLC, became the owner of the property through foreclosure for an outstanding debt of \$1,696,000.

## **Zoning**

As noted earlier the property is zoned R-U (Urban 8.0), which permits a mixture of residential types generally associated with an urban environment and provides for limited commercial uses necessary to serve the dominant residential uses. The golf course was developed when the property was zoned R-R through Special Exception 2818, which was approved on September 24, 1974. The property containing the golf course was later part of the rezoning from R-R (which permits approximately one-half-acre residential lots) to R-U (Urban 8.0). The zoning change to R-U is significant because it greatly increased the allowable density for the property. Table 6 below provides the minimum tract size and minimum and maximum densities allowed.

**Table 6:**

Minimum tract size	5 acres adjoining gross acres
Urban 8.0 Base density	8.0 dwelling units per gross acre
Urban 8.0 Maximum	11.9 dwelling units per gross acre
Maximum mixed retirement development	8.0 dwelling units per acre

With the rezoning to R-U (Urban 8.0), the base density stood at 8 dwelling units per gross acre. However, due to incorporation of the golf course as a public benefit feature the developer was awarded a density bonus of 31 percent resulting in a density of 10.5 dwelling units per gross acre. Table 7 compares the dwelling unit yields under the original zoning, the rezoning, and the density bonus.

**Table 7:**

Rural Residential average yield	1.5 dwelling units per gross acre	550 dwelling units
Urban 8.0 Base density	8.0 dwelling units per gross acre	2,936 dwelling units
Density Bonus	2.5 dwelling units per gross acre	918 dwelling units

## **Covenants**

With the approval of the density bonus the Marlborough Development Corporation was required to enter into a covenant to protect the “public benefit feature,” in this case the golf course. The declaration of covenants recorded at Liber 6115 Folio 977 in the land records for Prince George’s County, Maryland (Attachment 4), lists the restrictions imposed with regard to the golf course property. In summary the covenants prohibit fencing and erecting buildings of any type except those related to

the utilization of the golf course or open space. The covenants also provide for a remedy should the golf course cease to operate. Covenant number four states:

*“In the event that Marlborough Development Corporation determines to close and discontinue the operations of the subject golf course, Marlborough Development Corporation shall cease to be responsible or obligated in any manner for the continued maintenance of the course. Should Marlborough Development Corporation or its assignee, as provided herein, ever cease to own or operate the subject open space as a golf course for a period of at least 365 consecutive days, the subject golf course shall revert automatically to the Villages of Marlborough Community Association, Inc. Such reversion shall not occur if, prior to the termination of the 365 consecutive day period, Marlborough Development Corporation, or its assignee, shall commence to operate the subject open space as a golf course. The 6.4 plus/minus acres consisting of the clubhouse, swimming pool, parking compound, and other related facilities defined by the site plan for S.E. 2818 shall be specifically excluded from this automatic reversion provision. In any case, the subject open space shall continue to be maintained as a part of the public open space for the above-described development.”*

The course ceased operation at the end of 2010 and has not operated for a period more than 365 consecutive days. Aside from the reversion clause the main objective of the covenants appears to be maintaining the golf course as part of the public open space for the development. Covenant number seven states that: *“These Covenants shall run to the benefit of the Villages of Marlborough Community Association, and shall be enforceable by said Association.”* While the covenants make it clear that the 6.4 plus/minus acres consisting of the clubhouse, swimming pool, parking compound, and other related facilities are exempt from the reversion, the clause is not explicitly clear as to whether or not they are also required to be maintained as open space.

Representatives for Codale have met with representatives for the Villages of Marlborough Homeowner’s Association (HOA) to discuss the situation of the golf course. Lawyer Steve Soto, representing Codale, met with Sue Fetsko, Associate Manager, Professional Community Management representing the HOA, and the HOA’s attorneys, Michael Neall and Sean Suhar, to discuss options regarding the course. The HOA has agreed to conduct a survey to find out what reuse options might be acceptable to the membership. During the meeting the reversion clause was discussed and it appears that Codale is prepared to have the property revert to the HOA. In a phone conversation Ms. Fetsko stated that the HOA’s Board was concerned about the maintenance costs that would be involved when the reversion took place. Ms. Fetsko stated that collecting association dues in most HOAs poses an ongoing challenge, and she seriously doubts that there is much of an appetite for the increase in dues necessary to maintain the course in its present condition.

Due to the deteriorated condition of the grounds and facilities, a substantial financial investment would be required to return the golf course to operation. There is a concern that the physical layout of the course is outdated. The course was laid out before the housing was built and the fairways are unusually narrow. Once the houses were built the perception of the narrow fairways increased. The old nets that were installed to protect the dwelling units remain and overhead electrical wires cross the fairways in some places. The Marlborough course seems claustrophobic when compared to Lake Presidential, which is also built within a community. Given the financial investment required and the obsolete layout, the value of the property as a golf course is suspect and may not represent a viable use for the property. The

pictures below and on the following page contain photographs documenting the unsafe conditions encountered at the property.

Photographs: Marlborough Country Club



Collapsed bridge railing.



Interior of the club house.





Pool with standing water accessed through the club house.



Deteriorated cart path.

## Potential Reuse and Redevelopment Strategies

This discussion of current conditions explains why staff have significant doubts about whether or not a golf course is a viable use for either property. With the closure of four golf courses in the county since 2006 and the recent removal from consideration of a course in Villages of Piscataway, the current market for new golf courses in the county is weak at best. The covenants that run with both properties also extinguish the current owner's ability to reuse or redevelop the properties without the approval of the affected neighborhood associations, the Planning Board, and the District Council. They may also require master plan and legislative changes.

Staff conducted a nationwide search of best practices to develop ideas for potential reuse or redevelopment of the properties. Ownership of the course is one of the first aspects that must be taken into consideration. As mentioned earlier both of the properties are owned by Codale Commercial Funding, LLC. Codale obtained the properties through foreclosure and it is doubtful that Codale has any intention of retaining either property as a profitable recreational use as that is not their business focus.

The following section focuses on nine reuse options for both of the properties. These include the following: 1) revitalize as an 18-hole course; 2) revitalize and reconfigure as a 9-hole course; 3) redevelop as active recreational space; 4) reuse as passive recreational space; 5) redevelop as housing; 6) redevelop as a cemetery; 7) create a forest conservation bank; 8) repurpose for urban agriculture; and 9) allow the courses to return to a natural state. Some of these uses hold considerably more promise and some are not recommended as viable options. There is also the possibility of combining some of the reuse options.

***Revitalize as an 18-hole course:*** One option would be to restore the original use as an 18-hole golf course. Such an effort generally requires updating the facilities and course infrastructure as well as redesigning the course layout. The Marlton Golf Club in Upper Marlboro was built in 1967, closed in 1980, and after 18 years was reopened as an 18-hole course in 1998.

***Revitalize as a 9-hole course:*** Another option involves revitalizing the course as a 9-hole course. Quite often this option is combined with other reuse options such as additional housing or other uses on the property where nine of the original 18 holes were eliminated.

***Redevelop as active recreational space:*** Staff found a number of examples of older golf courses that had been converted to active recreational space, mainly as regional parks. Active recreation uses include playgrounds, ball fields, tennis and basketball courts, gymnasiums, swimming pools, and indoor/outdoor skating facilities.

***Reuse as passive recreational space:*** Reuse as passive recreational space could represent a feasible option. Closed courses with passive uses include such activities as; hiking trails, exercise trails, an archery range, picnic areas, dog parks, Frisbee golf, and equestrian trails.

***Redevelop as housing:*** A popular option throughout the nation is to redevelop closed courses as housing. This strategy has been used on courses that have closed due to a lack of demand and on courses where golf no longer represents the highest and best possible use for the land.

**Redevelop as a cemetery:** There are a few examples of closed golf courses being converted into cemeteries. Usually this involves golf courses that already have an existing cemetery as a neighbor. In Boston Heights, Ohio, the cemetery and golf course were neighbors for over 60 years, and once the cemetery filled and the golf course experienced a decline, it was quickly purchased by the cemetery owner and used for additional plots. Without the precedent of an existing cemetery this option is probably not feasible.

**Create a forest conservation bank:** Another possible reuse for both properties could be as forest conservation banks. When a developer is required to perform tree mitigation for the removal of trees on a development site, purchasing credits in a woodland conservation bank is one option available. According to the Environmental Planning Section in Countywide Planning, open land for tree mitigation has a real advantage over already forested land. For tree mitigation purposes a developer only has to purchase half the amount of open land that applies to forested land and plant trees on the property. Currently credits for such land sell for roughly \$20,000 an acre. There is a potential that this use could be combined with various active or passive recreational uses to cover the maintenance costs.

**Re-purpose as an urban agriculture opportunity:** Initially this option appears to hold some promise, but unfortunately it is discouraged in most instances. The problem lies mainly in the fertilizers, chemicals, and pesticides used to maintain golf courses. The pesticides are particularly troublesome and can remain in the soil for long periods of time. The cost and effort to remediate golf courses for agricultural uses in most cases is not cost effective. By the time the fertilizers, chemicals, and pesticides have naturally dispersed or broken down, the properties would most likely be well on their way to reverting back to forest.

**Return to nature:** A final option is to simply let the land go fallow and return to its natural state. Letting the land return to its natural state has the most value from an environmental perspective, but the least value from the owner's perspective.

The next section will analyze the potential reuse options and their applicability to Lake Arbor Country Club and Marlborough Country Club properties.

### **Lake Arbor Country Club Reuse Options**

**Revitalize as an 18-hole Course:** With the current state of the golf market in the county—and the less than positive future outlook—the potential to revitalize Lake Arbor as an 18-hole course is dubious at best. Such an approach is further complicated by the fact that the course design is obsolete, and that little material value is left in the property from a golf course perspective. All of the facilities, equipment, and grounds are so deteriorated that it would be like starting a new 18-hole course from scratch. Even with a strong desire to revitalize the property as an 18-hole golf course it is highly unlikely that a potential developer could acquire the needed financing to undertake such an effort. As noted earlier in the report, with the financial investment required and the obsolete layout, the value of the property as a golf course is questionable and may not represent a viable use.

**Revitalize as a 9-hole course:** Some golf courses have reduced the number of holes from 18 to nine in an effort to reduce costs and reposition the course toward the beginning golfer market. In most cases other reuse options are proposed for the section of the course being abandoned.

There is significant concern that such a strategy may not be viable for Lake Arbor. As Mark Weiss, Director Golf Operations; Department of Parks and Recreation; Sports, Health, and Wellness Division noted: “The 9-hole courses, Henson Creek and Paint Branch, have struggled for some time. Paint Branch does have an upside with the driving range business it does, but rounds have been stagnant for a number of years. With the present price war, the cost of playing 18 holes at some of the local courses is close to our 9-hole rates.” With the state of the golf market in the county, the “price war” as noted above, and the severely deteriorated condition of both courses, it is questionable whether this is even a plausible option. Such a climate is especially difficult for 9-hole courses because they must follow suit and in general operate at less of a margin than the typical 18-hole course. Part of the difference in operating margin is a simple matter of scale of economies. While some equipment requirements may be less, the staffing requirements are roughly the same, especially at the higher end salaries. For example, every 9-hole or 18-hole course will require a golf course superintendent.

Based on the experience of the Department of Parks and Recreation and current price wars for green fees in the county, revitalizing Lake Arbor as a 9-hole course would appear to be a high risk venture.

***Redevelop as active recreational space:*** All of the examples found of golf courses being converted to active recreational space involved core courses that were converted to regional parks. The Glenn Dale Golf Club is an excellent example of a core course layout where all of the holes are located on a single square tract of land. Lake Arbor is primarily a single fairway, returning nines layout, winding its way through an existing neighborhood, which poses a number of challenges when considering redevelopment as active recreation.

The challenges of redeveloping Lake Arbor as a regional park include the following: 1) the area is already adequately served by regional parks<sup>6</sup>; 2) the HOA would most likely not welcome the intensity of uses; 3) vehicle access is not adequate for a regional park; 4) the public infrastructure required for more intensive uses is not available; 5) the course has numerous pedestrian access points; and 6) the perimeter would be difficult to secure.

Conversion of Lake Arbor to a regional park to support active recreational uses is not recommended.

***Reuse as Passive Recreational Space:*** Closed courses with passive uses include such activities as: hiking trails, exercise trails, an archery range, picnic areas, dog parks, Frisbee golf, and equestrian trails. With the exception of the archery range and Frisbee golf examples, the course area involved was allowed to revert back to its natural state with only the trails, dog park, and picnic areas being maintained.

There are three primary reasons cited for allowing most of the course area to revert back to nature: 1) trail users, both people and equestrians, preferred a natural environment; 2) the intensity of use does not support the maintenance costs involved in maintaining the original fairways; and 3) users did not want to be interrupted by intensive maintenance efforts. It should be noted that even passive recreational uses will require maintenance expenses especially if the pedestrian bridges and tunnel are to be maintained at Lake Arbor. Reuse as passive recreational space is a feasible option for Lake Arbor.

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<sup>6</sup> M-NCPPC Department of Parks and Recreation, Regional Parks, service the county and function as neighborhood parks for population within a 15-minute drive time. Watkins Regional Park drive time from Lake Arbor is six minutes, and Villages of Marlborough drive time is 12 minutes.

**Redevelop as housing:** Although not always popular with the existing community, redeveloping closed courses with housing is a frequently used option. The covenant for the property would require agreement from all the parties to the covenant to permit additional housing. This option would most likely require changes to the area master plan and additional legislative changes to make this a feasible option.

**Redevelop as a cemetery:** As mentioned earlier all examples of closed golf courses being converted to cemeteries took place when both uses were on adjacent properties. This option is not recommended.

**Create a forest conservation bank:** The current owner of Lake Arbor could certainly create a forest conservation bank on the property, and such a use would comply with the terms of the covenant that the property remains as “open space” in perpetuity.

**Re-purpose as an urban agriculture opportunity:** Due to the property’s recent closure and the contamination problems associated with the fertilizers, chemicals, and pesticides used to maintain the golf course, use of the property for agricultural purposes is not recommended.

**Return to Nature:** Such a strategy would be in keeping with the original intention of the covenant on the property, which is that it be maintained as open space in perpetuity. Additionally, the argument could be made that the open space in its natural state would have even more value from an environmental perspective.

## **Marlborough Country Club Reuse Options**

**Revitalize as an 18-hole course:** Once again with the current state of the golf market in the county and the less than positive future outlook, the option to revitalize Marlborough Country Club as an 18-hole course is not recommended. Like Lake Arbor, Marlborough suffers from an obsolete design and the facilities and grounds are in even worse shape. As noted earlier in the report, with the substantial financial investment required and the obsolete layout, the value of the property as a golf course is questionable, and may not represent a viable use for the property.

**Revitalize as a 9-hole course:** The prospect of revitalizing Marlborough as a 9-hole course is not a viable option. In addition to the reasons mentioned for Lake Arbor, Marlborough is located even farther from the county’s population centers, which generally contain a higher proportion of the first-time and beginner golfers that 9-hole courses need to be successful.

With the Department of Parks and Recreation’s experience operating two 9-hole courses, the current price wars for green fees in the county, and the additional handicap of a smaller core market, revitalizing Marlborough as a 9-hole course is not recommended.

**Redevelop as active recreational space:** For the same reasons applicable to Lake Arbor, it cannot be recommended that Marlborough be converted into a regional park to support active recreational uses.

**Reuse as passive recreational space:** The reuse of Marlborough for passive recreation is a feasible option.

**Redevelop as housing:** Although not always popular with the existing community, redeveloping closed courses with housing is a frequently used option. The covenant for the property would require

agreement from all parties involved. Changes to the area master plan would most likely be needed, as well as legislative action to make this a feasible option. It may be advisable to allow for additional housing on the 6.4 acres consisting of the clubhouse, swimming pool, parking compound, and other facilities excluded from the automatic reversion provision, as an incentive to demolish the existing structures and complete the neighborhood street.

**Redevelop as a cemetery:** As mentioned earlier, all examples of closed golf courses being converted to cemeteries took place when both uses were on adjacent properties. This option is not recommended.

**Create a forest conservation bank:** The property could certainly be used as a forest conservation bank and such a use would comply with the terms of the covenant that the property remains as “open space” in perpetuity. In the interim any receipts from the sale of forest conservation credits could help cover maintenance costs for the rest of the property.

**Re-purpose as an urban agriculture opportunity:** Due to the property’s recent closure and the contamination problems associated with the fertilizers, chemicals, and pesticides used to maintain the golf course, use of the property for agricultural purposes is not recommended.

**Return to nature:** Such a strategy would be in keeping with the original intention of the covenant that the property be maintained as open space in perpetuity. Additionally, the argument could be made that the open space in its natural state would have even more value from an environmental perspective. There is a possibility that some of the Marlborough course could be used for flood mitigation efforts by restoring or creating additional wetlands. Although ongoing flood mitigation efforts are currently being undertaken in the Town of Upper Marlboro, there may be a need for additional efforts, either now or in the near future. Such an option would take further study to determine if there a need and whether or not the property would be useful for such efforts.

Table 8 provides a comparison of the available options with regard to capital cost, legal regulation, operating cost, neighborhood impact, and feasibility. The table is intended as a general guide only and with the combination of different options, some of the impacts would increase or decrease.

**Table: 8**

Option	Capital Cost	Legal Regulation	Operating Cost	Neighborhood Impact	Market Feasibility
18-hole Course	High	Low	Low	Low	Doubtful
9-hole Course	High	Low	Low	Med	Doubtful
Active Recreation	High	Low	High	High	Doubtful
Passive Recreation	Med	Low	Low	Low	Yes
Housing	Low	High	Med	High	Yes
Cemetery	Low	Med	Low	Low	Doubtful
Forest Conservation	Low	Low	Low	Low	Yes
Urban Agriculture	High	Med	Low	Low	Doubtful
Return to Nature	Low	Low	Low	Low	Yes

## **Recommendations**

In an effort to move things forward with the disposition and ultimate reuse for both properties, staff has developed a number of recommendations to guide the county in its efforts.

As mentioned earlier, the Community Standards section of the Department of Environmental Resources has already been requested to secure the structures at both sites. Due to the relatively isolated nature of the structures on both properties, constant vigilance will probably be required to ensure that the structures continue to remain secured.

A second recommendation is that some type of formal attempt should be made to explore what reuse options would be acceptable to both communities. The Planning Department's Community Planning Division could prove helpful in presenting the potential reuse options and gauging the communities' interest.

After the study has been released and the current property owners have had time to review, it would be advisable to have a follow-up meeting with the property owners to ascertain their desires for both properties. With input from the property owners and the communities, a successful resolution can be reached.

Finally the county may want to develop contingency plans for both courses if the properties are abandoned by the current owners and acquired by the county through tax sale. The owners reported spending over \$250,000 last year on maintenance of both properties. The uncertainty surrounding a profitable use for the properties may influence the owners to cut their losses in the near term.

**The Maryland-National Capital Park and Planning Commission  
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**Project Resources**

National Recreation and Park Association  
*Recreation, Park, and Open Space Standards and Guidelines, 1990*

Golf 20/20, 2007

National Golf Foundation, 2006-2012

U.S. Census Bureau, *Decennial Census, 2010*



## Maryland Golf Courses 2012

Name	Address	City	Zip Code	County	Type	Holes	Established
Andrews AFB Course East	4442 Perimeter Road	Andrews AFB	20762	Prince George's	Military	18	1956
Andrews AFB Course South	4442 Perimeter Road	Andrews AFB	20762	Prince George's	Military	18	1956
Andrews AFB Course West	4442 Perimeter Road	Andrews AFB	20762	Prince George's	Military	18	1998
Annapolis Golf Club	2638 Carrollton Road	Annapolis	21403	Anne Arundel	Public	18	1925
Argyle Country Club	14600 Argyle Club Road	Silver Spring	20906	Montgomery	Private	18	1946
Anne Arundel Manor	3309 Lentz Lane	Edgewater	21307	Anne Arundel	Private	18	2007
Assateague Greens Golf	RR 611	Ocean City	21824	Worcester	Public	9	1995
Atlantic Golf at Potomac Ridge	15800 Shapersville Road	Waldorf	20601	Prince George's	Public	27	1996
Atlantic Golf at Queenstown Harbor	310 Links Lane	Queenstown	21658	Queen Anne	Public	36	1991
Baltimore Country Club East	11500 Mays Chaple Road	Timonium	21093	Baltimore	Private	18	1926
Baltimore Country Club West	11500 Mays Chaple Road	Timonium	21093	Baltimore	Private	18	1962
Bay Hills Golf Club	545 Bay Hills Drive	Arnold	21012	Anne Arundel	Public	18	1969
Beaver Creek Country Club	9535 Mapleville Road	Hagerstown	21740	Washington	Private	18	1957
Bethesda Country Club	7601 Bradley Boulevard	Bethesda	20817	Montgomery	Private	18	1927
Bittersweet Golf Club	1190 Route 213	Eikton	21921	Cecil	Public	18	1962
Black Horse Golf & Learning Center	3051 Troyer Road	White Hall	21161	Harford	Public	9	2000
Black Rock Golf Course	20025 Mt. Aetna Road	Hagerstown	21742	Washington	Public	18	1989
Blue Heron Golf Course	101 Queen Colony High	Stevensville	21666	Queen Anne	Public	18	1982
Blue Mash Golf Course	5821 Olney-Latonsville Rd	Gaithersburg	20882	Montgomery	Public	18	2001
Bowie Golf & Country Club	7420 Laurel-Bowie Road	Bowie	20715	Prince George's	Public	18	1959
Bretton Bay Country Club	21935 Society Hill Road	Leonardtown	20650	St Marys	Private	18	1974
Bretton Woods Recreation Center	15700 River Road	Germantown	20784	Montgomery	Private	18	1967
Bulle Rock	320 Blenheim Lane	Havre de Grace	21078	Harford	Public	18	1998
Burning Tree Culb	8600 Burdette Road	Bethesda	20817	Montgomery	Private	18	1924
Caroline Country Club	24820 Pealiquor Road	Denton	21629	Caroline	Private	18	1963
Carroll Park Golf Course	2100 Washington Boulevard	Baltimore	21230	Baltimore City	Public	18	1928
Cattail Creek Country Club	3600 Cattail Creek Drive	Glenwood	21738	Howard	Private	18	1993
Caves Valley Golf Club	2910 Blendon Road	Owings Mills	21117	Baltimore	Private	18	1991
Cedar point Golf Course	23248 Cedar point Road	Patuxent River	20670	St Mary's	Private	18	1953
Chartwell Golf & Country Club	1 Chartwell Drive	Severna park	21146	Anne Arundel	Private	18	1961
Chesapeake Bay Golf Club at North East	1500 Chesapeake Club Drive	North East	21901	Cecil	Public	18	1994
Chesapeake Bay Golf Club at Rising Sun	128 Karen Drive	Rising Sun	21911	Cecil	Public	18	1965

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Chesapeake Hills Golf Club	HG Trueman Road	Lusby	20657 Calvert	Public	18	1964
Chester River Yacht & Country Club	7738 Quarter Neck Road	Chestertown	21620 Kent	Private	18	1927
Chestnut Ridge Country Club	11700 Falls Road	Lutherville	21093 Baltimore	Private	18	1951
Chevy Chase Club	6100 Connecticut Avenue	Chevy Chase	20815 Montgomery	Private	18	1895
Clearview at Horn's Point	5650 Clearview Key	Cambridge	21613 Dorchester	Public	18	1968
Clifton Park Golf Course	2701 St. Lo Drive	Baltimore	21230 Baltimore City	Public	18	1920
Clustered Spires Golf Course	8415 Gas House Pike	Frederick	21703 Federick	Public	18	1991
Columbia Country Club	7900 Connecticut Avenue	Chevy Chase	20815 Montgomery	Private	18	1898
Compass Pointe Golf Courses	9010 Fort Smallwood Road	Pasadena	21122 Anne Arundel	Public	36	2003
Congressional Country Club Blue	8500 River Road	Bethesda	20817 Montgomery	Private	18	1924
Congressional Country Club Gold	8500 River Road	Bethesda	20817 Montgomery	Private	18	1924
Country Club at Woodmore	12320 Pleasant Prospect	Mitchellville	20721 Prince George's	Private	18	1981
Country Club of Maryland	1101 Stevenson Lane	Towson	21286 Baltimore	Private	18	1924
Crofton Country Club	1691 Crofton Parkway	Crofton	21114 Anne Arundel	Private	18	1964
Cross Creek Golf Course	12800 Bay Hill Drive	Beltsville	20705 Prince George's	Public	18	2002
Cumberland Country Club	10200 Country Club Road	Cumberland	21502 Allegany	Private	18	1919
Deer Run Golf Club	8804 Logtown Road	Berlin	21811 Worcester	Public	18	1998
Diamond Ridge	2309 Ridge Road	Windsor Mill	21244 Baltimore	Public	18	1968
Diamond Ridge Woodlands	2309 Ridge Road	Windsor Mill	21244 Baltimore	Public	18	1998
Eagle's Landing Golf Course	12367 Eagles Nest Road	Berlin	21811 Worcester	Public	18	1998
Eisenhower Golf Course	1576 Generals Highway	Crownsville	21032 Anne Arundel	Public	18	1969
Elkridge Hunt Club	6100 N. Charles Street	Baltimore	21212 Baltimore	Private	18	1895
Elks Golf Club	401 Churchhill Avenue	Salisbury	21804 Wicomico	Private	18	1932
Enterprise Golf Course	2802 Enterprise Road	Mitchellville	20721 Prince George's	Public	18	1969
Exton Golf Course	5600 Maryland Boulevard	Aberdeen	21005 Harford	Military	9	1921
Fairway Hills Golf Club	5100 Columbia Road	Columbia	21004 Howard	Public	18	1995
Falls Road Golf Course	10800 Falls Road	Potomac	20854 Montgomery	Public	18	1962
Fore Sisters Golf Course	16302 Conda Way	Rawlings	21557 Allegany	Public	18	1991
Forest Park Golf Course	2900 Hillsdale Road	Baltimore	21215 Baltimore City	Public	18	1929
Fort Meade Golf Course	6800 Taylor Avenue	Fort Meade	20755 Anne Arundel	Military	18	1956
Fountain Head Country Club	13316 Fountain Head Road	Hagerstown	21742 Washington	Private	18	1924
Fox Hollow Golf Course	1 Cardigan Road	Lutherville	21083 Baltimore	Public	18	1964
Francis Scott Key	1900 Rover Downs Road	Finksburg	21048 Carroll	Public	18	1995
Frederick Golf Club	5459 South Renn Road	Frederick	21703 Federick	Public	18	2000

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Furnance Bay Golf Course	79 Chesapeake View Road	Perryville	21903 Cecil	Public	18	2000
Geneva Farm Golf Course	217 Davis Road	Street	21154 Harford	Public	18	1990
Gibson Island Club	535 Broadwater Way	Gibson Island	21056 Anne Arundel	Private	9	1922
Glade Valley Golf Club	10502 Glade Road	Walkersville	21793 Federick	Public	18	1991
Glenn Dale Golf Club	11501 Old Prospect Hill Road	Glenn Dale	20769 Prince George's	Public	18	1956
Glen Riddle GC Man O' War	10202 Ruffian Lane	Berlin	21811 Worcester	Public	18	2006
Glen Riddle GC War Admiral	10202 Ruffian Lane	Berlin	21811 Worcester	Public	18	2007
Golf Club at South River	3451 Solomons Island Road	Edgewater	21037 Anne Arundel	Private	18	1996
Great Hope Golf Course	8380 Crisfield Highway	Westover	21871 Somerset	Public	18	1995
Green Hill Yacht & Country Club	5471 Whitehaven Road	Quantico	21856 Wicomico	Private	18	1928
Green Spring Valley Hunt Club	30 Green Spring Valley Road	Owings Mills	21117 Baltimore	Private	18	1914
Greystone Golf Course	2115 White Hall Road	White Hall	21161 Baltimore	Public	18	1997
Gunpowder Golf Course	14300 Gunpowder Road	Laurel	20707 Prince George's	Public	18	1956
Gunpowder Falls Golf Course	11101 Raphel Road	Kingsville	21087 Baltimore	Public	18	1995
Hagerstown Greens at Hamilton Run	2 South Cleveland Avenue	Hagerstown	21740 Washington	Public	9	1957
Hampshire Greens Golf Course	616 Firestone Drive	Silver Spring	20905 Montgomery	Public	18	1999
Harbortowne Golf Resort	9784 Martingham Circle	Saint Michael's	21663 Talbot	Private	18	1971
Hawthorne Country Club	8760 Hawthorne Road	La Plata	20646 Charles	Public	18	1960
Hayfields Country Club	700 Hayfield Road	Hunt Valley	21030 Baltimore	Public	18	1998
Henson Creek Golf Course	7200 Sunnyside Lane	Fort Washington	20744 Prince George's	Public	9	1960
Heritage Harbour Golf Club	875 Harry S. Truman Parkway	Annapolis	21401 Anne Arundel	Private	18	1981
Hillendale Country Club	13700 Blenheim Road	Phoenix	21131 Baltimore	Private	18	1954
Hobbitts Glen Golf Course	11130 Willowbottom Road	Columbia	21044 Howard	Public	18	1968
Hog Neck Golf Course	10142 Old Cordova Road	Easton	21601 Talbot	Public	27	1976
Hollow Creek Golf Club at Glenbrook	50 Glenbrook Drive	Middletown	21769 Federick	Public	18	2002
Holly Hills Country Club	5502 Mussetter Road	Ijamsville	21745 Federick	Private	19	1974
Hope Valley Golf Course	12731 Jesse Smith Road	Mount Airy	21771 Federick	Public	18	2000
Horse Bridge Golf Course	32418 My. Herman Road	Salisbury	21804 Wicomico	Public	18	2000
Hunt Valley Golf Club	14101 Phoenix Road	Phoenix	21131 Baltimore	Public	27	1970
Hunters Oak Golf Club	500 Amberly Farm Drive	Queenstown	21658 Queen Anne	Public	27	1999
Hyatt Regency Chesapeake Bay Resort	100 Heron Boulevard	Cambridge	21613 Worcester	Public	18	2002
Kenwood Golf & Country Club	5601 River road	Bethesda	20816 Montgomery	Private	18	1928
Lake Arbor Golf	1401 Golf Course Lane	Mitchellville	20721 Prince George's	Public	18	1968
Lake Presidential Golf Club	3151 Presidential Golf Drive	Upper Marlboro	20774 Prince George's	Public	18	2008

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Lakewood Country Club	13901 Glen Mill Road	Rockville	20850 Montgomery	Private	18	1960
Laytonsville Golf Course	7130 Dorsey Road	Laytonsville	20882 Montgomery	Public	18	1973
Leisure World Golf Club	3701 Rossmoor Road	Siver Spring	20906 Montgomery	Private	19	1966
Liberty Road Golf Center	10810 Liberty Road	Frederick	21701 Frederick	Public	9	1991
Little Bennett Golf Course	25900 Prescott Road	Clarksburg	20871 Montgomery	Public	18	1994
Lodestone Golf Club	212 Marsh Hill Road	Mc Henry	21541 Garrett	Public	18	2009
Manor Country Club	14901 Carrollton Road	Rockville	20853 Montgomery	Private	27	1922
Maple Run Golf Course LLC	13610 Moser Road	Thurmont	21788 Frederick	Public	18	1992
Maplehurst Country Club	100 Maplehurst Road	Frostburg	21532 Allegany	Public	18	1956
Marlborough Country Club	4750 John Rogers Boulevard	Upper Marlboro	20772 Prince George's	Public	18	1974
Marlton Golf Club	9413 Midland Turn	Upper Marlboro	20772 Prince George's	Public	18	1998
Maryland Golf & Country Club	1335 E. MacPhail Road	Bel Air	21015 Harford	Private	18	1961
Maryland National Golf Club	8836 Hollow Road	Middletown	21769 Frederick	Public	18	2002
McDaniel College Golf Club	297 Pennsylvania Avenue	Westminster	21157 Carroll	Public	9	1935
Mellomar Golf Park	6215 Scaggs Road	Owings	20736 Calvert	Public	18	1999
Mitchell's Golf Center	301 Mitchell Drive	Reisterstown	21136 Baltimore	Public	9	1970
Montgomery Country Club	6550 Laytonsville Road	Laytonsville	20882 Montgomery	Public	18	1963
Montgomery Village Golf Club	19550 Montgomery Village	Montgomery Village	20886 Montgomery	Public	18	1968
Mount Pleasant Golf Course	6001 Hillen Road	Baltimore	21218 Baltimore City	Public	18	1934
Mountain Branch Golf Course	1827 Mountain Road	Joppa	21085 Harford	Public	18	2000
Musket Ridge Golf Club	3555 Brethren Church Road	Myersville	21773 Frederick	Public	18	2001
Nassawango Country Club	3940 Nassawango Road	Snow Hill	21863 Worcester	Private	18	1970
National Golf Club at Tantallon	300 St. Andrews Drive	Fort Washington	20744 Prince George's	Private	18	1961
Needwood Golf Course	6724 Needwood Road	Derwood	20855 Montgomery	Public	27	1975
Night Hawk Golf Center	814 Route 301	Gambrills	21054 Anne Arundel	Public	9	1994
Norbeck Country Club	17200 Cashell Road	Rockville	20853 Montgomery	Private	19	1954
Northwest Park Golf Course	15711 Layhill Road	Silver Spring	20906 Montgomery	Public	27	1964
Nutters Crossing Golf Course	30287 Southhampton Bridge	Salisbury	21804 Wicomico	Public	18	1990
Oak Creek Golf Club	701 Bleak Hill Place	Upper Marlboro	20774 Prince George's	Private	18	2006
Oakland Golf Club	433 North Bradley Lane	Oakland	21550 Garrett	Public	18	1960
Oakmont Green	2290 Golfview Lane	Hampstead	21074 Carroll	Public	18	1991
Ocean City Golf Club	11401 Country Club Drive	Berlin	21811 Worcester	Public	18	1959
Ocean City Newport Bay	11401 Country Club Drive	Berlin	21811 Worcester	Public	18	1996
Ocean Pines Golf & Country Club	100 Clubhouse Drive	Ocean Pines	21811 Worcester	Private	18	1972

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Ocean Resorts Golf Club	10655 Cathell Road	Berlin	21811 Worcester	Public	18	1990
Old South Country Club	699 Marlboro Road	Lothian	20711 Anne Arundel	Private	18	1991
P. B. Dye Golf Club	9526 Dr. Perry Road	Ijamsville	21754 Montgomery	Public	18	1999
Paint Branch Golf Complex	4690 University Boulevard	College Park	20740 Prince George's	Public	9	1964
Patuxent Greens Country Club	14415 Greenview Drive	Laurel	20707 Prince George's	Public	18	1970
Pine Ridge Golf Course	2101 Dulaney Valley Road	Lutherville	21093 Baltimore	Public	18	1958
Pine Shore Golf Course	11285 Beauchamp Road	Berlin	21811 Worcester	Public	27	1979
Piney Branch Golf & Country Club	5301 Trenton Mill Road	Hampstead	21074 Carroll	Public	18	1964
Poolesville Golf Club	16601 West Willard Road	Poolesville	20837 Montgomery	Public	18	1959
Prospect Bay Country Club	311-A Prospect Bay Drive	Grasonville	21638 Queen Anne	Private	18	1980
Rattlewood Golf Course	13501 Penn Shop Road	Mount Airy	21771 Montgomery	Public	18	1995
Redgate Municipal Golf Course	14500 Avery Road	Rockville	20853 Montgomery	Public	18	1974
Renditions	1380 West Central Avenue	Davidsonville	21035 Anne Arundel	Public	18	2002
River Run Golf Club	11605 Master's Lane	Berlin	21811 Worcester	Private	18	1991
Rocky Gap Lodge & Resort Golf	16701 Lakeview Drive NE	Flintstone	21530 Allegany	Public	18	1998
Rocky Point Golf Course	1935 Back River Neck Road	Essex	21221 Baltimore	Public	18	1971
Rolling Road Golf Club	814 Hilltop Road	Catonsville	21228 Baltimore	Private	18	1919
Ruggles Golf Course	5600 Maryland Boulevard	Aberdeen	21005 Harford	Military	18	1965
Rum Pointe Seaside Golf Links	7000 Rum pointe Road	Berlin	21811 Worcester	Public	18	1997
Severna Park Golf Center	1257 Governor Ritchie Hwy	Arnold	21012 Anne Arundel	Public	9	1964
Sherwood Forest Club	134 Sherwood Forest Road	Sherwood Forest	21405 Anne Arundel	Private	9	1920
Sligo Creek Golf Course	9701 Sligo Creek Parkway	Silver Spring	20901 Montgomery	Public	9	1959
Sparrows Point Country Club	919 Wise Avenue	Baltimore	21222 Baltimore	Private	27	1925
Swan Point Yacht & Country Club	15550 Swan Point Boulevard	Issue	20645 Charles	Private	18	1986
Talbot Country Club	6142 Country Club Drive	Easton	21601 Talbot	Private	18	1910
The Bay Club	9122 Libertytown Road	Berlin	21811 Worcester	Public	36	1989
The Beach Club Golf Links	9715 Deer Park Road	Berlin	21811 Worcester	Public	18	1991
The Club at Patriots Glen	300 Patriots way	Elkton	21921 Cecil	Public	18	2001
The Cove Creek Club	114 North Creek Court	Stevensville	21666 Queen Anne	Private	9	1980
The Easton Club	28449 Clubhouse Drive	Easton	21601 Talbot	Public	18	1994
The Links at Challedon	6166 Challedon Circle	Mount Airy	21771 Frederick	Public	18	1996
The Links at Lighthouse Sound	12723 Martins Neck Road	Bishopville	21813 Worcester	Public	18	2000
The Members Club at Four Streams	19501 Darnestown Road	Beallsville	20839 Montgomery	Private	18	1998
The Suburban Club of Baltimore County	7600 Park heights Avenue	Pikesville	21208 Baltimore	Private	18	1989

Attachment #1

The Timbers at Troy	6100 Marshalee Drive	Elkridge	21075 Howard	Public	18	1996
The Wetlands Golf Course	740 Gilbert road	Aberdeen	21001 Harford	Public	18	1995
Thousand Acres Lakeside Golf Course	8 Sky Valley Road	Swanton	21561 Garrett	Public	18	2009
Towson Golf & Country Club	12801 Stone Hill Road	Phoenix	21131 Baltimore	Private	18	1969
TPC Potomac at Avenel	10000 Oaklyn Drive	Potomac	20854 Montgomery	Private	18	1986
Trotters Glen	16501 Batchellors Forest Rd.	Olney	20832 Montgomery	Public	18	1993
Turf Valley Resort	2700 Turf Valley Road	Ellicott City	21042 Howard	Public	36	1959
Twin Shields Golf Course	2425 Roarty Road	Dunkirk	20754 Calvert	Public	18	1969
U.S. Naval Academy Golf Club	64 Greenbury Point Road	Annapolis	21402 Anne Arundel	Military	18	1940
University of Maryland Golf Course	103 Golf Course Road	College Park	20740 Prince George's	Public	18	1968
VFW Country Club	5901 National Pike	Frederick	21702 Frederick	Public	18	1927
Wakefield Valley Golf Club	1000 Fenby Farm Road	Westminster	21158 Carroll	Public	27	1978
Walden Golf Club	1500 Riedel Road	Crofton	21114 Anne Arundel	Private	18	1969
Waterfront Greens Golf Course	115 Clubhouse Drive	Swanton	21561 Garrett	Public	9	2001
Waverly Woods Golf Club	2100 Warwick Way	Marriottsville	21104 Howard	Public	18	1997
West Winds Golf Club	11330 Country Club Road	New Market	21774 Frederick	Public	18	1974
Westminster National Golf Course	2158 Littlestown Pike	Westminster	21158 Carroll	Public	18	1989
Whiskey Creek Golf Club	4804 Whiskey Court	Ijamsville	21704 Frederick	Public	18	2000
White Plains Golf Course	1015 St. Charles Parkway	White Plains	20695 Charles	Public	18	1974
Wicomico Shores Golf Course	35794 Aviation Yacht Club Rd.	Chaptico	20621 Worcester	Public	18	1962
Willow Springs Golf Course	12980 Livestock Road	West Friendship	21794 Howard	Public	18	1991
Winters Quarters Golf Course	355 Winters Quarters Road	Pocomoke City	21851 Worcester	Public	9	1934
Winters Run Golf Course	1000 North Tollgate Road	Bel Air	21014 Harford	Public	18	1972
Wisp Resort Golf Course	296 Marsh Hall Road	Mc Henry	21541 Garrett	Public	18	1980
Wood Creek Golf Links	9080 Executive Club Drive	Delmar	21875 Worcester	Public	18	2001
Woodholme Country Club	300 Woodholme Avenue	Pikesville	21208 Baltimore	Private	18	1927
Woodmont Country Club North	1201 Rockville Pike	Rockville	20852 Montgomery	Private	18	1951
Woodmont Country Club South	1201 Rockville Pike	Rockville	20852 Montgomery	Private	18	1954
Worthington Manor Golf Club	8329 Fingerboard Road	Frederick	21704 Frederick	Public	18	1998
Yinglings Golf Center	20220 Jefferson Boulevard	Hagerstown	21742 Washington	Public	18	1978

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DECLARATION

THIS DECLARATION made this 30<sup>th</sup> day of JUNE, 1978, by and between NORTHAMPTON CORPORATION, a District of Columbia corporation, the NORTHAMPTON THREE CORPORATION, a Maryland corporation, and PSN, INC., a Maryland corporation, doing business as NEIGHBORHOOD THREE JOINT VENTURE, a Maryland general partnership, hereinafter sometimes jointly referred to as the "Declarant," and the NEWBRIDGE COMMUNITY ASSOCIATION, INC., a corporation created and existing pursuant to the laws of the State of Maryland.

WHEREAS, the parties comprising the Declarant are owners of a parcel of land containing approximately 481 acres of land, more or less (the "Property"), located in the Northeast quadrant created by the intersection of Maryland Route 214 and Maryland Route 202; and

WHEREAS, the Declarant has submitted a Preliminary Plan of Subdivision, No. 4-77233, to the Prince George's County Planning Board for the creation of 707 residential lots; and

WHEREAS, the Prince George's County Planning Board approved said preliminary plan of subdivision on November 3, 1977, with certain conditions; and

WHEREAS, the Northampton Corporation is the owner of the land and improvements described on Exhibit "A," hereinafter referred to as the "Club Area," attached hereto and incorporated herein by this reference, which land and improvements are to be known as "Newbridge Country Club" and which contains certain recreational facilities; and

WHEREAS, the Prince George's County Planning Board has required, inter alia, that the Declarant declare that the Club Area forever remain in its present state, or remain undeveloped and as "open space" (except for a golf or country club), as a condition of approval of the computation of the density of use of the Property to include the said 707 residential lots; and

27-78-7-11892-4475-4050

WHEREAS, the Declarant desires and intends that the Club Area shall forever remain and be used as a golf or country club, or in the event the use as a golf or country club is abandoned or for any reason terminated, the land and improvements shall remain as "open space", as defined in Sections 27-487 and 27-489 of the Zoning Subtitle of the Prince George's County Code;

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, receipt of which is hereby acknowledged, the Declarant does, by the execution, delivery and recordation of this Declaration, covenant and agree with the Association as follows:

1. That the Club Area shall be forever used as a golf or country club or as "open space" as defined in Sections 27-487 and 27-489 of the Zoning Subtitle of the Prince George's County Code.
2. That the Declarant shall not, without the prior written consent of the Association, convey the Property to any other person, persons or other legal entity, including, without limitation, any governmental agency or quasi-governmental body, saving and excepting, however, another legal entity undertaking to operate the Club Area as provided in this Declaration.
3. That notwithstanding any provision to the contrary, the Declarant shall have the right to repair, operate and maintain any recreational facilities now existing on the Club Area and the Declarant shall further have the right to erect, repair, operate and maintain such additional recreational facilities as it may deem appropriate, in its sole and absolute discretion, provided, however, that such additional facilities are erected in conformity with all laws applicable thereto.
4. That in the event that additional recreational facilities are erected by the Declarant, such facilities shall be erected at the expense of the Declarant.



5. That any and all revenues or losses derived from the erection and operation of the property shall be the sole and exclusive property of the Declarant and no provision of the Declaration shall be construed to create any partnership, joint venture, or other business association between the Declarant and the Association.

6. That the covenants, conditions and restrictions contained in this Declaration shall be specifically enforceable in a cause in a Court of Equity by the Association in addition to any other remedy which the Association may have, at law or equity, it being the intention and declaration of the Declarant that the Association has no adequate remedy at law with regard to enforcement hereof.

NOTWITHSTANDING any provision of this Declaration to the contrary, the Declarant declares that the contents hereof are made, delivered and recorded pursuant to the conditions of approval of the Preliminary Plan of Subdivision No. 4-77233 filed with the Prince George's County Planning Board. Further, this Declaration has been made, delivered and recorded as a condition precedent to obtaining final approval of plats in recordable form for Blocks A, B, C, D, E, F and G in the subdivision known as "NEWBRIDGE" Prince George's County, Maryland, which blocks will contain two hundred forty-eight (248) lots. An additional four hundred fifty-nine (459) lots are to be contained within other portions of the Property and depicted upon subsequent plats, the final design, content and boundaries of said lots having not yet been established. The Declarant, therefore, hereby reserves the right to execute, deliver and record an amended declaration or declarations to make minor adjustments and variations in the boundaries of the Club Area as described on Exhibit A hereof, when additional plats are recorded in order to reflect in said Club Area any variations caused by the boundaries of the adjoining four hundred fifty-nine (459) lots when finally engineered, determined and platted and approved for record.

In the event it becomes necessary to execute and record an amended declaration or declarations to amend or vary the description of the Club Area recorded herewith, such Amended Declaration shall totally supersede this Declaration, and this Declaration, in so far as the Club Area effected hereby, shall become void and destitute of legal effect. Except for variations and modifications of the description of the Club Area by recordation of an amended declaration or declarations as aforesaid, the Declarant shall not have the right to change or alter the contents hereof.

This Declaration, and all exemptions, covenants, conditions, restrictions and servitudes shall be binding upon and inure to the benefit of the Declarant and the Association, their respective successors and assigns, and shall, except as the same may be amended, run with the land described on Exhibit A in perpetuity.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed by duly authorized officers.

ATTEST:

NEIGHBORHOOD THREE JOINT VENTURE  
NORTHAMPTON THREE CORPORATION

*[Signature]*

BY: *[Signature]*

ATTEST:

PSN, INC.

*[Signature]*

BY: *[Signature]*

STATE OF MARYLAND

ss.

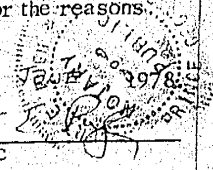
COUNTY OF PRINCE GEORGE'S

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared SEYMOUR FRIEDMAN of Northampton Three Corporation, and acknowledged that he executed the above Declaration for the reasons and purposes stated therein.

WITNESS my hand and official seal this 30<sup>TH</sup> day of July, 1978

My Commission Expires:  
July 1, 1982

*[Signature]*  
Notary Public




4961 638

STATE OF MARYLAND :  
: ss.  
COUNTY OF PRINCE GEORGE'S :

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Martin H. Poretsky of PSN, Inc., and acknowledged that he executed the above Declaration for the reasons and purposes stated therein.

WITNESS my hand and official seal this 30<sup>TH</sup> day of JUNE, 1978.

Robert E. Papp  
Notary Public



My Commission Expires:  
July 1, 1982

CONSENT

Northampton Corporation, as the owner of the Club Area described herein, consents to and joins in this Declaration for all the purposes thereof.

ATTEST:  
Eleanor Stambach  
Eleanor Stambach, Secretary  
*clerk*

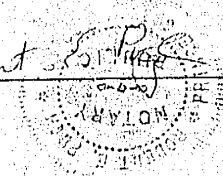
NORTHAMPTON CORPORATION  
BY: Seymour Friedman  
Seymour Friedman, Exec. V.P.

STATE OF MARYLAND :  
: ss.  
COUNTY OF PRINCE GEORGE'S :

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Seymour Friedman of Northampton Corporation, and acknowledged that he executed the above Declaration for the reasons and purposes stated therein.

WITNESS my hand and official seal this 30<sup>TH</sup> day of JUNE, 1978.

Robert E. Papp  
Notary Public



My Commission Expires:  
July 1, 1982

CB 71 '81

§ 27-484

ZONING

§ 27-487

(b) Cluster developments shall consist of at least sixteen (16) dwelling units, except that cluster developments that are found by the Planning Board to be a logical extension of an existing or approved cluster development may contain fewer dwelling units.

(D.C. Reso. No. 86, 1965, §§ 27.92, 27.93; amended by CB-100-1972, § 1, 10/17/72.)

**Sec. 27-485. Subdivision approval for cluster development.**

No cluster development may be constructed except in accord with a Preliminary Subdivision Plan approved by the County Planning Board under the Regulations for the Subdivision of Land.

(D.C. Reso. No. 86, 1965, § 27.94.)

**Sec. 27-486. Cluster development; modification of yard and lot requirements.**

Modification and variation of yard and lot requirements may be permitted in accord with the pertinent sections of the applicable zone. Such modifications and variations must be shown on any cluster Preliminary Subdivision Plan.

(D.C. Reso. No. 86, 1965, § 27.95.)

**Sec. 27-487. Cluster open space requirement: ownership.**

(a) In each zone allowing cluster development the lot size may be reduced from the general lot size for that zone to a specified minimum lot size for cluster development. Up to one-third (1/3) of such lot reductions may be located in a one-hundred (100) year flood plain or on land dedicated for a community building or school site. All such lot reductions shall be compensated for by an equivalent amount of land in cluster open space to be preserved and maintained for its scenic value, for recreation or conservation purposes, or for schools, community buildings or related uses. Improvements shall be limited to serving such purposes.

Cluster open space shall not include areas devoted to public or private vehicular streets or any land which has been or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools or other public facilities.

(b) Public ownership — Cluster open space shall be made available for the use of all residents of Prince George's County, unless the Planning Board finds that the size, location, type of development, or cost of development or maintenance of such cluster open space or the availability of public open space would make public use undesirable or unnecessary. The Planning Board generally will require dedication of all areas indicated for acquisition in the adopted Park Acquisition Program.

(c) Private ownership — If cluster open space is not dedicated to public,

~~Use, it shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the cluster open space; method of maintenance; responsibility for maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain cluster open space will not be dissolved without the consent of the Planning Board; and any other specifications deemed necessary by the Planning Board.~~  
(D.C. Reso. No. 86, 1965, §§ 27.96, 27.97; CB-162-1973; CB-29-1975.)

**Sec. 27-488. Reserved.**

**Sec. 27-489. Cluster developments; approval; appeal.**

An approved preliminary subdivision plan for a cluster development shall provide for a total environment better than that which could be achieved under standard regulations. If, in the opinion of the Planning Board, the proposed plan could be improved in respect to the criteria listed below by the reasonable modification of the location of cluster open space or buildings or configuration of lots, streets, and parking areas, the proposed plan shall be so modified or denied. In acting on a proposed plan, the Planning Board shall give particular consideration to the following criteria:

(a) Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.

(b) The usability of cluster open space intended for a recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site.

(c) Cluster open space shall include irreplaceable natural features located in the tract (such as, but not limited to stream beds, significant stands of trees, individual trees of significant size and rock outcroppings).

(d) Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly.

(e) The suitability of cluster open space intended for scenic value and purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.

(f) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.

(g) Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings and to lessen area devoted to motor vehicle access.

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**DECLARATION OF COVENANTS**

**THIS DECLARATION OF COVENANTS is made by Marlborough Development Corporation, a Maryland Corporation.**

**PRELIMINARY STATEMENT**

Marlborough Development Corporation is the developer of the Villages of Marlborough, a project located in Upper Marlboro, Maryland. The project is immediately north of the Town of Upper Marlboro and consists of 410 acres of which 367 acres were rezoned R-U in Application Number A-7260 by the District Council on December 13, 1976. A density bonus was awarded Marlborough Development Corporation for incorporating "public benefit features" in their Basic Plan for the project. The incorporation of such features increased the gross density of the project by thirty-one percent (31%) from a density of 8 units per acre to 10.5 units per acre which resulted in a maximum of 3,863 buildable units.

One of the public benefit features provided by Marlborough Development Corporation in their Basic Plan was the open space consisting of a 131.6 plus/minus acres, currently utilized as a golf course (hereinafter referred to as "subject open space"). It is for the purpose of retaining the subject 131.6 acres as a part of the open space network which provided, in part, the aforementioned density bonus, that this Declaration of Covenants has been imposed by Marlborough Development Corporation for itself, its heirs and assigns.

JUN 11 11 23 AM '85

CLERK OF THE  
COURT  
HARRIS COUNTY

IN 1138 A 211976 8888-2150

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**SPECIFIC COVENANTS**

1. Marlborough Development Corporation will not erect fences on any portion of the subject open space, nor will it permit the subject open space to be wholly or partially enclosed with fencing, unless such fencing, be it temporary or permanent, be required for the protection or security of said open space, however it may be utilized, within the sole discretion of the Marlborough Development Corporation. Any such fencing shall be installed in such a manner as to retain the subject open space as a part of the entire "open space" system of the said development.

2. Marlborough Development Corporation will not erect buildings of any type other than those related to the utilization of the subject open space for active or passive recreational purposes.

3. Marlborough Development Corporation intends to maintain the golf course currently operating upon the subject open space for the use of its members. However, if it at any time determines for any reason that the subject golf course shall be permanently closed and its operations discontinued, it shall have the sole right to close and discontinue same.

4. In the event that Marlborough Development Corporation determines to close and discontinue the operations of the subject golf course, Marlborough Development Corporation shall cease to be responsible or obligated in any manner for the continued maintenance of the course. Should Marlborough Development Corporation or its assignee, as provided herein, ever cease to own or operate the subject open space as a golf course for a period of at least 365 consecutive days, the subject golf

6115 978

course shall revert automatically to Villages of Marlborough Community Association, Inc. Such reversion shall not occur if, prior to the termination of the 365 consecutive day period, Marlborough Development Corporation, or its assignee, shall commence to operate the subject open space as a golf course. The 6.4 plus/minus acres consisting of the clubhouse, swimming pool, parking compound, and other related facilities defined by the site plan for S.E. 2818 shall be specifically excluded from this automatic reversion provision. In any case, the subject open space shall continue to be maintained as a part of the public open space for the above-described development.

5. Marlborough Development Corporation may assign, transfer, lease or otherwise convey its rights to the subject golf course to any party or parties, subject to approval by the General Counsel's office of the M-NCPPC to assure conformance with these Covenants, said approval not to be unreasonably withheld. However, this Declaration of Covenants will remain enforceable as to the subject open space for the term stated herein.

6. These Covenants shall be effective only as to those portions of the subject open space that are included in any final plats of subdivision for property contiguous to the subject open space.

7. These Covenants shall run to the benefit of the Villages of Marlborough Community Association, and shall be enforceable by said Association.

8. These Covenants shall run with the land, and shall bind Marlborough Development Corporation, its successors, assigns and lessees in perpetuity. In consideration whereof, M-NCPPC recognizes that the aforesaid open space system shall



6115 979

entitle Marlborough Development Corporation to density credits that bring the density of the subject development to a density of 8 to 10.5 dwellings per acre in accordance with the approved "Basic Plan" for said development. In the event that any mortgage or lien exists against the subject property, or any part thereof, and in the event that Marlborough Development Corporation shall seek to procure any further mortgage upon, or transfer any interest in the subject property, before this Declaration of Covenants shall be recorded as herein provided, it will acquaint such mortgage holder, lienholder, prospective mortgagee or transferee with the terms of this Declaration of Covenants.

9. Upon execution of this Declaration of Covenants, it shall be delivered to Greenan, Walker, Steuart & Meng, Attention: Lawrence N. Taub, Esquire, 9200 Basil Court, Suite 101, Landover, Maryland, 20785, at which time Lawrence N. Taub, or his representative, shall record it upon the Land Records of Prince George's County, Maryland, and the fees for recordation of this Declaration of Covenants shall be paid for by Marlborough Development Corporation.

AS WITNESS the hand and seal of Sterling Leppo, for the Marlborough Development Corporation.

ATTEST:

MARLBOROUGH DEVELOPMENT CORPORATION  
A Maryland Corporation

*Shirley A. Semmler* by *Sterling Leppo*  
Sterling Leppo, Vice President

6115 980

STATE OF MARYLAND  
COUNTY OF *Baltimore*

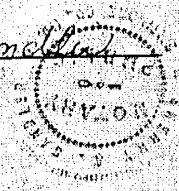
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I HEREBY CERTIFY that on this 10th day of June, 1985, before me, the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Sterling Leppo, who acknowledged himself to be the Vice President of Marlborough Development Corporation, and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

AS WITNESS my hand and notarial seal.

*Henry A. Somers*  
Notary Public

My Commission Expires July 1, 1986



6115 981

Return to:  
Lawrence N. Taib, Esq.  
9200 Basil Court, #101  
Landover, MD 20785