

LINOWES
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ATTORNEYS AT LAW

November 10, 2004

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By Hand Delivery

Mr. Michael Ma
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue, 2nd Floor
Silver Spring, Maryland 20910-3760

Re: Clarksburg Town Center – Approved Building Heights

Dear Mr. Ma:

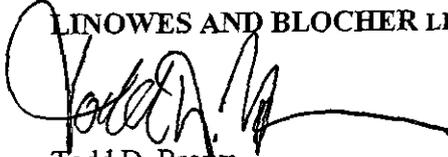
On behalf of NNPII – Clarksburg L.L.C. (formerly, Terrabrook Clarksburg LLC) (“Newland”), the purpose of this letter is to confirm the Planning Commission’s position concerning the permitted maximum building height associated with the Clarksburg Town Center Project Plan and Site Plan Reviews, including administrative amendments to the site plans, approved to date.

Based on our October 27, 2004 meeting with you, Wynn Witthans, Sue Edwards and representatives of Newland, we understand the Planning Commission interprets approved Project Plan No 9-94004 and approved Site Plan Review Nos. 8-98001 and 8-02014, including amendments to such site plans approved to date, to permit a maximum building height of four (4) stories for residential development. This four (4) story maximum building height is permitted in connection with proposed development shown on site plans approved to the date of this letter, notwithstanding numerical maximum building height limit(s) that might be expressed in connection with such approved plan(s).

Please confirm the Planning Commission’s above-described position concerning the maximum building height limit associated with existing Clarksburg Town Center approvals by signing and dating this letter in the space provided and returning the letter to me for our files.

Thank you.

Very truly yours,

LINOWES AND BLOCHER LLP

Todd D. Brown

READ AND AGREED

cc: Ms. Kim Ambrose
Ms. Wynn Witthans
Ms. Sue Edwards

Michael Ma, Development Review Division

Date: _____

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