

EXHIBIT 5

HARBOR WALK TOWNHOUSE CONFIRMATORY EASEMENT AGREEMENT

INFORMATIONAL PURPOSES

Note: This Confirmatory Easement Agreement, recorded among the Land Records of Baltimore City on or about December 2015 in Book 17737, pages 147 *et seq.* has not been changed in any way and is being re-recorded with the Amended and Restated Declaration Harbor Walk Townhouse Association for informational purposes only.

AFTER RECORDING PLEASE RETURN TO:
Harbor Walk Townhouse Association, Inc.
P.O. Box 13262
Baltimore, Maryland
Attn: Amy McClain

Sopher, Adler & Gibson, P.A.
1500 Whetstone Way
Suite T-100
Baltimore, Maryland 21230
File No. 1919 SC

CITY OF BALTIMORE RECORDATION TAX
EXEMPT DOCUMENT
REVENUE COLLECTIONS
DEPARTMENT OF FINANCE

Katrina Sopher 12/17/2015
Recordation Clerk Date

CONFIRMATORY EASEMENT AGREEMENT

THIS CONFIRMATORY EASEMENT AGREEMENT (this "Agreement") made this 11th day of December, 2015 by and between **MARY E. DAVIDSON, JEFFREY B. WILLIAMS, RICHARD L. GORMAN, MARY B. GORMAN, AND EDWARD D. VEST**, parties of the first part, (each a "Grantor" and collectively, the "Grantors"); and **HARBOR WALK TOWNHOUSE ASSOCIATION, INC.**, party of the second part, (the "Grantee" and sometimes referred to herein as the "Association").

EXPLANATORY STATEMENT

A. Grantors, by virtue of those Deeds listed on the attached Exhibit A, are the fee simple owners of the properties known and designated as Lots 2 thru 5 (inclusive), as shown and designated on the plat entitled "FINAL SUBDIVISION LOT 11 INNER HARBOR WEST PROJECT" which plat is recorded among the Land Records of Baltimore City, Maryland in Plat Book WA No. 2679 (the "Plat") and which properties are more commonly known as 418, 420, 422, and 424 South Hanover Street, Baltimore City, Maryland (collectively, the "Properties").

B. The Properties are part of the residential subdivision shown on the Plat and commonly known and referred to as the Otterbein (the "Subdivision"), which said Subdivision is managed and governed by the Association by virtue of a Declaration by Harbor Walk Associates Joint Venture dated March 14, 1980 and recorded among the Land Records of Baltimore City, Maryland in Liber WA 3940, folio 759, as amended by a Supplemental Declaration by the aforesaid party dated October 17, 1980 and recorded among the aforesaid Land Records in Liber WA 3967, folio 311, as amended and confirmed by a Confirmatory Supplemental Declaration by the aforesaid party dated June 9, 1981 and recorded among the aforesaid Land Records in Liber CWM Jr. 4063, folio 658 (collectively, the "Declaration").

C. The Properties, by virtue of the Plat, are subject to a vehicular easement, as shown and designated thereon as a "68 FT. Service, Utility & Vehicular Easement" and has been used as a common driveway and parking area since the Properties were initially constructed (the "Easement") being shown as the hatch marked area on the attached Exhibit B (the "Easement Area").

D. From the onset of the Subdivision and simultaneous creation of the Easement, the Easement Area has been controlled by the Association, and used for providing reserved off-street parking for Owners (as defined in the Declaration) of certain lots within the Subdivision and further listed on the attached Exhibit C (the "Benefited Lots").

TRANSFER TAX EXEMPT
Director of Finance

PER *Katrina Sopher*
Authorized Signature

DEC 17 2015

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thru
E121411

LIBER 17737 PAGE 147

BALTIMORE CITY CIRCUIT COURT (Land Records) LGA 17737, p. 0147, MSA_CE164_26894. Date available 12/23/2015. Printed 12/29/2015.

E. By executing this Agreement, the Grantors and Grantee now desire to confirm the scope and purpose of the Easement and further set forth the obligations of the parties hereunder.

NOW, THEREFORE, IN CONSIDERATION of One Dollar (\$1.00), the foregoing Explanatory Statement, which is deemed a substantive part hereof, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Grantors hereby confirm the existence of the Easement, which is a perpetual easement over those portions of the Grantors' respective Properties within the Easement Area (as shown on Exhibit B) for the use by the Grantee, its successors and assigns (i) to provide vehicular off-street parking to the Owners of the Benefited Lots and other Owners within the Subdivision (as determined by the Association) and (ii) to provide said Owners with ingress, egress, and access by and through the Easement Area in connection with said parking.

2. Grantee for itself and its successors and assigns hereby indemnifies and holds harmless Grantors, their personal representatives and assigns, for all claims, injuries, damages, costs, and liabilities arising out of, or which may occur, in connection with the continuation of the Easement and the use thereof.

3. Grantee shall continue to maintain the Easement Area in good order and condition. Any and all costs incurred for the maintenance, repair, and upkeep of the Easement Area shall continue to be the sole responsibility of the Grantee.


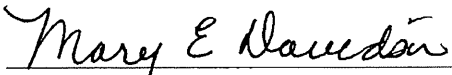
4. The benefit and burden of the rights, duties and obligations confirmed herein shall run with and bind upon title to the Properties.

5. Grantors and Grantee agree to execute any and all other necessary documents and take such further and additional actions as may be requisite to further confirm the promises and agreements previously made and confirmed herein.

[Signatures appear on the following page]

IN WITNESS WHEREOF, this Easement has been duly executed as of the day and year first above written.


WITNESS:


 {Seal}
 Mary E. Davidson

STATE OF MARYLAND, COUNTY/CITY OF Baltimore, to wit:

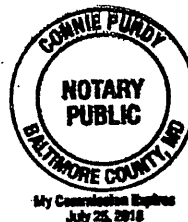
I HEREBY CERTIFY, that on this 12th day of September, 2015, before me, the subscriber, a Notary Public of the State of Maryland, County/City of Baltimore, personally appeared **Mary E. Davidson**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Confirmatory Easement Agreement to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


 Notary Public

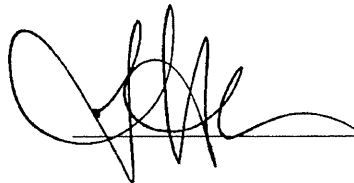
My Commission Expires: 7.25.2018

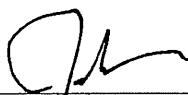
[signatures continue on the following page]



IN WITNESS WHEREOF, this Easement has been duly executed as of the day and year first above written.

WITNESS:





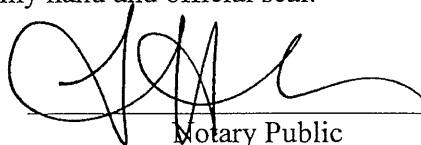
Jeffrey B. Williams

{Seal}

STATE OF MARYLAND, COUNTY/CITY OF Prince George's, to wit:

I HEREBY CERTIFY, that on this 14th day of August, 2015, before me, the subscriber, a Notary Public of the State of Maryland, County/City of Prince George's, personally appeared **Jeffrey B. Williams**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Confirmatory Easement Agreement to be his act, and in my presence signed and sealed the same.

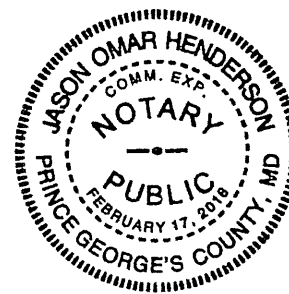
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

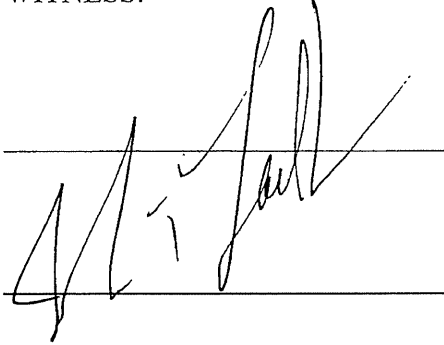
My Commission Expires: 02/17/2016

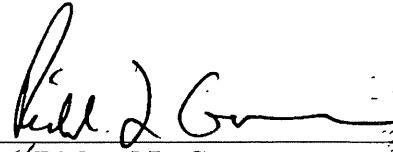
[signatures continue on the following page]



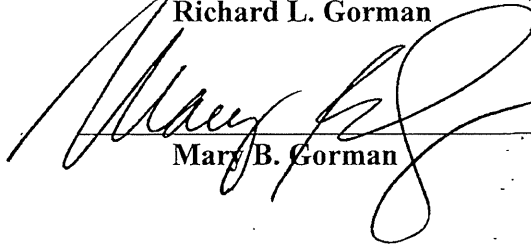
IN WITNESS WHEREOF, this Easement has been duly executed as of the day and year first above written.

WITNESS:





Richard L. Gorman {Seal}

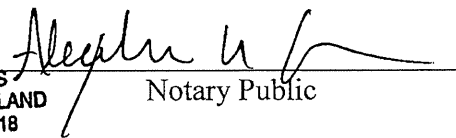


Mary B. Gorman {Seal}

STATE OF MARYLAND, COUNTY/CITY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 11th day of November, 2015, before me, the subscriber, a Notary Public of the State of Maryland, County/City of Baltimore personally appeared **Richard L. Gorman** and **Mary B. Gorman**, each known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Confirmatory Easement Agreement to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



ALEXANDRA W. CHAMBERS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 9, 2018
Notary Public

My Commission Expires: _____

[signatures continue on the following page]

IN WITNESS WHEREOF, this Easement has been duly executed as of the day and year first above written.

WITNESS:

[Handwritten signature]

[Handwritten signature] {Seal}
Edward D. Vest

STATE OF MARYLAND, COUNTY/CITY OF Baltimore, to wit:

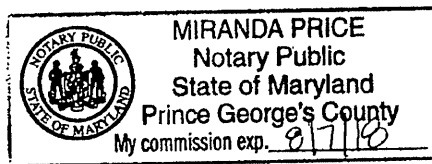
I HEREBY CERTIFY, that on this 10th day of September, 2015, before me, the subscriber, a Notary Public of the State of Maryland, County/City of Baltimore, personally appeared **Edward D. Vest**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Confirmatory Easement Agreement to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Miranda Price
Notary Public

My Commission Expires: 8/7/18

[signatures continue on the following page]



IN WITNESS WHEREOF, this Easement has been duly executed as of the day and year first above written.

WITNESS:

HARBOR WALK TOWNHOUSE ASSOCIATION, INC

Connie Purdy

By: John T. Faulkingham {Seal}
John T. Faulkingham, President

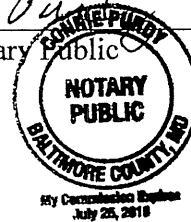
STATE OF MARYLAND, COUNTY/CITY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 11th day of December, 2015, before me, the subscriber, a Notary Public, personally appeared **John T. Faulkingham**, President of Harbor Walk Townhouse Association, Inc. and he acknowledges the foregoing to be his act as President on behalf of said Harbor Walk Townhouse Association, Inc. and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Connie Purdy
Notary Public

My Commission Expires: 7.25.2018



THIS IS TO CERTIFY that the within instrument was prepared by the undersigned, an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

Jordan S. Rosen
Jordan S. Rosen, Attorney

[joinders appear on the following page]

BALTIMORE CITY CIRCUIT COURT (Land Records) LGA 17737, p. 0153, MSA_CE164_26894. Date available 12/23/2015. Printed 12/29/2015.

JOINER BY LENDER

See Credit Line Deed of Trust dated December 28, 2006 and recorded among the Land Records of Baltimore City, Maryland in Liber FMC 8951, folio 197 from **Mary E. Davidson** (for the benefit of Citibank, NA). The undersigned Shelley L. Hess, Vice President join herein to assent to the terms and provisions of this Confirmatory Easement Agreement and assent to waive and subordinate the lien of said Deed of Trust to the legal operation and effect of the interest being acquired by Harbor Walk Townhouse Association, Inc. under this Confirmatory Easement Agreement.

WITNESS:

Marilyn Cashman
Marilyn Cashman

Citibank, NA
[Signature] (SEAL)
Name: Shelley L. Hess
Title: Vice President



STATE OF Maryland, CITY/COUNTY OF Washington, to wit: Citibank, N.A.

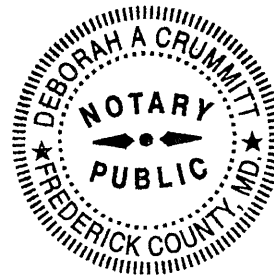
I HEREBY CERTIFY, that on this 20th day of October, 2015, before me, the subscriber, a Notary Public, personally appeared Shelley L. Hess, Vice President of Citibank, NA and they acknowledged the foregoing to be his/hgr act as Vice President on behalf of said Citibank, NA and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

Deborah A. Crumitt
Notary Public Deborah A. Crumitt

My Commission Expires: May 5, 2016

[joinder continues on the following page]



BALTIMORE CITY CIRCUIT COURT (Land Records) LGA 17737, p. 0154, MSA_CE164_26894. Date available 12/23/2015. Printed 12/29/2015.

EXHIBIT A

Grantors' Properties

Lot 2

424 S. Hanover Street (Tax ID 22-02-0867-015)

Being the same property conveyed unto **Edward D. Vest** by virtue of Deed from Five Associates LLLP (f/k/a Five Associates Limited Partnership) dated November 30, 2000 and recorded among the Land Records of Baltimore City, Maryland in Liber FMC 941, folio 392.

Lot 3

422 S. Hanover Street (Tax ID 22-02-0867-014)

Being the same property conveyed unto **Richard L. Gorman and Mary B. Gorman** by virtue of Deed from Edward K. Smith dated July 9, 2010 and recorded among the Land Records of Baltimore City, Maryland in Liber FMC 12783, folio 383.

Lot 4

420 S. Hanover Street (Tax ID 22-02-0867-013)

Being the same property conveyed unto **Jeffrey B. Williams** by virtue of Deed from Marie Rogosky dated May 23, 1985 and recorded among the Land Records of Baltimore City, Maryland in Liber SEB 545, folio 166.

Lot 5

418 S. Hanover Street (Tax ID 22-02-0867-012)

Being the same property conveyed unto **Mary E. Davidson** by virtue of Deed from Ellis H. Goodman and Marcie M. Goodman dated October 12, 1990 and recorded among the Land Records of Baltimore City, Maryland in Liber SEB 2646, folio 97.

EXHIBIT B
EASEMENT AREA

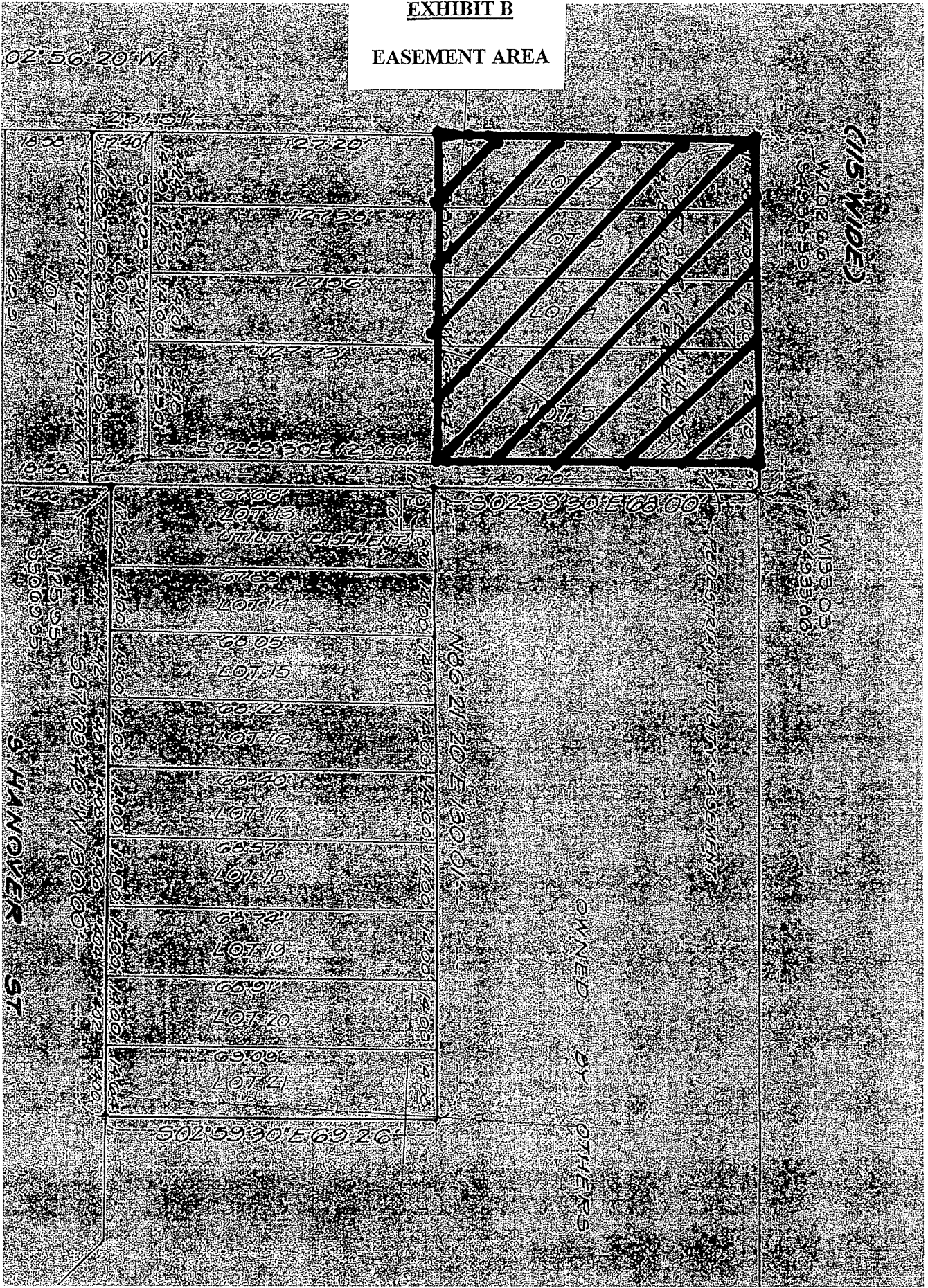
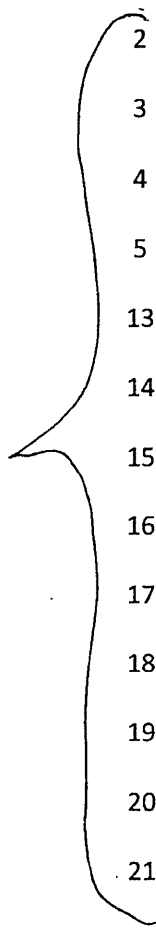


EXHIBIT C
BENEFITED LOTS

<u>Lot</u>	<u>Address</u>	<u>Tax ID</u>
2	424 S. Hanover Street	22-02-0867-015
3	422 S. Hanover Street	22-02-0867-014
4	420 S. Hanover Street	22-02-0867-013
5	418 S. Hanover Street	22-02-0867-012
13	416 S. Hanover Street	22-02-0867-011
14	414 S. Hanover Street	22-02-0867-010
15	412 S. Hanover Street	22-02-0867-009
16	410 S. Hanover Street	22-02-0867-008
17	408 S. Hanover Street	22-02-0867-007
18	406 S. Hanover Street	22-02-0867-006
19	404 S. Hanover Street	22-02-0867-005
20	402 S. Hanover Street	22-02-0867-004
21	400 S. Hanover Street	22-02-0867-001



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DEC 17 PM 4:09

IMP FD SURF \$	40.00
RECORDING FEE	79.00
TOTAL	119.00
Rec'd \$ 46848	
LA TLP	
Dec 17 2015	
Rec'd \$ 1344	
DLK \$ 46848	
03:50 PM	

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AP