

**STILLMEADOW STREAM RESTORATION MONITORING  
MEMORANDUM OF AGREEMENT**

**THIS MEMORANDUM OF AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2020, by and between **[INSERT PROPERTY OWNERS NAME(S)]** hereinafter referred to as “Property Owners”, and Harford County, Maryland, a body corporate and politic of the State of Maryland, hereinafter referred to as “County”.

**WHEREAS**, the Property Owners are the owners of the property located at **[INSERT PROPERTY ADDRESS]**, Bel Air, Maryland and more particularly described in the deed recorded among the Land Records of Harford County at liber **[INSERT LIBER]**, folio **[INSERT FOLIO]** (“Property”); and

**WHEREAS**, the County wishes to construct a stream restoration project on a tributary to Bynum Run beginning upstream of the confluence of Bynum extending westward for approximately 3,500 linear feet upstream; and

**WHEREAS**, the restoration project will require monitoring after construction is completed to ensure its integrity; and

**WHEREAS**, the County anticipates performing the monitoring annually for five years following construction and triennially thereafter; and

**WHEREAS**, the County anticipates the monitoring to take no more than one week to complete; and

**WHEREAS**, the Property Owners, have been informed about the monitoring and wish to allow the County and/or its contractors access to the restoration project for the purpose stated above.

**NOW, THEREFORE, WITNESSETH**, that in consideration of the premises contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree:

1. The above recitals are incorporated herein.
2. The County shall
  - a. make every reasonable effort to notify the Property Owners in writing prior to performing any monitoring tasks on the Property; and

- b. perform or cause to be performed all monitoring tasks necessary to document the integrity of the completed restoration including but not limited to the monitoring tasks as described in Attachment A.; and
  - c. upon request from the Property Owners conduct a site visit with the Property Owners after the monitoring tasks have been performed; and
  - d. complete all repairs mutually identified by the Property Owners and the County as a result of the monitoring tasks in order to restore the land as closely as possible to the state in which it was found; and
  - e. provide upon request from the Property Owners results of the monitoring tasks.
3. The Property Owners shall
- a. grant on behalf of itself, its heirs, successors and assigns, the County; its contractors, agents, and employees, the right to enter the Property, in perpetuity, to perform monitoring and repair tasks; and
  - b. upon receiving notice from the County that monitoring tasks are required to be performed, clean any obstructions, materials or equipment that may interfere with the County's access to the stream restoration.
4. The parties hereto agree that the terms of this Agreement touch and concern the land and shall run with the land and bind any heirs, successors, and assigns.

**IN WITNESS WHEREOF**, the parties hereto have signed their names and affixed their seals on the day and year first above written.

**Witness/Attest:**

**Property Owner**

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***[INSERT PROPERTY OWNER NAMES]***

**Witness/Attest:**

**Property Owner**

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***[INSERT PROPERTY OWNER NAMES]***

**Witness/Attest:**

**Harford County, Maryland**

\_\_\_\_\_

\_\_\_\_\_

Barry Glassman  
Harford County Executive

Recommended for Approval  
This \_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_

Joseph J. Siemek, P.E.  
Director of Public Works

Recommended for Approval  
This \_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_

Margaret Hartka  
Senior Assistant County Attorney

SAMPLE

## ATTACHMENT A

Typical monitoring tasks of stream restoration projects include one or more of the following:

1. Photo and/or video documentation of the project site
2. Physical measurements of in-stream structures, stream channel width and depth, and stream planform
3. Assessment of vegetation health and diversity
4. Assessment of aquatic life
5. Assessment of water quality
6. Assessment of sediment sources and transport