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**PRINCE GEORGE'S COUNTY PLANNING BOARD
 OFFICE OF THE CHAIRMAN**

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December 18, 2012

Ms. Elizabeth Hewlett, Chairwoman
 Prince George's County Planning Board
 Maryland-National Capital Park & Planning Commission
 14741 Governor Oden Bowie Drive
 County Administration Building
 Upper Marlboro, Maryland 20772

Prince George's County Planning Department
 Office of the Director

Rec'd DEC 27 2012
 Distribution: FP, AH, SL, Log
 Original to DRD

Re: CSX Transportation, Inc. ("CSXT) recommendation of approval of the proposed location in Riverdale Park, MD of a new highway bridge and its related roadway approaches crossing over CSXT railroad tracks on the eastern boundary of the Cafritz Property (the "Crossing").

Dear Chairwoman Hewlett:

Please reference the March 30, 2012 letter from Carey Seavy (attached) acknowledging the recommendation of approval of the location. CSXT understands that the new proposed bridge crossing location has moved a few hundred feet to the north. Please let this letter confirm CSXT acknowledgement of the approval of the Crossing location shown in the attached map.

Please understand that all other qualifications referenced in the March 30, 2012 letter still apply. In addition, CSXT requires that the appropriate horizontal and vertical clearances be maintained. You must maintain a vertical clearance of at least 23 feet from the top of the rail to the lowest point of your structures. For horizontal clearances, you must span the entire CSX right-of-way.

For more information on working with CSXT on a public project such as this, please visit the CSXT website at www.csx.com, click on the "Community" tab, click on the "Property and Projects" link, and download the "Public Project Manual". This will give you more details on the entire process.

CSXT looks forward to working with you on your project. Please feel free to contact me with any questions.

Sincerely,

Benjamin P. Biesterveld
 Project Manager II – Public Projects



Carey R. Seavy
Project Manager – Public Project
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Carey_Seavy@csx.com

March 30, 2012

Ms. Elizabeth Hewlett, Chairwoman
Prince George's County Planning Board
Maryland-National Capital Park & Planning Commission
14741 Governor Oden Bowie Drive
County Administration Building
Upper Marlboro, Maryland 20772

Re: CSX Transportation, Inc. ("CSXT") recommendation of approval of the proposed location in Riverdale Park, Maryland of a new highway bridge and its related roadway approaches crossing over the CSXT railroad tracks on the eastern boundary of the Cafritz Property (the "Crossing").

Dear Chairwoman Hewlett:

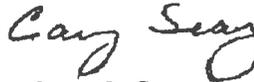
In connection with the proposal made by Calvert Tract, LLC., the owner of the subject property (the "Owner"), CSXT is submitting this letter to you as an acknowledgement of our recommendation of approval of the Crossing location, as shown in Exhibit A enclosed herewith, all subject to the qualifications set forth herein.

Specifically, our recommendation of approval of the Crossing is subject to the following qualifications:

- 1) CSXT shall have on going rights throughout the schematic and design drawings phases of the Crossing's development, as well as during the actual construction of the Crossing, to review and approve the Crossing's precise location, design and construction schedule, all as more particularly set forth: In that certain Preliminary Engineering Agreement between Owner and CSXT enclosed herewith as Exhibit B, the CSX Transportation Criteria for Overhead Bridges enclosed herewith as Exhibit C, and such other agreements that Owner and CSX may enter into from time-to-time, it being understood that the final design and location of the Crossing shall be in substantial conformance with what is shown in Exhibit A and the Application, and that the anticipated start date of the Crossing's construction is January 1, 2015;
- 2) CSXT shall make no financial contribution towards any aspect of the Crossing whatsoever including, without limitation, its design, permitting, construction, and post-construction maintenance;
- 3) A Construction Agreement covering the new overhead bridge crossing over CSXT is also required to be fully executed between the parties and the bridge owner shall have maintenance responsibility upon completion of the bridge.

In summary, this letter is only an acknowledgement of the proposed location of the highway bridge. Further formal review of plans with satisfactory resolution of all the details will be necessary along with the execution of the necessary agreements. A preliminary engineering agreement has been drafted and is in the process of being signed by the Owner and CSXT. Thank you for the opportunity to review and comment on this Proposal. Please feel free to contact me, at 804-226-7718, with any questions.

Sincerely,

A handwritten signature in black ink that reads "Carey Seavy". The signature is written in a cursive style with a large, looped "S" at the end.

Carey R. Seavy
CSX Transportation