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May 7, 2013

Mr. Thomas Himler, Deputy CAO for Budget, Finance and Administration
Office of the County Executive
County Administration Building, 5th Floor
Upper Marlboro, MD 20772

The Honorable Vernon Archer, Mayor
Town of Riverdale Park
5008 Queensbury Road
Riverdale Park, MD 20737

The Honorable John Tabori, Mayor
Town of University Park
6724 Baltimore Avenue
University Park, MD 20782

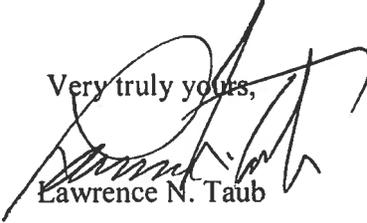
Re: Preliminary Plan of Subdivision No. 4-13002
Calvert Tract, LLC

Dear Messrs. Himler, Archer and Tabori:

In satisfaction of that portion of Condition No. 25c of Zoning Map Amendment No. A-10018 requiring a recommendation of approval from CSX of the CSX Crossing as shown on the above-referenced Preliminary Plan, please find enclosed the following correspondence from CSX Transportation, recommending approval of the CSX Crossing as shown on the Preliminary Plan: Two (2) letters from CSX Transportation to Ms. Elizabeth Hewlett, Chairwoman, Prince George's County Planning Board, the first dated March 30, 2012 (Attachment 1), and the second dated December 18, 2012 (Attachment 2); a series of e-mails between Benjamin Biesterveld of CSX Transportation and Jim Soltesz of Loiederman Soltesz Associates, dated April 19, 2013, May 2, 2013, and May 3, 2013 (collectively, Attachment 3).

Thank you for your kind attention to this matter. Please let me know if you have any questions, or require additional information.

Mr. Thomas Himler
The Honorable Vernon Archer
The Honorable John Tabori
May 7, 2013
Page 2

Very truly yours,

Lawrence N. Taub

cc: Ms. Whitney Chellis
Ms. Quynn Nguyen
Subdivision Section, M-NCPPC

Ms. Susan Lareuse
Urban Design Section, M-NCPPC

Ms. Jane Cafritz
Calvert Tract, LLC



Carey R. Seavy
Project Manager – Public Projects
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, looping "C" and "S".

Carey R. Seavy
CSX Transportation



Benjamin P. Biesterveld
Project Manager II – Public Projects
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Benjamin_Biesterveld@csx.com

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

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

Lawrence N. Taub

From: Biesterveld, Benjamin <Benjamin_Biesterveld@CSX.com>
Sent: Friday, April 19, 2013 8:24 AM
To: Jim Soltesz, P.E.
Cc: bwfrome@co.pg.md.us; ascott@mdot.state.md.us; Cramme, Katherine; Andre Gingles; Lawrence N. Taub; Mark Regulinski; Jane Lipton Cafritz; Matt Isseibert; James Speyer; Tim Davis, RLA, AICP; Timothy F. Maloney Esq.; Cramme, Katherine
Subject: RE: Riverdale Park, MD - CSX Crossing/Cafritz Property

Jim,
Your assumption is correct. The exact location does not matter to CSX, the clearances and other criteria are what matter.

Regarding your question about a curved bridge, the same applies as above. The exact location does not matter to CSX. The piers should be parallel to the track, and have the same horizontal and vertical clearances mentioned in the letters.

Thanks,

Ben Biesterveld
Public Projects (VA, WV, NC, MD, DC, DE) | 1610 Forest Ave, Suite 120 | Richmond, VA 23229 | 804-226-7718

[Link to CSXT Public Projects Information Manual](#)

Lawrence N. Taub

From: Amy Flynn Styers <ASTyers@lsassociates.net>
Sent: Tuesday, May 07, 2013 9:50 AM
To: Lawrence N. Taub
Subject: FW: CSX/Cafritz Property - Riverdale Park, MD

From: Biesterveld, Benjamin [mailto:Benjamin_Biesterveld@CSX.com]
Sent: Friday, May 03, 2013 8:06 AM
To: Jim Soltesz, P.E.
Cc: Cramme, Katherine
Subject: RE: CSX/Cafritz Property - Riverdale Park, MD

Jim,
As I stated earlier, I do not intend on drafting any more letters for this project. Please use the last email, along with the 2 previous letters, as CSXT's final position. The exact location of the proposed structure does not matter to CSXT.

Thanks,

Ben Biesterveld
Public Projects (VA, WV, NC, MD, DC, DE) | 1610 Forest Ave, Suite 120 | Richmond, VA 23229 | 804-226-7718

[Link to CSXT Public Projects Information Manual](#)

From: Jim Soltesz, P.E. [<mailto:jsoltesz@lsassociates.net>]
Sent: Thursday, May 02, 2013 2:34 PM
To: Biesterveld, Benjamin
Cc: 'jane@jlcafriz.com'; 'ltaub@omng.com'; 'matt@cafrizenterprises.com'; 'james@cafrizenterprises.com'; 'andre@ginglesllc.com'; Tim Davis, RLA, AICP; 'mark.regulinski@som.com'
Subject: CSX/Cafritz Property
Importance: High

Ben:

I think we finally have the final located crossing location fully pinned down.

We are, therefore, asking you for a letter to be addressed to Elizabeth Hewlett, Chairman of the Planning Board. For your convenience, I am enclosing a copy of your December 18, 2012 letter. If this was updated as we're requesting and you can attach the J crossing exhibit (which is enclosed), I think we have everything we would need to from CSX.

For purposes of background again, I am enclosing a copy of your December 18, 2012 letter and your March 30, 2012 letter, plus the Option J location.

Thank you very much. Our Planning Board meets next week, so if you could submit the letter as requested, it would be greatly appreciated.

James A. Soltesz, P.E.
President & CEO

Loiederman Soltesz Associates, Inc.

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