

# Family sues Hopkins over Belward

Posted: 7:33 pm Tue, November 22, 2011

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The family of a major donor to the Johns Hopkins University has filed suit against the institution in Montgomery County Circuit Court claiming that Hopkins' plans for a massive life sciences complex as part of the Great Seneca Science Corridor violate the original development agreement.



Tim Newell, family spokesperson and nephew of Elizabeth Beall Banks, the deceased owner of 138-acre Belward Farm, filed the suit along with other relatives on Nov. 10.

The lawsuit caps nearly a decade of angst over development of the bucolic farm located in an area designated by Montgomery County as an emerging biotech corridor.

Belward Farm had been in the Banks family since 1973. Banks rejected several offers from developers to convert the former dairy farm to a housing development, once even chasing a prospective developer off the land with a shotgun, the lawsuit states.

Instead, Banks sold the farm to Hopkins on Jan. 9, 1989 for \$5 million - a price that was \$49 million less than market rate, Newell said. She did so because she embraced the university's plans to build a low-rise academic and research facility there totaling 1.4 million square feet, he said.

"I've had a big spot in my heart for Johns Hopkins for many years," Banks once told a reporter for the Montgomery Journal, the lawsuit said.

## 'It's all about money'

Banks' sale to Hopkins included development restrictions for the property stating that the "100-acre upper or western section of Belward Farm will be developed and used only for academic purposes."

The lower 30-acre section "may be commercially developed in order to create revenue to support the academic activities of JHU," the terms of deed transfer stated, which Hopkins agreed to, Newell said.

But over the last four years, Hopkins has submitted changes to county planners and community members detailing its plans to develop Belward Farm.

Plans presented to Montgomery County planning officials early this year show that Hopkins now plans to build a 4.7 million square foot commercial biotech center at Belward.

"It is 336 percent more square footage than what was originally agreed to," Newell said Tuesday. "Beyond that, it was to be a Johns Hopkins college campus. Now it's not going to be occupied at all by academia. Hopkins would just develop the site. It's all about money."

David M. McDonough, senior director of development oversight for Johns Hopkins Real Estate who has been shepherding the new plans for Belward Farm through county approval processes, did not return a call for comment on the lawsuit.

University spokeswoman Tracey Reeves issued a statement Tuesday and said Hopkins would have no further comment.

“Johns Hopkins’ development of the Belward property has been and will be consistent with the requirements of the deed by which Miss Banks and her relatives conveyed the property to the university,” the statement said. “Development will be, as the deed requires, limited to ‘agricultural, academic, research and development, delivery of health and medical care and services, or related purposes only.’

“The university’s vision for development limited to those purposes has evolved in close coordination with Montgomery County’s creation of its own vision for the economic development of the surrounding area and of the county as a whole. It has evolved with considerable input from the public and from county officials. We are confident that the university’s approach will be consistent not only with the deed, but also with the county’s strategy for its future.”

#### **Pledge to maintain restrictions**

Newell said that after his aunt died in 1989, McDonough and other Hopkins Real Estate officials pledged to maintain the development restrictions she placed on the farm.

“My aunt was a retired school teacher,” he said “We’re not people with money, we just wanted to preserve the property.”

As the years passed, Newell said Hopkins “just thumbed their nose at the restrictions.”

“Hopkins wields a big stick and particularly in Montgomery County,” Newell said. “There’s a love affair between those two – and in the state and world-wide. I’m not knocking them as an institution, but the simple fact is it’s restricted.”

Steve Silverman, director of the Montgomery County Department of Economic Development, said Tuesday he was “generally aware” of the restrictions placed on the Belward Farm site during the sale to Hopkins.

“I have no opinion of them one way or another,” he said, of the restrictions. “That’s a legal issue. On the fundamental issue about whether we think they can move forward, we think they can. We’re not going to comment on the lawsuit.

“We expect that Hopkins will fulfill their plans to help us expand our life sciences.”