

PLAT No. 220061510

Berghers Knolls

Located on the east side of South Glen Road, approximately 1900 feet south of Glen Road

RE-2 Zone, 2Lots

Community Water, Community Sewer

Master Plan Area: Potomac

Vijai Tuli, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(5)** of the Subdivision Regulations, which states:

Plat of Correction. A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees of the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction.

In this case, the plat is being corrected to delete the onsite septic disposal areas because public water and sewer have been approved for this plat via memorandum from DEP on February 8, 2006 (attached); and to better configure the forest conservation easements shown on the previously recorded plat 21691 as a result of septic removal.

MEMORANDUM (via Email)

February 8, 2006

TO: Christina Contreras and Gerry Mosuela
Department of Permitting Services

FROM: Shelley Janashek, Environmental Planner
Department of Environmental Protection

SUBJECT: Record Plat Approvals

DEP has reviewed the plats listed below and has verified the consistency of the proposed water and sewerage systems with the policies and service area category designations in the County's Water and Sewer Plan. Where public sewer service is proposed, DEP has calculated the projected sewage treatment capacity required, using WSSC sewage flow data. WSSC has verified that adequate treatment capacity exists for the proposed developments. Therefore, with regard to issues involving the County's Water and Sewer Plan, your approval of and signature on the following plats is warranted:

PLATS FOR PUBLIC WATER AND SEWER SERVICE:

<u>Plat No.</u>	<u>Record Plat Name, Property Description, and Any Comments</u>
2-06115	Colesville, Lots 1-2 & 20
2-06129	Fairland View, Lots 15-39 & Parcel B, Block A
2-06130	", Lots 1-14 & Parcel A, Block A
2-03151	Bergher's Knolls, Parcels F & G
2-06152	H. M. Martin's 3 rd Add. To Chevy Chase, Lot 156
2-06153	River Quarry, Lots 1-9 & Parcel A, Block A
2-06154	", Lots 10-30, Parcels B & C, Block A
2-06155	Fox Hill, Lot 1

PLATS FOR INDIVIDUAL WELL AND SEPTIC SERVICE:

2-06150	Gold Mine Crossing, Lot 18. Block F
2-06159	Thomas' Discovery, Lots 1-3
2-06160	Sanctuary Farm, Lot 1

PLATS FOR PUBLIC WATER AND SEPTIC SERVICE

2-06161	Ray's Chance, Parcel A, Block A
---------	---------------------------------

If you have any questions concerning these record plats, please contact me via Email: Shelley.Janashek@montgomerycountymd.gov, or 240-777-7735.

cc: J. Russell, MHG
Fowler Associates
T. Maddox, T. Maddox
E. Tidd, CAS
A. Worley, Rodgers
J. Lebherz, GLM
J. Witmer, CAS
J. Ochs, CAS

OWNER'S CERTIFICATION

We, Vijai K. Tuli and Ramen R. Tuli, owners of the property shown hereon, hereby adopt this plan of subdivision, establish and grant to Montgomery County, Maryland a temporary slope easement parallel and adjacent to the front building restriction line. Such slope easement to be automatically extinguished after all future improvements to the adjacent county road has been lawfully completed and accepted for maintenance by Montgomery County, Maryland. Further, establish and grant a Conservation Easement as shown hereon to the parties named in the document entitled "Conservation Easement Agreement - Category 'F'" as recorded in Liber 13178 of Folio 412 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations to all federal, state, and local governing agencies, and further establish and grant the 25' wide ingress - egress and utility easement to the owners of Parcels C and G of Bergher's Knolls, their heirs and assigns. The owner will cause all property corner markers and any other required monumentation to be set by a registered Maryland Land Surveyor, in accordance with Section 50-24(e) of the Montgomery County Code.

There are no suits, mortgages, leases, liens or trusts on the subject property.

Witness Vijai K. Tuli Date 4/10/06
 Witness Ramen R. Tuli Date 4/10/06

NOTES:

1. PROPERTY ZONED REZ. ALL EXISTING AND PROPOSED DEVELOPMENTS ON THE PROPERTY IS SUBJECT TO THE STANDARDS OF THE MONTGOMERY COUNTY ZONING ORDINANCE.
2. LOTS TO BE SERVED BY PUBLIC SEWER AND WATER SYSTEMS
3. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REGULATIONS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1982, INCLUDING AN APPROPRIATE FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEWAGE CONTROL PERMIT.
4. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REGULATIONS OF THE FOREST CONSERVATION PLAN, PROJECT PLAN, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE PLANNING BOARD. THE OFFICIAL PUBLIC RECORDS OF THE PLANNING BOARD AND THE PLANNING BOARD ARE AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.
5. THIS PLAN IS NOT INTENDED TO SHOW EVERY MATTER OF RECORD AFFECTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS IS THE RESPONSIBILITY OF THE OWNER'S EXAMINATION OF TITLE OR TO DEFECT OR NOTE ALL MATTERS AFFECTING TITLE.
6. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP F04H AND W.S.C. GRID SHEET 21HINW10.
7. THIS PLAN CONFORMS WITH THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-5(A) OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE COUNTY CODE. THIS PLAN INVOLVES SECTION APPROVALS AND DOES NOT INVOLVE THE STATE DISPOSAL AREAS AND RECONFIGURE THE FOREST CONSERVATION EASEMENTS SHOWN ON THE PLAT RECORDED AT PLAT 21697.
8. THIS PROPERTY IS LIMITED TO THE USED AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN NO. 1-97026 ENTITLED WELCH BERGER'S KNOLLS. ANY CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD APPROVAL.

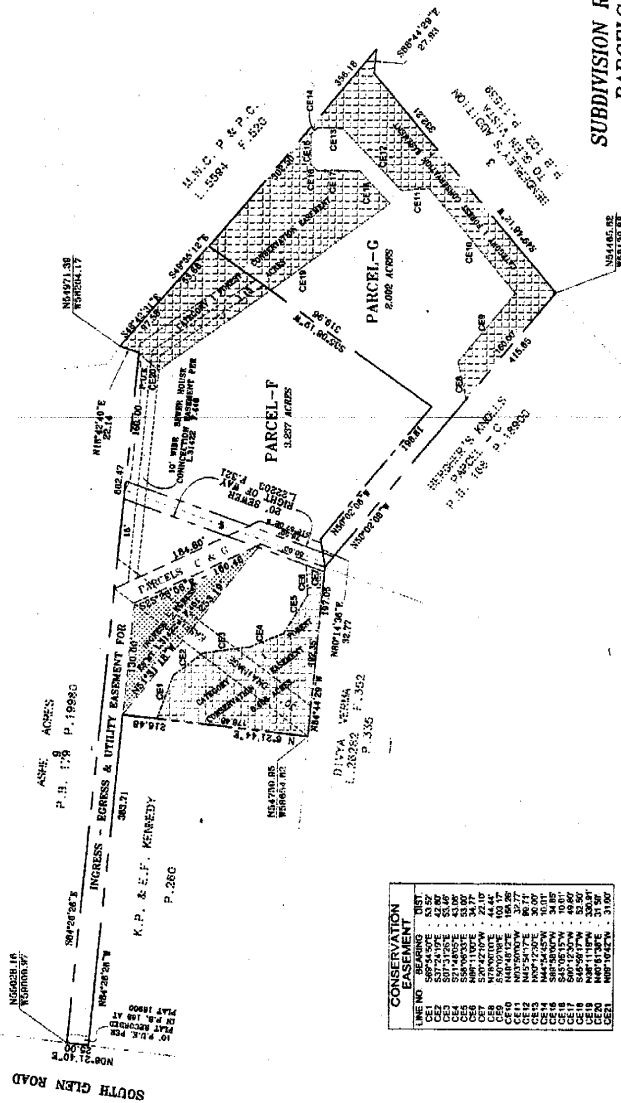
SURVEYOR'S CERTIFICATION

I hereby certify that the plat shown hereon is correct, that it is a subdivision of all of the land described in a deed from Bryant L. Welch and Deborah Welsh to Vijai K. Tuli and Ramen R. Tuli, dated December 15, 2003, and recorded in Liber 23999 at Folio 191 also being a resubdivision of Parcels D and E as shown on a plat entitled Bergher's Knolls and recorded at Plat 21691 among the land records of Montgomery County, Maryland. I further certify that, once engaged as described in the owner's certification hereon, all monuments and all property markers and other boundary markers will be set as delineated hereon in accordance with the provisions of Section 50-24(e) of Montgomery County Code. The total area included on this plat is 5.239 acres of land of which there is no dedication public use.

DATE 4-10-06
Thomas A. Maddox
 THOMAS A. MADDOX - Registered Professional Land Surveyor MD #10890

PLAT DATUM
 PLAT 21691

VICINITY MAP
 SCALE 1" = 2000'



NUMBER OF LOTS AND PARCELS	2
AREA OF LOTS AND PARCELS	5.239 ACS
AREA OF DEDICATION	0.00 ACS
TOTAL AREA SHOWN ON PLAT	5.239 ACS

SUBDIVISION RECORD PLAT
 PARCELS F & G
 PLAT OF CORRECTION

BERGER'S KNOLLS
 ELECTION DISTRICT NO.10
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100' APRIL 2006

THOMAS A. MADDOX
 PROFESSIONAL LAND SURVEYOR
 8653 SHADY GROVE COURT
 GAITHERSBURG, MARYLAND 20877
 (301) 984 - 5804 OR (301) 350-0812

APPROVED _____ DATE _____
 SECRETARY - TREASURER

APPROVED _____ DATE _____
 FOR DIRECTOR

MONTGOMERY COUNTY
 DEPARTMENT OF PERMITTING SERVICES

THE MARYLAND - NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED _____ DATE _____
 SECRETARY - TREASURER

APPROVED _____ DATE _____
 FOR DIRECTOR



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: August 19, 2003

**Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by
Comm. Robinson with a vote of 4-0;
Comms. Bryant, Perdue, Robinson
and Wellington voting in favor
Chairman Berlage temporarily
absent**

MONTGOMERY COUNTY PLANNING BOARD CORRECTED OPINION

Preliminary Plan 1-02088

NAME OF PLAN: ALLANWOOD (RESUBDIVISION)

On 2/27/02, JAMES DAYHOFF submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 3 lots on 2.36 acres of land. The application was designated Preliminary Plan 1-02088. On 7/24/03, Preliminary Plan 1-02088 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-02088 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02088. In order to approve the application for resubdivision, the Planning Board must find that the proposed lot(s) comply with all seven characteristics of the "Resubdivision Criteria" as set forth in Section 50-29 (b)(2) of the Subdivision Regulations:

Approval, Pursuant to the De Minimus Provisions of the FY 2004 Annual Growth Policy, Pursuant to Section 50-29 (b)(2), Montgomery County Subdivision Regulations and Subject to the Following Conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Aspen Hill Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to provide for dedication of 120 feet of right-of-way (60ft. from centerline) for Norbeck Road
- 4) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 6) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval