

- b. Show a Category I Forest Conservation Easement over all the areas of retained forest on the record plat;
- c. Install a permanent split rail fence at the rear of the area to be cleared and along the boundaries of the forest conservation easement area;
- d. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit;

3. Signature Set

Prior to signature approval of the site/landscape plans, the following revisions must be made and/or information provided on the site plan, subject to staff review and approval:

a. Site Plan

Verify dimensions for the following: entrance drives, forest conservation areas, future rear decks; indicate clearly on the site plan the following: parcel boundary that includes proposed Lots 1 and 2 lot lines with dimensions, limits of disturbance and final forest conservation boundaries.

b. Landscape Plan

Provide landscape buffering to continue existing roadside wooded buffer using mixed evergreen, deciduous, and understory plantings in the following locations: from the side lot lines to the house edges, at the entrance drives, at the garages; location, plant spacing and species to be reviewed at signature set.

4. TDRs

Prior to recording of plat, applicant shall provide verification that 1 Transfer Development Right (1 TDR) has been acquired for the proposed development; applicant shall indicate on the signature site plan the provision of 1 Transfer Development Right (TDR).

5. Development Program

Submit a Development Program and Homeowner Association Documents (as applicable) for review and approval prior to approval of the signature set as follows:

- a. Development Program to include a phasing schedule as follows:

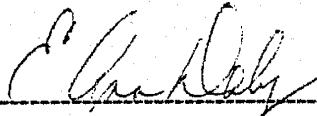
1. Landscaping associated with each building must be completed as construction of each facility is completed;
 2. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 3. Coordination of each section of the development and roads;
 4. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features;
 5. Provide the development program inspection schedule;
- b. No clearing or grading prior to M-NCPPC approval of signature set of plans.

APPROVED AS TO LEGAL SUFFICIENCY
LAB
M-NCPPC LEGAL DEPARTMENT
DATE 8/1/05

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, August 4, 2005**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Site Plan Review No. 8-05039, Kakar property**. Commissioner Robinson was absent.



Certification As To Vote of Adoption
E, Ann Daly, Technical Writer

PLAT NO. 220061870

Travilah Acres (Preliminary Plan: Travilah Acres)

Located on Turkey Food Road, approximately 1000 feet south of High Meadow Road

RE-2 zone; 3 lots, 1 parcel

Community Water, Community Sewer

Master Plan Area: Potomac

Maryland Development Company; LLC, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120040630, formerly 1-04063, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Plan Name: Travilah acres Plan Number: 1-04063
 Plat Name: Travilah acres Plat Number: 220061870
 Plat Submission Date: 3/14/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Dores Kinney (Dores) 4/17/06

Initial DRD Review:

Signed Preliminary Plan - Date 2/22/06 Checked: Initial PW Date 3/4/06
 Planning Board Opinion - Date 12/19/05 Checked: Initial PW Date 4/7/06
 Site Plan Req'd for Development? Yes No Verified By: (initial)
 Site Plan Name: N/A Site Plan Number:
 Planning Board Opinion - Date Checked: Initial Date
 Site Plan Signature Set - Date Checked: Initial Date
 Site Plan Reviewer Plat Approval: Checked: Initial Date

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space N/A
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>Mark P.</u>	<u>3/20</u>	<u>4/7</u>	<u>3/24/06</u>	<u>OK, dedicate parcel to Park</u>
Research	Bobby Fleury	"	"	<u>3/21/06</u>	<u>OK</u>
SHA	Doug Mills	"	"	<u>N/C</u>	<u>N/C</u>
PEPCO	Jose Washington	"	"	<u>N/C</u>	<u>OK</u>
Parks	Doug Powell	"	"	<u>6/22/06</u>	<u>Dedicate parcel to Park</u>
DRD	Steve Smith	"	"	<u>4/12/06</u>	<u>OK easement</u>

Final DRD Review:

DRD Review Complete: TA 6/16/06
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): TA 4/18/06
 Final Mylar w/Mark-up & PDF Rec'd: TA 6/16/06

Board Approval of Plat:

Plat Agenda: _____
 Planning Board Approval: _____
 Chairman's Signature: _____

DPS Approval of Plat:

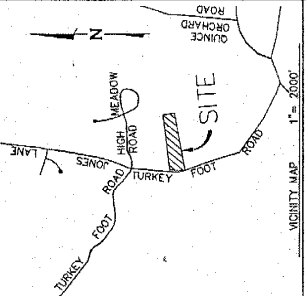
Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

PLAT NO.



TAX MAP NO. ER562 & 563

PLAT TABULATION

Number of Lots	= 3
Number of Parcels	= 240,263 sq. ft.
Area of Parcels	= 111,143 sq. ft.
Area of Street	= 0 sq. ft.
TOTAL AREA	= 402,205 square feet
	or 9.23797 acres

OWNER'S CERTIFICATE

Maryland Development Company LLC, a Maryland limited liability company, owner of the property shown hereon, hereby adopts this plat of resubdivision, and hereby grants a Conservation Easement as shown hereon to the parties named in a document recorded in the Land Records of Montgomery County, Maryland, subject to the terms set forth therein; establish the ingress-egress and Easement/Equitation Easements shown hereon for the use and benefit of Lots 26-28 and Lot 2, subject to the terms and conditions set forth in the documents referenced herein; and hereafter, as owners of this subdivision, we, our successors and assigns, will cause all property corner markers and any other required monumentation, to be set by a registered Maryland Land Surveyor, in accordance with Section 50-44(c)(2) of the Montgomery County Code.

There are no suits, liens, leases, mortgages, or trusts, affecting the property included in this subdivision, except a certain deed of trust and the parties in interest therein have created their signatures hereon indicating their consent to this plat of resubdivision.

Maryland Development Company LLC

Date _____
 I, Frederic N. Smart, President
 of Suburban Federal Savings Bank
 hereby consent to this plat of resubdivision.

Date _____
 I, Robert L. Morrison, Jr., Trustee
 of Robert L. Morrison, Sr., Trustee

SUBDIVISION RECORD PLAT
 LOTS 26-28 & PARCEL A
 TRAVILAH ACRES
 ELECTION DISTRICT NO. 6
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100' MAY, 2006

MHG
 Meads, Hendricks & Glascock, P.A.
 Engineers, Planners & Surveyors
 Landscape Architects

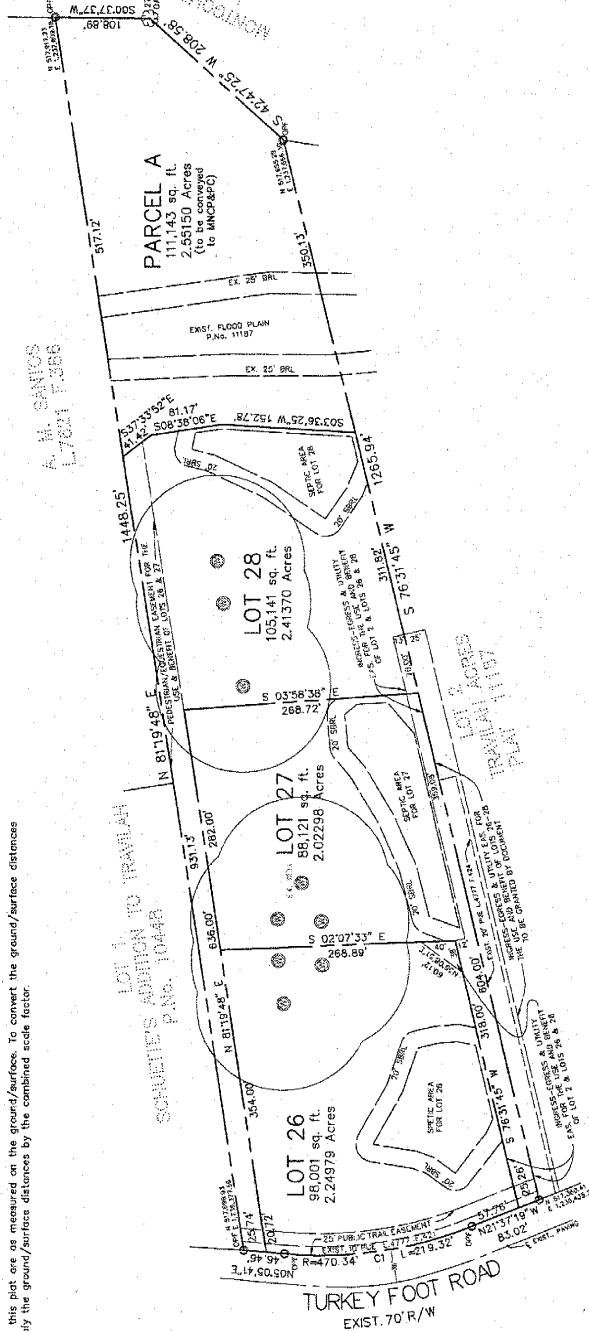
3220 Wightman Road, Suite 200
 Montgomery Village, Maryland
 20886-1279

Phone: 301.670.6840
 Fax: 301.648.0933
 www.mhga.com

PLAT NO. 1
 05.309.10

CURVE TABLE

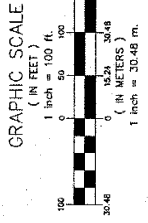
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	470.34'	219.32'	283.30°	111.69'	S 08°15'49" E	217.33'



SURVEYOR'S CERTIFICATE

We hereby certify that the plat shown hereon is correct, that it is a subdivision of all of the land conveyed by Barry R. Schmeel and Eleanor H. Schmeel to Maryland Development Company, LLC, by deed dated October 20, 2005 and recorded among the Land Records of Montgomery County, Maryland, and that the same is in accordance with the plat of subdivision as recorded among the Land Records of Montgomery County, Maryland, as recorded among the said Land Records as Plat No. 1187. We hereby 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 on 24(c) of the Montgomery County Code. There is no street dedication by this plat. The total area included on this plat is 402,205 square feet or 9.23797 acres.

Date _____
 I, Wanda Hendricks & Glascock, P.A.
 By: Douglas H. Riggs, III
 Professional Land Surveyor
 Md. Reg. No. 10712



- Notes:
- This property is zoned RE-2.
 - This plat is limited to uses and conditions as required by Preliminary Plan No. 1-04053 entitled "TRAVILAH ACRES".
 - Septic Building Restriction Lines subject to change only with Montgomery County Department of Permitting Services approval. Septic areas are designed as follows: Lot 26, a 4 bedroom house; Lot 27, a 5 bedroom house and Lot 28, a 6 bedroom house.
 - Parcel A is to be conveyed to the Maryland National Capital Park and Planning Commission.
 - The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law and the need of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a sediment control permit.
 - Unless expressly contemplated by the plan as approved, all terms, conditions, agreements, limitations, and covenants, restrictions, easements, and other interests in the property, approved by the Montgomery County Planning Board are intended to survive and not be extinguished by the recordation of this plat. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
 - This Plat is not intended to show every matter affecting or restricting the ownership and use of the property. This Plat is not intended to replace an examination of title or to depict or note all matters affecting title.
 - Coordinates shown hereon are based on the Maryland State MAD 83/91 Datum.
 - Projected by NGS and are for Geographical Information Services (GIS) only. Sections used are No. GAIT with grid coordinates of North 53447.88 feet and East 121965.23 and No. USNG with coordinates of North 456073.58 feet and East 1253492.26 feet. The combined scale factor for this site is 0.999940472.
- To convert the grid coordinates to ground/surface coordinates, divide the grid coordinates by the combined scale factor.
- The distances shown on this plat are as measured on the ground/surface. To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.

FOR PRIVATE WELL AND SEPTIC SYSTEMS ONLY
 THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____
 SECRETARY-TREASURER

APPROVED: _____
 CHAIRMAN

APPROVED: _____
 DIRECTOR

MONTGOMERY COUNTY MARYLAND
 DEPARTMENT OF PERMITTING SERVICES

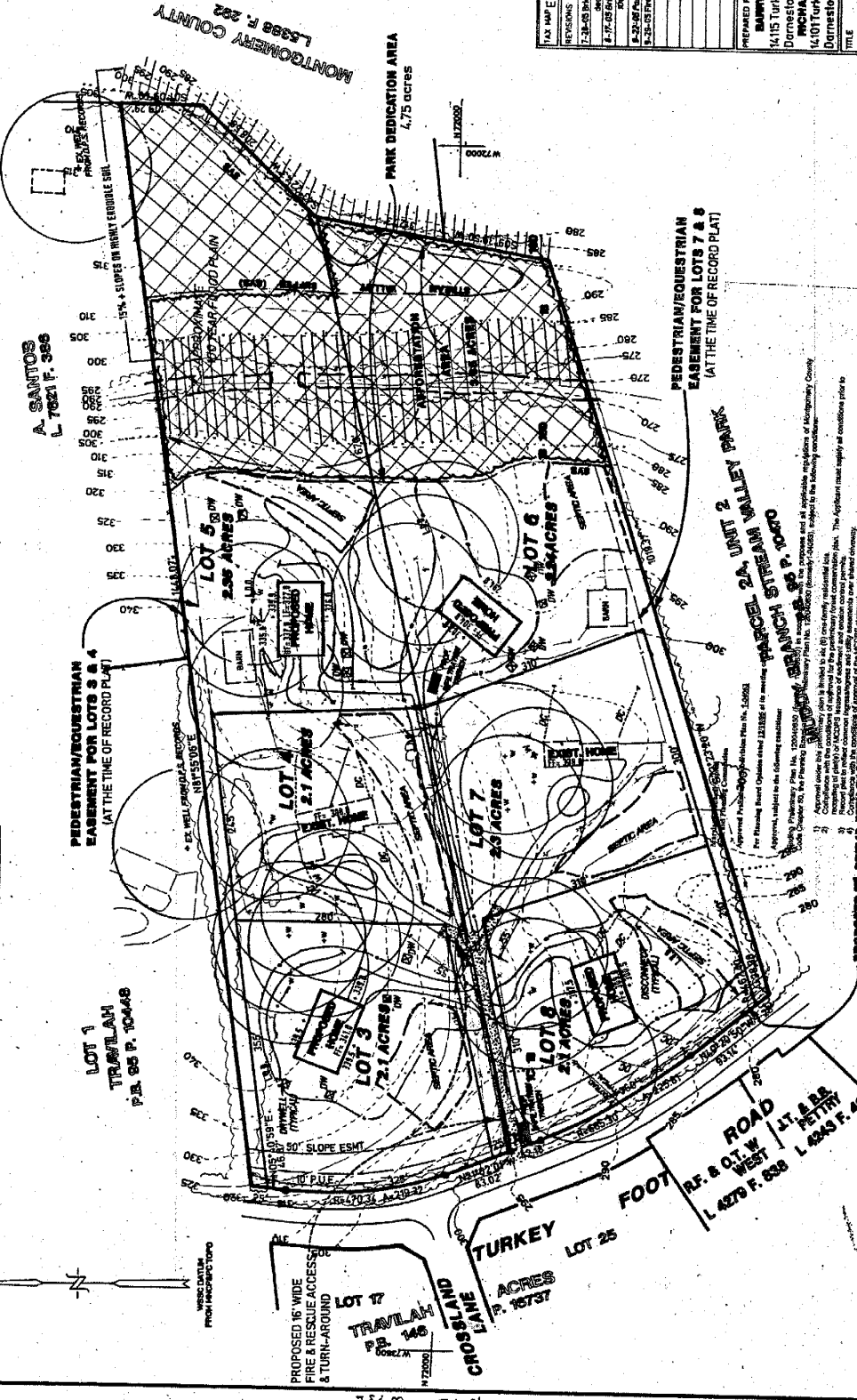
DATE: _____
 Plat No: _____

M.N.C.P. & P.C. RECORD FILE NO. _____

DEVELOPMENT TABULATION

REQUIRED	PROVIDED
Zoning	RE-2 proposed
Total Area of Plan	780,895 S.F.
Area of Street Dedication	0 S.F.
Net Area of Lot	780,895 S.F.
Number of Lots	6
Minimum Lot Area	87,120 S.F. (2.0 acres)
Lot Width @ BRL	150'

- NOTES**
- Boundary, as shown, compiled from available deeds and records as recorded in the Montgomery County Land Records.
 - Topography and house locations, as shown, taken from MC MAPS sheets 219NW12 and 218NW12, 200 scale, five foot contour interval.
 - Existing street: Darnestown P.A. 24.
 - Area for lot 1: 17,592 sqm.
 - Number of lots: 6.
 - NR/USD no.: 4,024,133.
 - Watershed: Muddy Branch, Hydrologic Area: 23.
 - County Soil Survey: IB
 - Grain silt loam, 3-8% slopes
 - Grain silt loam, 8-15% slopes
 - Brinklow-Blocktown, channel silt loams, 15-25% slopes
 - There are no wetlands on site, nor is there flood plain associated with the on-site stream.
 - There are no historic or cultural features on site.
 - There are no State or Federal records for rare, threatened, or endangered species within the boundaries of this site. (MD DNR letter dated Dec. 1, 2003.)
 - MD No.: 06-01725052 (Lot 1)
 - MD No.: 06-01725051 (Lot 2)
 - Addresses: Lot 1 = 1415 Turkey Foot Road
Lot 2 = 1401 Turkey Foot Road
Lots 3-6 hereon are sealed and subject to change at time of field survey or record plat.
 - Building setbacks:
From = 50' from street
Rear = 35'
Side = 35' total (17' minimum one side)



MNCB&PC #1-04063
100 SHEET 218 & 219 NW 12, 200 SCALE, PAGE 27 OF E-6
VICINITY MAP SCALE: 1" = 3,000'

PREPARED FOR:
BARRY SCHMEL
1415 Turkey Foot Road
Darnestown, MD 20878
RICHARD HEALD
1401 Turkey Foot Road
Darnestown, MD 20878

TITLE:
PRELIMINARY PLAN OF SUBDIVISION
PROPOSED LOTS 1-8
A SUBDIVISION OF
TRAVILAH ACRES
IN SECTION 20, T18N, R12W
MONTGOMERY COUNTY, MARYLAND

WITMER ASSOCIATES, LLC
1444 Springwood Lane, Suite 100
354-A Riverford Drive, Rockville, MD 20850
Tel: (301) 399-6600 Fax: (301) 399-6603

SCALE: 1" = 3,000' DATE: PROJ. NO.: SHEET NO.:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARY AND DIMENSIONS AS SHOWN AND NOTED HEREON IS CORRECT.

[Signature]
JOHN R. WITMER
MAYLAND REGISTRATION NO. 0000000000

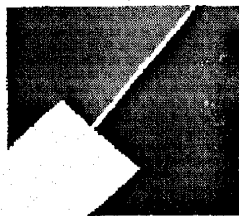
PROPOSED BY: ERIC...
0.25 (6.25')

8) Accidental shall include a 5' wide Public Use Trail Easement along the north west side of the property adjacent to the Turkey Foot Road...
9) Utility-line: Applicant shall provide...
10) Utility-line: Applicant shall provide...
11) Other: Applicant shall provide...
12) Other: Applicant shall provide...

The Preliminary Plan will include a 5' wide Public Use Trail Easement along the north west side of the property adjacent to the Turkey Foot Road...
Prior to the recording of this preliminary plan, a copy of this Preliminary Plan shall be submitted to Montgomery County Code Section 20-200(a), as amended...
Montgomery County Land Records is required for all subdivision maps.

[Signature]
Date: 11/22/06

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mnccppc.org

Board Approval Date: Oct. 10, 2005
Date Mailed: DEC 19 2005

Action: Approved Staff
Recommendation
Motion of Commissioner Perdue,
seconded by Commissioner Robinson,
with a vote of 4-0.
Chairman Berlage and Commissioners
Perdue, Wellington and Robinson
voting in favor. Commissioner Bryant
was absent.

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Preliminary Plan 120040630 (formerly 1-04063)
NAME OF PLAN: Travilah Acres (Resubdivision)

I. Introduction

The date of this written opinion is DEC 19 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

On 2/17/04, Barry Schimel and Richard A. Heald submitted an application for the approval of a preliminary plan of subdivision of property in the RE-2 zone. The application proposed to create 6 lots on 17.92 acres of land located on the east side of Turkey Foot Road, immediately east of the terminus of Crossland Lane, in the Potomac master plan area. The application was designated Preliminary Plan 120040630 (formerly 1-04063). On 10/10/05, Preliminary Plan 120040930 (formerly 1-04063) was

Travilah Acres (Resubdivision)
Preliminary Plan 120040630 (formerly 1-04063)
Page 2

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.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

II. Public Hearing

At the public hearing, staff testified in support of the application, and recommended that the Board approve the application as presented.¹ Staff recommended that the proposed lots conform to the reconsideration criteria as analyzed in Section III, below. The Applicant appeared and testified at the public hearing in support of the staff report, and concurred with the recommended conditions of approval. Their record contains no opposition to the application.

III. Analysis of Resubdivision Criterion Comparison of the Character of Proposed Lots to Existing

Determinations regarding resubdivision applications are subject to Section 50-29(b)(2) of the Subdivision Regulations. The application must demonstrate a high correlation in characteristics between the characteristics of the proposed lot and the existing lots in the delineated neighborhood. Specifically, these characteristics are shape, size, alignment, width, frontage, area and suitability for residential use. Staff concludes that the proposed resubdivision complies with the area, size, frontage, alignment, width, shape and suitability criteria of Section 50-29(b) (2). As set forth below, the attached tabular summary supports this conclusion:

Area: In a Neighborhood of 11 lots, the existing lot areas range from 43,124 square feet to 174,240 square feet. All of the proposed lots fall within that range (from 53,579 square feet to 153,767 square feet) and, therefore, staff finds that the proposed lots are of the same character with respect to area as the existing lots in the Neighborhood.

¹ Staff corrected the alignment section of its staff report, page 5, and the corrections are reflected in the Alignment summary in Section III of this Opinion.

Travilah Acres (Resubdivision)
Preliminary Plan 120040630 (formerly 1-04063)
Page 3

Lot Size: The Neighborhood consists of 11 lots, which range in size from 87,120 square feet to 625,086 square feet. Staff finds that the proposed lots, which range from 91,476 square feet, to 217,800 square feet, have a high correlation to and consequently Staff finds that the proposed lots will be of the same character with regard to size as the other lots in the Neighborhood.

Alignment: The Neighborhood contains two (2) corner lots, six (6) perpendicular lots, and three (3) radial lots. The proposed resubdivision application will create all perpendicular lots. Because the alignments of the proposed lots reflect lot alignments existing in the Neighborhood, Staff concludes that the resubdivision is of the same character as the existing lots in the Neighborhood, with respect to lot alignment.

Lot Frontage: The lot frontages in the Neighborhood range from 25 feet to 762 feet. The proposed resubdivision will have lots with frontages that are approximately 25 to 360 feet. Staff, therefore concludes that the proposed lots will be of the same character as the other lots in the Neighborhood with respect to lot frontage.

Shape: The Neighborhood consists of two (2) corner lots, eight (8) irregular lots and one (1) pipestem lot. The proposed resubdivision creates two (2) irregular lots, and four (4) pipestem lots. Because the shapes of the lots in the proposed resubdivision reflect lot shapes existing in the Neighborhood, Staff concludes that the resubdivision will be of the same character, with the existing lots in the Neighborhood with respect to shape.

Width: The Neighborhood consists of lots, which range from 260 feet wide to 500 feet wide. The proposed lots range in width from 270 feet to 300 feet. Falling within that range, the proposed lots will be of the same character as the existing lots in the Neighborhood with respect to width.

Suitability for Residential Use: The proposed lots in the Neighborhood are zoned residential and are suitable for residential use.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies²; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this

² The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

Travilah Acres (Resubdivision)
Preliminary Plan 120040630 (formerly 1-04063)
Page 4

Opinion, the Montgomery County Planning Board finds based upon the uncontested evidence contained in the Record that:

- a) The Preliminary Plan No. 120040630 (formerly 104063) substantially conforms to the Potomac master plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.
- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.
- f) As set forth in detail below, the proposed lots are of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing neighborhood, as delineated in the Staff Report dated, October 7, 2005, and as corrected (for alignment) in this staff report.
- g) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120040630 (formerly 1-040630) in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120040630 (formerly 1-04063), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to six (6) one-family residential lots.
- 2) 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.

Travilah Acres (Resubdivision)
Preliminary Plan 120040630 (formerly 1-04063)
Page 5

- 3) Record plat to reflect common ingress/egress and utility easements over shared driveway.
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval dated August 29, 2005.
- 5) Compliance with conditions of MCDPS (Health Dept.) septic approval dated September 13, 2005.
- 6) Compliance with conditions of MCDPWT letter dated, December 16, 2004, unless otherwise amended.
- 7) At plat recordation, Applicant shall dedicate to M-NCPPC the 4.75 acres of land (designated "Park Dedication Area" on the Preliminary Plan) located on the eastern side of the property, which includes the stream buffer areas and land between the buffers. Applicant shall stake and sign the boundaries that separate parkland from private properties, identifying the dedicated land as parkland.
- 8) Applicant shall provide a 25 ft. wide Public Use Trall Easement along the entire west side of the property adjacent to the Turkey Foot Road right-of-way. Applicant shall install adequate signage to identify the easement for public use.
- 9) Driveway cross-section up to the eastern edge of Lots 3 and 8 shall be a minimum 12 ft. of pavement with 2 ft. minimum gravel shoulders on both sides. The driveway and proposed turn-around shall be constructed to standards, which will support up to 80,000-lb. emergency vehicles.
- 10) Applicant to provide necessary easements on the northern and southern boundaries of the property (as delineated on the preliminary plan) for proposed lots to access adjacent parkland.
- 11) Access and improvements as required to be approved by MCFRS prior to recordation of plats.
- 12) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

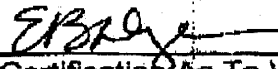
* * * * *
[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

WR 12/08/05
Approved for legal sufficiency
M-NCPPC Office Counsel

Travilah Acres (Resubdivision)
Preliminary Plan No. 120040630 (formerly 1-04063)
Page 6

CERTIFICATION OF BOARD VOTE ADOPTING OPINON

At its regular meeting, held on Thursday, December 15, 2005, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, ADOPTED the above Opinion, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Travilah Acres (Resubdivision), Preliminary Plan No. 120040630 (formerly 1-04063). Commissioner Bryant was absent.



Certification As To Vote of Adoption
Technical Writer

PLAT NO. 220062050

Chevy Chase Section 4

Located on Thornapple Street, approximately 360 feet west of Connecticut Ave

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Richard Reed, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this lot (previously known as part of lots 7 and 8) and concludes that the proposed minor subdivision complies with the criteria of Section 50-35A (a)(3)b of the subdivision regulations and supports this minor subdivision record plat.

RECORD PLAT REVIEW SHEET - MINOR SUBDIVISION SEC-50-35A

Plat Name: Cherry Lane Sub 4
Plat Number: 2 20062050
Plat Submission Date: 3/31/06
DRD Plat Reviewer: PCW

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

Plat 1409
1457 - Lot 7 part + 8
part 2370/145

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot
Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm-water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

- a) Number of Lots: _____
- b) Written MCDPS approval of proposed septic area: _____
- c) Required street dedication: _____
- d) Easement for balance of property noting density and TDRS: _____
- e) Average lot size of 5 acres: _____
- f) Forest Conservation requirements met: _____

Initial Review:

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # N/A Road/Alley Widths Easements Open Space N/A
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA _____

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<i>Amu / mca</i>	4/3/06	4/21/06	N/C	OK
Research	Bobby Fleury			4/5/06	OK
SHA	Doug Mills			N/C	OK
PEPCO	Jose Washington			N/C	OK
Parks	Doug Powell			N/C	OK
DRD	Steve Smith			4/12/06	OK

Final DRD Review:

DRD Review Complete:
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up):
 Final Mylar w/Mark-up & PDF Rec'd:

Initial	Date
TA	6/16/06
TA	4/24/06
TA	6/16/06
TA	7/06/06

Board Approval of Plat:

Plat Agenda: _____
 Planning Board Approval: _____
 Chairman's Signature: _____

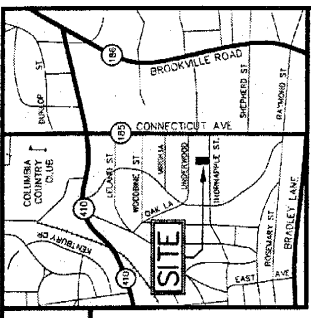
DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

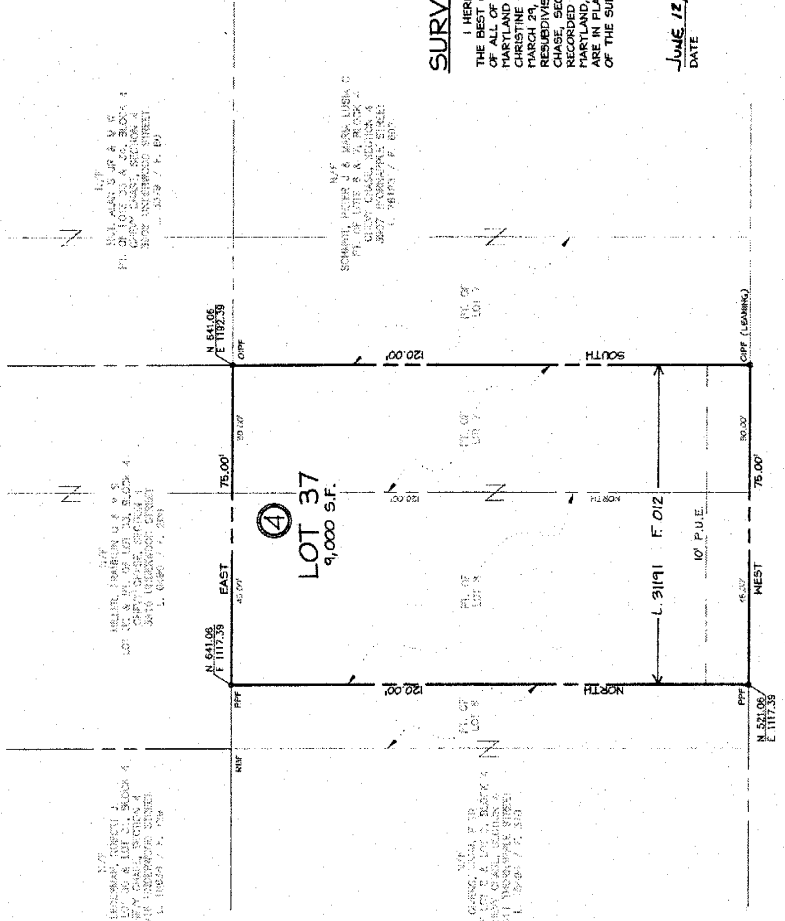


VICINITY MAP
SCALE: 1" = 200'

PLAT No.

N 700.00
E 1250.00

N 700.00
E 1100.00



THORNAPPLE STREET
(50' R/W, PREVIOUSLY DEDICATED BY P.B. 2 PLAT 104)

N 450.00
E 1100.00

NOTES

1. WATER CATEGORY: 1 SEWER CATEGORY: 1
2. THE PROPERTY WHICH IS THE SUBJECT OF THIS RECORD PLAT IS IN THE ZONING DISTRICT OF R-10. THE PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS OF THE MONTGOMERY COUNTY ZONING ORDINANCE.
3. OFF/PPP/REB - OPEN IRON PIPE FOUND/PINCH PIPE FOUND/REBAR 4 CAP FOUND.
4. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
5. THIS PROPERTY IS SHOWN ON TAX MAP H842.
6. THIS PROPERTY IS SHOWN ON M.S.S.C. 200-FOOT SHEET 204 M4 04.
7. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE BOARD. THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
8. THIS PLAT CONFORMS WITH THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-35A OF THE MONTGOMERY COUNTY CODE. THIS PLAN BEING MADE AND RECORDED BY THE MONTGOMERY COUNTY CLERK AS PART OF A LOT, AS PROVIDED FOR IN SECTION 50-35(A)(3)(B), THE SUBJECT PARTS OF LOTS WERE CREATED BY DEED PRIOR TO JUNE 1, 1984.
9. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY EASEMENT, ENCUMBRANCE, OR INTEREST IN THE PROPERTY, BUT ONLY RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN INSTRUMENT OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
10. THIS PROPERTY SHOWN HEREIN IS NOT SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A, MONTGOMERY COUNTY FOREST CONSERVATION LAW.
11. NO FLOOD ZONE INFORMATION AVAILABLE PER FERA FLOOD INSURANCE RATE MAP WITHIN THE LIMITS OF CHEVY CHASE VILLAGE AS SHOWN ON, BUT NOT INCLUDED IN SAID COMMUNITY PANEL.

OWNER'S CERTIFICATE

WE, RICHARD K. REED AND CHRISTINE K. REED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, HEREBY ADOPT THIS PLAN OF SUBDIVISION.

WE HEREBY GRANT A 10-FOOT PUBLIC UTILITY EASEMENT, SHOWN HEREIN AS "P.U.E.", TO THOSE PARTS OF THE PROPERTY SHOWN ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS", AS RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

WE HEREBY WAIVE AND SURRENDER ALL RIGHTS, CLAIMS, OR INTERESTS AFFECTING THE PROPERTY SHOWN HEREIN, EXCEPT AS INDICATED BELOW.

5/19/06 *Richard K. Reed*
DATE RICHARD K. REED
5/19/06 *Christine K. Reed*
DATE CHRISTINE K. REED

ME, FIRST SAVINGS MORTGAGE CORPORATION, HEREBY CONSENT TO THIS PLAN OF SUBDIVISION

6/1/06 *[Signature]*
DATE MARY E. PATT
WITNESS

PLAT TABULATION

NUMBER OF PARCELS	0
AREA OF LOTS	0.000 S.F.
AREA OF STREET DEDICATION	0 S.F.
TOTAL AREA	0.000 SQ. FT. (0.007 ACRES)

Department of Permitting Services
Montgomery County, Maryland

The Maryland National Capital Park and Planning Commission
Montgomery County Planning Board

Approved: _____
Director

M.N.C.P. & P.C. Record File No. _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT IT IS A RESUBDIVISION OF ALL OF THE LANDS CONVERTED BY 3904 THORNAPPLE LLC, A MARYLAND LIMITED LIABILITY COMPANY, INTO RICHARD K. REED AND CHRISTINE K. REED, BY A DEED DATED MARCH 27, 2006, AND RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND THAT ALL PROPERTY CORNERS MARKED THIS DAY ARE THE CORNERS OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

June 12, 2006
DATE

[Signature]
DAVID JOHNSON
MONTGOMERY COUNTY SURVEYOR
MD REG. NO. 21172

SUBDIVISION RECORD PLAT
LOT 37, BLOCK 4

CHEVY CHASE, SECTION 4

A RESUBDIVISION OF PART OF LOT 7 & PART OF LOT 8, BLOCK 4
BETHESDA (7TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 20' MARCH 2006

CAS ENGINEERING
CIVIL - SURVEYING - LAND PLANNING
A DIVISION OF GAS ENTERPRISES, INC.
100 West Montgomery Boulevard, Suite 100, Mount Airy, Maryland 21771
DC Metro (301) 607-8811 • Fax (301) 607-8843

Recorded _____
Plat No. _____