



**The Bullis School (a.k.a. Blenheim) Parcel A, Block E: Limited Preliminary Plan Amendment No. 12008003B
(In Response to a Forest Conservation Law Violation)**



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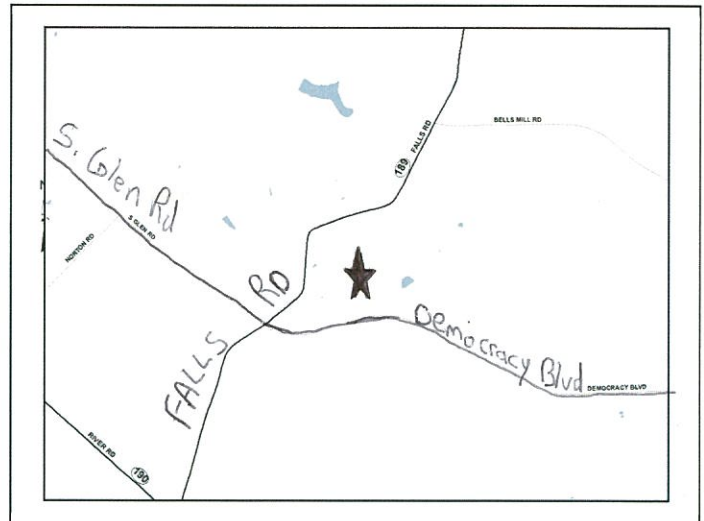
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Completed: 12/30/16

Description

**Limited Amendment, Preliminary Plan No. 12008003B,
The Bullis School (a.k.a. Blenheim) Parcel A, Block E (in
response to a forest conservation law violation)**

- 10601 Falls Road
- RE1 and RE2 Zone
- Within Potomac Subregion Master Plan
- Applicant: Bullis School Inc.
- Submitted on September 28, 2016



Summary

Request to release 11,875 square feet of existing Category I Conservation Easement and mitigate offsite. Proposed offsite mitigation, to be acquired from an M-NCPPC-approved forest mitigation bank, will consist of 23,750 square feet of forest plantings or 47,500 square feet of existing forest.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends approval of the limited amendment to the Preliminary Plan for forest conservation purposes. All other conditions of Preliminary Plan No. 120080030, as contained in the Montgomery County Planning Board's Opinion dated April 1, 2009, remain in full force and effect except as modified below.

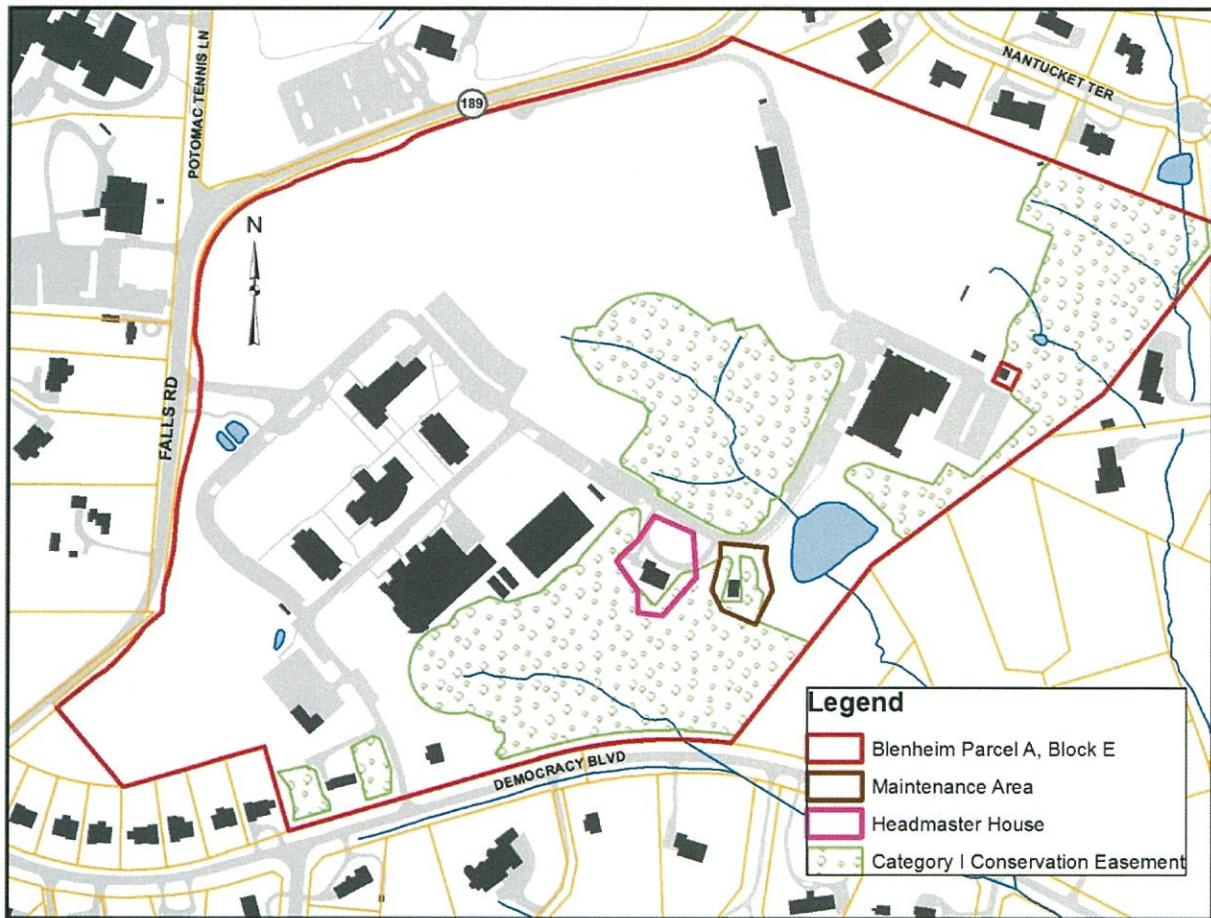
1. Within thirty (30) days of the mailing date of the Planning Board Resolution approving Preliminary Plan 12008003B, the Applicant must submit a Certificate of Compliance to use an M-NCPPC approved forest mitigation bank to provide 23,750 square feet of mitigation credit consisting of either 23,750 square feet of forest planting or the retention of 47,500 square feet of existing forest. After M-NCPPC approval, the Certificate of Compliance must be recorded in the Land Records of Montgomery County, Maryland.
2. Within sixty (60) days of the mailing date of the Planning Board Resolution, the Applicant must record a Category I Conservation Easement by deed, in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland for all retained conservation easement areas on the Subject Property.
3. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Applicant must install split rail fencing and permanent conservation easement signs at the perimeter of the new Category I Conservation Easement as shown on the Final Forest Conservation Plan Amendment submitted on December 5, 2016.
4. After recordation of the Certificate of Compliance and the Category I Conservation Easement, the Applicant must record a Release of the existing Category I Conservation Easement, in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland. All existing conservation easements remain in full force and effect until this Release is recorded.
5. Within one hundred and fifty (150) days of the mailing date of the Planning Board Resolution, the Applicant must submit a complete Record Plat application that delineates and references the new Category I Conservation Easement.

SITE DESCRIPTION

The Bullis School, a private school in Potomac, is situated northeast of the intersection of Falls Road (MD 189) and Democracy Boulevard. The portion of The Bullis School subject to this Amendment is on a recorded, 77.63- acre parcel known as Blenheim Parcel A, Block E, "Subject Property". Approximately 18 acres of existing forest within the Subject Property are protected by a Category I Conservation Easement. The Property is within the Cabin John Creek, Watts Branch and Rock Run Watersheds.

The area subject to this Amendment is a section of upland, non-stream buffer, forested Category I Conservation Easement adjacent to the headmaster house and the maintenance facility. The headmaster house, maintenance facility and adjacent conservation areas are west of a stormwater management pond and are shown in Figure 1.

Figure 1: Bullis School (a.k.a. Blenheim) Parcel A, Block E - Headmaster House, Maintenance Area and Conservation Easements



BACKGROUND

The Montgomery County Planning Board approved Preliminary Plan No. 120080030 "The Bullis School" by Opinion mailed on April 1, 2009 (Attachment 1). The Final Forest Conservation Plan approved on May 25, 2011 shows the protection of 17.72 acres of existing forest and 1.01 acres of forest planting as conservation areas (Attachment 2). Record Plats No. 24460, 24461, 24462, 24463, and 24464 delineate the Category I Conservation Easements on the Subject Property (Attachment 3). The Record Plats granted the Category I Conservation Easement on Blenheim Parcel A, Block E to M-NCPPC pursuant to the Agreement recorded in Liber 44206 Folio 097 among the Land Records of Montgomery County, Maryland (Attachment 4).

In March 2016, a representative of The Bullis School, contacted the Planning Department Inspector and reported that a construction project at the headmaster's house encroached into the Category I Conservation Easement.

Category I Conservation Easement clearing violation behind Headmaster House – Citation issued

On March 3, 2016, the Inspector issued Administrative Citation No. EPD 000260 to the Applicant for clearing, grading and soil disturbance within a Category I Conservation Easement (Figure 2 and Attachment 5). The Citation included a fine and requirement to restore the graded and cleared area of Category I Conservation Easement. The Bullis School implemented a Restoration Plan (Attachment 6), including the planting of 20 trees and 10 shrubs within a 4,900-square foot area of disturbed Conservation Easement behind the headmaster house.

Currently, the only portion of the clearing violation left unresolved is the concrete slab that remains within the conservation easement area. Staff did not approve this concrete slab to remain within the conservation easement.

Figure 2: Area of Conservation Easement behind Headmaster's House March 3, 2016



Encroachments within Category I Conservation Easement – Notice of Violation issued

In addition, to the concrete slab, the Inspector discovered two other encroachments within the conservation easement area. During a visit to the Subject Property, the Inspector discovered a maintenance shed with concrete base in the conservation easement adjacent to a larger, longer, rectangular building (Figure 3 and Figure 4). The forest conservation plan, approved in May of 2011 (Attachment 2), showed a conservation easement surrounding one long rectangular-shaped

maintenance building and does not show the second, smaller shed. Near the maintenance sheds, the Inspector noticed a maintenance access and a driveway within the Category I Conservation Easements (Figure 4, and 5). The maintenance driveway is not shown on the approved forest conservation plan.

The Inspector issued a Notice of Violation to the Applicant on June 8, 2016 for Category I Conservation Easement encroachments. The Category I Conservation Easement encroachments consist of portions of a concrete slab (Figure 2), a shed with a concrete base (Figure 3 and 4) and a driveway (Figure 5). These features have altered natural grades and disrupted the natural regeneration of trees and shrubs within the conservation easement and are violations of the Category I Conservation Easement Agreement. The Notice of Violation (Attachment 7) required either complete removal of impervious structures and the driveway or submittal for Planning Board decision of an amendment for conservation easement changes.

Figure 3: Maintenance Shed Encroachment within Category I Conservation Easement



Figure 4: Maintenance Access Encroachment within Category I Conservation Easement



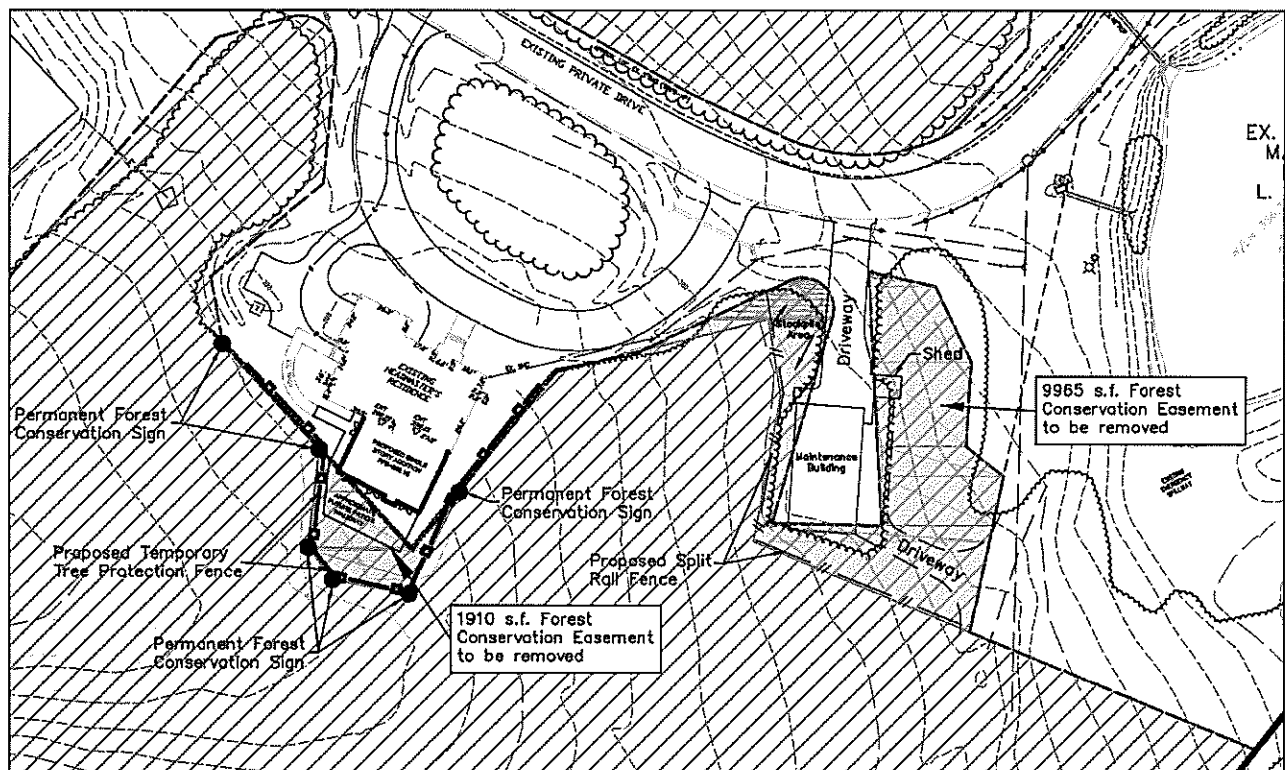
Figure 5: Maintenance Access Driveway Encroachment within Category I Conservation Easement



APPLICANTS PROPOSAL

On September 28, 2016, the Applicant submitted Preliminary Plan Amendment 12008003B for forest conservation purposes to resolve the conservation easement encroachment violations (Attachment 8). The Applicant proposes removing two areas of conservation easement where encroachments occur (Figure 6). The first area of encroachment is behind the headmaster's house where a house addition is proposed. The Amendment proposes removal of 1,910 square feet of conservation easement for the house addition. The second area proposed for removal, amounting to 9,965 square feet, is part of the Property used for maintaining the grounds at the Bullis School. This conservation easement encroachment area consists of sheds, a stockpile area, machine access, a driveway and a group of trees between the sheds and a storm water management facility. The total area of conservation easement to be removed offsite is 11,875 square feet. The Applicant will mitigate for the conservation easement release by providing either 23,750 square feet of forest planting or 47,500 square feet of existing forest retention. Split rail fencing is to be installed at the new easement boundary adjacent to the maintenance area. Also, the Applicant proposes installing permanent forest conservation easement signs at the new Category I Conservation Easement boundary behind the headmaster's home.

Figure 6: Map of Proposed Category I Conservation Easement Changes and Proposed House Addition Construction



The Forest Conservation Plan includes construction notes related to the proposed house addition construction. The proposed house addition construction cannot occur until M-NCPPC approves of the

Release of the existing conservation easement area and the Inspector approves of the permanent conservation easement markers and temporary tree protection fencing installed at the new conservation easement boundary.

PLANNING BOARD REVIEW AUTHORITY

The Planning Board approved Preliminary Plan 120080030 “The Bullis School” and required the establishment of conservation easements in the subdivision. The Planning Board has authority under Subdivision Regulations (Chapter 50 of the Montgomery County Code) to hear an amendment that proposes changes to the conservation easements.

In addition, the Planning Board has directed Staff to bring all requests for modifications to conservation easements before them to be considered in a public forum.

STAFF REVIEW

In response to a Notice of Violation for portions of shed, concrete slab and a driveway within a Category I Conservation Easement, the Applicant submitted this Amendment. The Amendment proposes changes to conservation easements established in 2011.

The Amendment mitigates for the current encroachments by preserving forest or forest plantings offsite. The Amendment proposes removal of 1,910 square feet of Conservation Easement to accommodate a proposed headmaster house building addition and removal of 9,965 square feet of Conservation Easement next to the maintenance sheds. In exchange for the release of 11,875 square feet of conservation easement, the Applicant will acquire either 23,750 square feet of forest planting or 47,500 square feet of existing forest retention from an M-NCPPC approved forest conservation bank. The proposed mitigation meets the Board’s policy for the removal of conservation easements from a property. The area of conservation easements to be removed are not within an environmentally sensitive area. The 4,900-square foot area of conservation easement cleared behind the headmaster house was restored with top soil, mulch and native plantings. Only a 1,910-square foot area of this restoration, an area that includes portions of a concrete slab is to be removed. The smaller maintenance shed existed in 2011, when the forest conservation plan was reviewed and approved.

Wooden split rail fencing or permanent conservation easement markers are to be installed at the new conservation easement boundary as shown on the forest conservation plan amendment submitted on December 5, 2016. The fencing and permanent easement markers are to protect the conservation easement from further encroachment.

NOTIFICATION and OUTREACH

The Subject Property was properly signed with notification of the upcoming Preliminary Plan Amendment prior to the acceptance of the application. Staff has not received correspondence from community groups or citizens as of the date of the staff report. As of December 30, 2016, all adjoining and confronting property owners, civic associations, and other registered interested parties will be notified of the upcoming public hearing on the proposed amendment.

RECOMMENDATION

Staff recommends that the Planning Board approve this Amendment with the conditions specified above.

ATTACHMENTS

1. Montgomery County Planning Board Opinion, Preliminary Plan No. 120080030 "The Bullis School"
2. Final Forest Conservation Plan No. 120080030 approved on May 25, 2011
3. Record Plat Nos. 24460, 24461, 24462, 24463 and 24464
4. Category I Conservation Easement Agreement LF44206.097
5. Administrative Citation No. EPD 000260
6. Approved Restoration Plan
7. Notice of Violation
8. Forest Conservation Plan No. 12008003B "The Bullis School" submitted for approval on December 5, 2016



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

APR - 1 2009

MCPB No. 09-30
Preliminary Plan No. 120080030
The Bullis School
Date of Hearing: March 12, 2009

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on June 23, 2004, The Bullis School, Inc. ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create 1 lot on 77.63 acres of land located in the northeast quadrant of the intersection of Falls Road and Democracy Boulevard ("Property" or "Subject Property"), in the Potomac master plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120080030, The Bullis School ("Preliminary Plan" or "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated February 19, 2009 and revised on March 5, 2009 setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on March 12, 2009, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

WHEREAS, on March 12, 2009, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Cryor; seconded by Commissioner Robinson; with a vote of 4-0, Commissioners Alfandre, Cryor, Hanson, and Robinson voting in favor, Commissioner Presley being absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120080030 to create 1 lot on 77.63 acres of land located in the Northeast quadrant of the intersection of Falls Road and Democracy Boulevard ("Property" or "Subject Property"), in the Potomac master plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to one recorded parcel for a private educational institution with a maximum student enrollment of 900 students. The approval includes expansion/construction of various on-site improvements/facilities including a new Lower School Building and new Upper School Building as shown on the Preliminary Plan.
- 2) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan. The Applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 3) The record plat must reflect a Category I easement over areas of stream valley buffers and forest conservation.
- 4) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated August 29, 2007. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated July 1, 2008. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 6) The Applicant must construct an 8 foot-wide shared use path along the Democracy Boulevard Property frontage as shown on the Preliminary Plan and as required in the MCDOT letter dated July 1, 2008.
- 7) The Applicant must pay for or construct an 8 foot-wide shared use path along the Falls Road Property frontage per CIP Project No. 500905 or according to MCDOT requirements.
- 8) The Applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated September 11, 2008.
- 9) The Applicant must dedicate 5 feet of additional right-of-way along the Democracy Boulevard property frontage as shown on the Preliminary Plan.

- 10) The Applicant must dedicate right-of-way along the Falls Road property frontage as shown on the Preliminary Plan to provide for the 8 foot-wide shared use path.
- 11) The Applicant must create an easement for future dedication for the remainder of the Falls Road right-of-way as shown on the Preliminary Plan. The Applicant must record a covenant with MDSHA detailing the terms for future dedication of the easement and relocation of the constructed 8 foot-wide shared use path, and the record plat must reference this covenant.
- 12) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s) and MDSHA prior to issuance of access permits.
- 13) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for one hundred twenty-one (121) months from the date of mailing of the Planning Board Resolution by which time building permits must be issued for the new lower school and upper school buildings or an extension request must be filed.
- 14) Other necessary easements must be shown on the record plat.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. The Preliminary Plan substantially conforms to the Master Plan.

The 2002 Potomac Subregion Master Plan references public school capacity and identifies sites for new facilities but makes no specific recommendations for private institutional uses. The land use and zoning section of the Master Plan "supports the retention and reconfirmation of existing zoning for all developed, underdeveloped and undeveloped land in the Subregion, except for those sites recommended for change in the Plan" (p. 40). The land use and zoning section of the Master Plan also lists design principles established to preserve the Subregion's green and rural character while creating a pedestrian and bicycle-friendly environment. The Bullis School Preliminary Plan satisfies the land use intent of the Master Plan in that it retains significant open space and the required shared use path construction along the Property's Falls Road and Democracy Boulevard frontages will expand the pedestrian and bicycle network in the area. The Planning Board finds the Preliminary Plan substantially conforms to the Master Plan.

2. Public facilities will be adequate to support and service the area of the proposed subdivision.

Roads and Transportation Facilities

Access to the site is provided from Falls Road and Democracy Boulevard. Falls Road is classified as a major highway with a recommended right-of-way of 120 feet. The Master Plan recommends realignment of Falls Road along the Bullis School property frontage. The Applicant has proposed dedication boundaries for re-alignment of Falls Road which have been reviewed and approved by MDSHA. The Preliminary Plan incorporates the Master Plan required rights-of-way for Falls Road and Democracy Boulevard. Currently, sidewalks do not exist along Falls Road or Democracy Boulevard. As a result, the Applicant is required to construct an 8-foot wide shared use path along Democracy Boulevard and either construct or pay for the construction of the Falls Road shared use path along the Property's respective frontage. There is a Ride-On bus stop along the school's Falls Road frontage near the main entrance to the school. As required by MCDOT, the Applicant must provide a concrete bus pad or other improvements deemed necessary by MCDOT. The Planning Board finds the proposed access to the site and the internal circulation and walkways as shown on the preliminary plan will be safe and adequate for vehicles and pedestrians.

Other Public Facilities and Services

The Planning Board finds that other public facilities and services are available and adequate to serve this private institution. The Subject Property is served by existing public water and sewer connections. Gas, electric and telecommunications services are available to serve the property. Police stations, firehouses and health services are currently operating within the standards set by the applicable Growth Policy Resolution currently in effect. The Application has been reviewed and approved by the Montgomery County Fire and Rescue Service (MCFRS) who have determined that the Property has adequate access for emergency vehicles.

3. *The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections, including section 50-35(h)(2)(C) for adequate public validity period extensions. The proposed recorded parcel size, width, shape and orientation are appropriate for the location of the subdivision.

The proposed recorded parcel for the school facilities was reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The recorded parcel as proposed far exceeds the dimensional requirements for area, frontage, width and setbacks in the RE-2 zone because it reflects the appropriate boundary of the existing institutional use.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

Environmental Guidelines

The Subject Property contains 11.35 acres of stream valley buffer (SVB) of which 8.75 acres are forested. The Applicant has proposed to plant another 1.01 acres of SVB for a total 9.85 acres of forested SVB. The areas of SVB that are not forested or planted are part of the pre-existing school. The forest conservation plan satisfies the applicable requirements for protection of environmentally sensitive areas.

Forest Conservation

The Applicant has a previously approved forest conservation plan (FCP) that was submitted as part of the special exception case for the site. Because the Preliminary Plan is considered a new application, a new preliminary FCP was required. The FCP submitted as part of the Preliminary Plan application addresses the expansion to the school's facilities and required site improvements such as sidewalks and bike paths.

The Subject Property contains 20.53 acres of forest; this number includes 19.43 acres of existing forest and 1.1 acres of forest cleared under the previously approved FCP. The Applicant proposes to clear 3.81 acres of forest and retain 16.72 acres of forest. The required calculations indicate that the FCP includes 0.12 acres on the positive side of the break-even point. As a result, additional planting is not required. The Applicant has, however, proposed 1.01 acres of forest planting within the stream valley buffer (SVB) to compensate for encroachments into the SVB that currently exist on the Property. The Planning Board finds the Application complies with all applicable requirements of Chapter 22A the Montgomery County Forest Conservation Law.

5. *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.*

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on August 29, 2007 which consists of on-site channel protection measures via two underground storage facilities and an existing on-site pond. On-site water quality control is to be provided for a total

area equivalent to or greater than the total new impervious area. Water quality for the shared use paths will be provided by adjacent grass swales.

6. *The Planning Board finds a ten year adequate public facilities period is appropriate for the proposed subdivision and an extended Adequate Public Facilities validity period of 121 months is granted.*

Chapter 50, the Subdivision Regulations, establishes a minimum of 5 years for the validity period of the adequate public facilities (APF) approval. However, this period can be extended if a phasing schedule is submitted and approved by the Planning Board. Per Section 50-20(c)(3)(C) of the Subdivision Regulations, the Applicant requested approval of an APF validity period for a maximum of ten (10) years. The Applicant submitted a phasing plan, as required, and requested that the APF validity period be imposed only on facility improvements which will directly result in an increase in enrollment, and therefore, vehicle trips. Such proposed improvements include a new Lower School with a maximum of 20,000 square feet of gross floor area and a new Upper School with a maximum of 70,000 square feet of gross floor area. Typically, the proposed phasing plan should stipulate the amount of construction an Applicant intends to complete within the initial 5 years of the validity period, but in this case, due to the significant fund raising period necessary for a private educational institution project of this size and scope the Applicant is uncertain about when construction will start. The Applicant plans to construct the Upper School first, and their intent is to begin construction as soon as possible after the plat is recorded.

The Planning Board finds a ten year validity period is justified even though the start date for construction may occur after 5 years because the APF approval does not require specific road improvements and the bike path construction along Falls Road and Democracy Boulevard will be required to at least be bonded at the time the plat is recorded. The Planning Board, therefore, finds that allowing additional time for school construction to begin is not adverse to the public interest and the extended APF period is granted.

BE IT FURTHER RESOLVED, that 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) and that 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 land records of Montgomery County, Maryland or a request for an extension must be filed; and

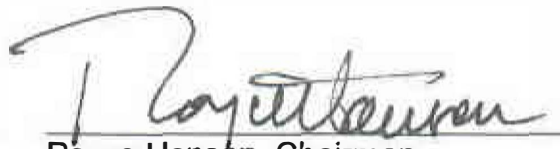
BE IT FURTHER RESOLVED, that the date of this Resolution is APR - 1 2009 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, Cryor, and Presley present and voting in favor of the motion, and Commissioner Alfandre absent, at its regular meeting held on Thursday, March 26, 2009, in Silver Spring, Maryland.

A handwritten signature in dark ink, appearing to read "Royce Hanson", written over a horizontal line.

Royce Hanson, Chairman
Montgomery County Planning Board

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2-26-09

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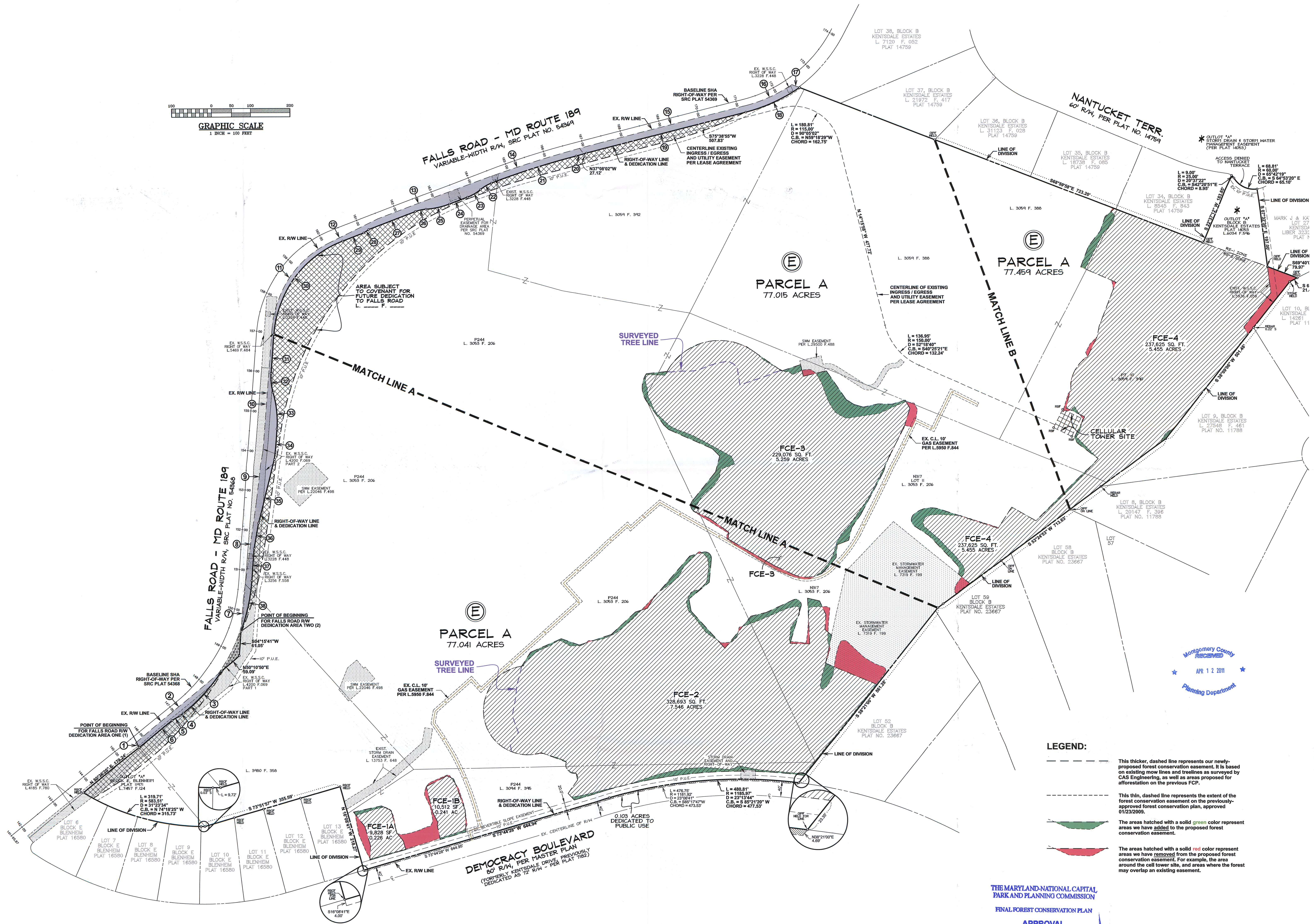
Sarkis H. & J. A. Ohanian
10815 Nantucket Terrace
Potomac, MD 20854

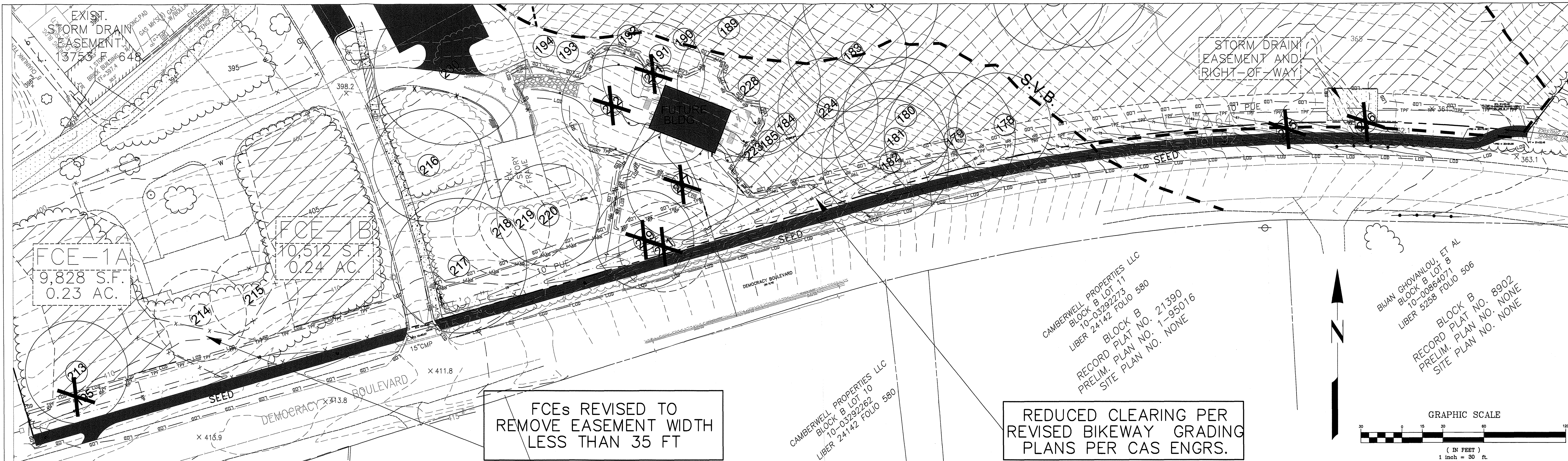
Robert & L. K. Stillman
10810 Nantucket Terrace
Potomac, MD 20854

Biajn Ghovanlou, Et al
10412 Democracy Blvd
Potomac, MD 20854

Camberwell Properties LLC
c/o Irongate Properties, Inc.
P. O. Box 34936
Bethesda, MD 20827

BY: 
J.P. WILLIAMS
MAR 15 2011





FOREST CONSERVATION WORKSHEET - MARYLAND

PROJECT: Bullis School
BY: Donovan Feola Balderson & Associates, Inc.
DATE: December 18, 2007

Net Tract Area
A. Total Area of Tract: 78.11 acres
B. Deductions (Critical Area, etc.): 0.00 acres
C. Net Tract Area (A-B): 78.11 acres

Land Use Category
(Select no. next to appropriate category) 3 Category

1. Agricultural/Resource Areas
2. Medium Density Residential Areas
3. Institutional Development Areas
4. High Density Residential Areas
5. Mixed Use/P.U.D. Areas
6. Commercial/Industrial Use Areas
AFFORESTATION THRESHOLD PERCENTAGE: 15%
CONSERVATION THRESHOLD PERCENTAGE: 20%
D. Afforestation Threshold (% x C): 11.72 acres
E. Conservation Threshold (% x C): 15.62 acres

Existing Forest Cover
F. Area of forest cover within the Net Tract Area: 20.53 acres
G. Area of Forest Above Conservation Threshold: 4.91 acres
If the Existing forest cover (F) is greater than the conservation Threshold (E), then G=F-E. Otherwise G=0

Break-Even Point
H. Break-even Point (Amount of forest that must be retained so that no mitigation is required) 16.60 acres
1) If the Area of Forest Above the Conservation Threshold (G) is greater than 0, then H = (0.2 x the Area of Forest Above Conservation Threshold (G) + the Conservation threshold (E)).
2) If the Area of Forest Above the Conservation Threshold (G) is equal to 0, then H = Existing Forest Cover (F).

I. Forest Clearing Permitted Without Mitigation 3.93 acres
L = Existing forest cover (F) - Break-even Point (H)

Proposed Forest Clearing
J. Total Area of Forest to be Cleared: 2.68 acres
K. Total Area of Forest to be Retained: 17.85 acres
K = Existing Forest Cover (F) - Forest to be Cleared (J)

Planting Requirements
If the Total Area of Forest to be Cleared (J) is at or above the Break-even Point (H), no planting is required and no further calculations are necessary (L=0, M=0, N=0, P=0). Otherwise, calculate the planting requirements as follows:

L. Reforestation for Clearing ABOVE the Conservation Threshold 0.00 acres
1) If the Total Area of forest to be Retained (K) is greater than the Conservation Threshold (E), then L = the Area of Forest to be Cleared (J) x 0.25.
2) If the Forest to be Retained (K) is less than or equal to the Conservation Threshold (E), then L = Area of forest Above Conservation Threshold (G) x 0.25

M. Reforestation for Clearing Below the Conservation threshold 0.00 acres
1) If Existing Forest Cover (F) is greater than the Conservation Threshold (E) and the Forest to be Retained (K) is less than or equal to the Conservation Threshold (E) then M = 2.0 x E - K
2) If Existing Forest Cover (F) is less than or equal to the Conservation Threshold (E), then M = 2.0 x Forest to be cleared (J).

N. Credit for Retention Above the Conservation threshold 0.00 acres
If the area of Forest to be retained (K) is greater than the Conservation Threshold (E), then N = K-E

P. Total Reforestation Required P = L + M - N 0.00 acres
Q. Total Afforestation Required 0.00 acres

If Existing forest cover (F) is less than the Afforestation Threshold (D), then Q = Afforestation Threshold (D) - Existing Forest Cover (F)

R. Total Planting Required R = P + Q 0.00 acres
Total Planting Provided 0.65 acres

SEEDING SPECIFICATIONS
A. All areas labeled seed on drawing to be seeded.
B. Verify that topsoil has been distributed and graded. Notify the landscape architect of any discrepancies, as starting of the work shall signify acceptance of conditions. The soil to receive the seed shall be brought to a smooth, established finished grade. The seeding contractor shall not be responsible for rough grading or general clean-up of building trash.
C. Soil preparation materials and fertilizer for seeded areas shall be evenly applied in the quantities and at the rates listed below:

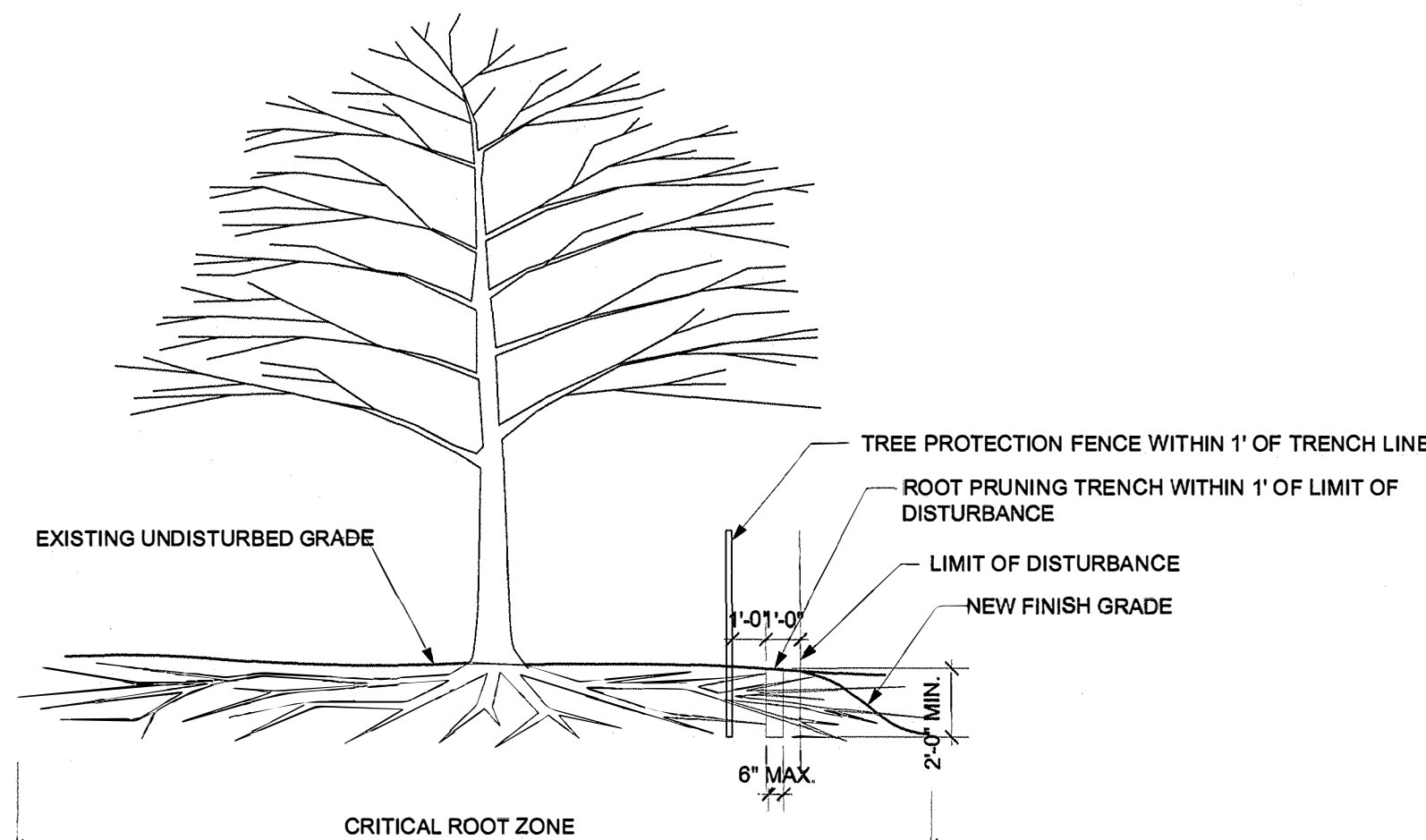
1. Limes: apply ground limestone at the rate recommended by the State Department of Agriculture soil test results or a minimum of 50 pounds per 1,000 sq. ft.
2. Fertilizer: apply commercial fertilizer at the analysis (10-10-10) and at the rate recommended by the State Department of Agriculture soil test or at a minimum of 10 pounds per 1,000 sq. ft.

3. Sun seed mix: Improved Tall Fescue / Kentucky Bluegrass Blend - 85% of blend will consist of three of the following Certified Improved Tall Fescues in equal amounts: Adventure II, Apache II, Avanti, Confederate, Falcon II, Millennium, Palisades, Pixies, Pyramid, Rebel II, Safari, Shenandoah, and Tomahawk. 5% of blend will consist of one of the following Certified Improved Kentucky Bluegrasses: Award, Blackstar, Columbia, Eclipse, Gnome, Livingston, Merit, Midnight, Nuglade, Nu-Star, Raven, Rugby, Unique and Viva.
4. Shade seed mix: Shademaster II - Creeping Red Fescue 35%, Proforma Chewings Fescue 30%, Atilia, Hard Fescue 15%, Gnome Kentucky Bluegrass 10%, Affinity Perennial Ryegrass 10%.

D. Planting seed: Furrow prepared seeded lightly with a rake, then spread seed mix evenly at the rate of 6 pounds per 1,000 sq. ft. and lightly compact with a roller not exceeding 100 pounds per foot of width. Ideal time of seeding is March 1 - May 15 and August 15 - October 15.

E. Mulching: All seeded areas shall be covered with clean threshed wheat, rye or oat straw mulch, reasonably bright in color and shall not be dusty, caked, decayed or excessively dusty. Straw shall be free of noxious weed seeds. Straw mulch shall be tacked with water-soluble liquid mulch binder or by use of a mulch-anchoring implement.

F. Maintenance: All seeded areas shall be watered, mowed, and maintained until substantial completion of the entire project.



NOTES:
1. FOREST RETENTION AREAS TO BE ESTABLISHED AS PART OF THE FOREST CONSERVATION PLAN REVIEW PROCESS.
2. BOUNDARIES OF FOREST RETENTION AREAS TO BE STAKED, FLAGGED AND/OR FENCED PRIOR TO TRENCHING.
3. EXACT LOCATION OF TRENCH SHOULD BE IDENTIFIED.
4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH SOIL REMOVED OF ORGANIC SOIL.
5. ROOTS SHOULD BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.

ROOT PRUNING DETAIL

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
FINAL FOREST CONSERVATION PLAN

APPROVAL
Plan No. 120080030 (REVISED)
Signature: [Signature] Date: 5/28/11

TREE PROTECTION NOTES:

1. A pre-construction meeting shall be held on site after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. Attendees shall include: the developer's representative, construction superintendent, tree professional and appropriate local inspectors.

2. No clearing or grading shall begin before stress reduction measures have been implemented. Appropriate measures may include:
Root pruning
Crown reduction or pruning
Watering
Fertilizing
Vertical mulching
Inspectors may require additional tree protection measures.

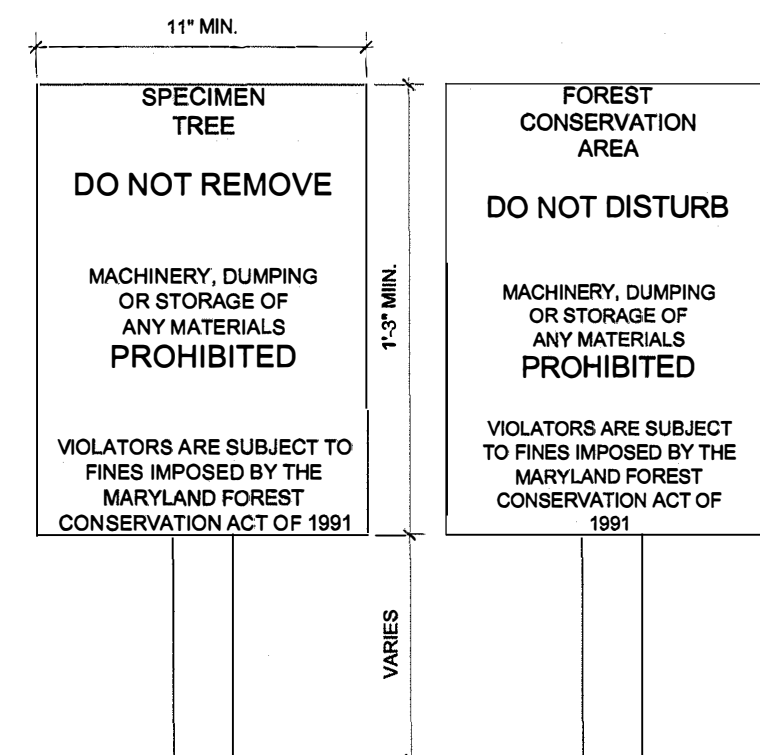
3. Tree protection devices shall be installed prior to any construction activities. Short term protection devices (see details) may include:
Orange plastic mesh fence
Supersil fence
Three strand wire fence
Protective signage
Long term protection device (see details) may include:
Retaining walls/ Tree walls
Raised sidewalks
Tunneling
Pier and panel walls

4. Tree protection devices shall be maintained and repaired by the contractor for the duration of the construction phase and must not be altered without prior approval of the enforcement staff.

5. Access to the fenced protection areas is not permitted without prior approval of the enforcement staff.

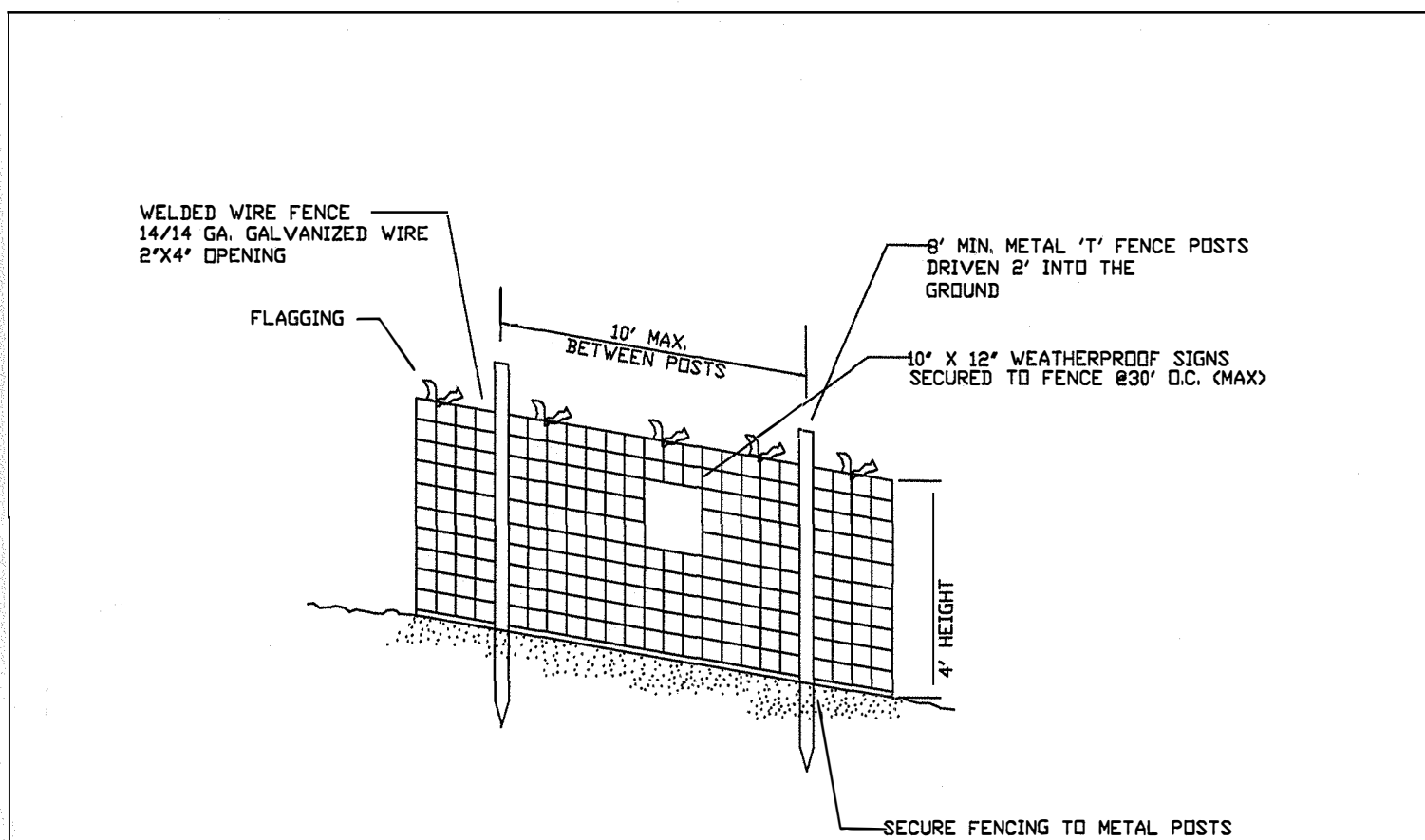
6. After construction is completed, an inspection shall be requested. Corrective measures which may be required include:
Removal of dead or dying trees
Pruning of dead or declining limbs
Soil aeration (vertical mulching)
Fertilizing
Watering
Wound repair
Clean up of retention areas

7. After inspection certification that corrective measures have been undertaken, all temporary protection devices shall be removed from the site. No additional clearing, grading, sodding, or burial of discarded material will occur on site.



NOTES:
1. BOTTOM OF SIGNS TO BE HIGHER THAN TOP OF TREE PROTECTION FENCE.
2. SIGNS TO BE PLACED APPROXIMATELY 50' APART, CONDITIONS ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER OR FARTHER APART.
3. ATTACHMENT OF SIGNS TO TREES IS PROHIBITED.
4. SIGNS SHALL BE CONSTRUCTED OF MATERIAL SUITABLE TO WITHSTAND WEATHER EXPOSURE FOR AT LEAST THE DURATION OF CONSTRUCTION (0.05 GAUGE HDPE PLASTIC BY "THE TREE COMPANY", CATONSVILLE, MD OR EQUAL).
5. SIGN COLORS SHALL BE GREEN LETTERING ON A WHITE BACKGROUND OR SIMILAR.
6. SIGNS SHALL BE PROPERLY MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

TREE PROTECTION SIGNAGE



NOTES:
1. PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING.
2. LOCATION AND LIMITS OF FENCING SHALL COORDINATED IN FIELD WITH ARBORIST.
3. BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEVICE.
4. ROOT DAMAGE SHOULD BE AVOIDED.
5. PROTECTIVE SIGNAGE IS REQUIRED.
6. FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION FENCE DETAIL
NOT TO SCALE

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Park and Planning, Montgomery County, Maryland

PARK DEVELOPMENT DIVISION
200 MARKET AVENUE
SILVER SPRING, MD 20901

DATE APPROVED: [Signature]
DATE: 4/18/11
SUPERVISOR OF PARKS

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 1

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 2

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 3

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 4

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 5

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 6

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 7

DATE: 4/18/11
REVISOR: [Signature]
REVISION: 8

LEGEND

(188) SPECIMEN OR SIGNIFICANT TREE
X TREE TO BE REMOVED
FOREST
FOREST TO BE REMOVED
TREE SAVE AREA OUTSIDE EASEMENT
LIMIT OF DISTURBANCE
TREE PROTECTION FENCE
ROOT PRUNING
EXISTING CONTOUR
SOILS

SPECIMEN & SIGNIFICANT TREE LIST

Tree ID	DBH	Genus Species	Common Name	Condition
178	26"	Quercus alba	White Oak	Good, Remove
179	34.5"	Quercus rubra	Northern Red Oak	Good, Remove
180	28"	Quercus rubra	Northern Red Oak	Good
181	30"	Quercus rubra	Northern Red Oak	Good
182	33"	Quercus rubra	Northern Red Oak	Good, Remove
183	29"	Quercus rubra	Northern Red Oak	Good
184	26"	Quercus rubra	Northern Red Oak	Good
185	27"	Quercus rubra	Northern Red Oak	Good
186	26"	Quercus alba	White Oak	Good
187	28"	Quercus rubra	Northern Red Oak	Felled
188	27"	Liriodendron tulipifera	Tulip Poplar	Poor (Lightning Struck)
189	34"	Quercus rubra	Northern Red Oak	Good
190	31"	Quercus rubra	Northern Red Oak	Good
191	32"	Quercus rubra	Northern Red Oak	Good
192	33"	Quercus rubra	Northern Red Oak	Good
193	33"	Quercus rubra	Northern Red Oak	Good
194	28"	Quercus alba	White Oak	Good
195	28.5"	Quercus alba	White Oak	Good, Remove
213	25"	Quercus alba	White Oak	Good
214	22.5"	Quercus rubra	Northern Red Oak	Good
215	21.5"	Quercus rubra	Northern Red Oak	Good
216	27.5"	Quercus alba	White Oak	Good
217	33"	Quercus alba	White Oak	Good
218	23.5"	Quercus alba	White Oak	Good
219	22.5"	Quercus alba	White Oak	Good
220	25"	Quercus alba	White Oak	Good
221	22"	Quercus alba	White Oak	Good, Remove
222	24.5"	Quercus alba	White Oak	Good, Remove
223	22"	Quercus rubra	Northern Red Oak	Good
224	24.5"	Liriodendron tulipifera	Tulip Poplar	Good
225	31.5"	Quercus rubra	Northern Red Oak	Good, Remove
226	30"	Acer rubrum	Red Maple	Good, Remove
227	27"	Quercus alba	White Oak	Good, Remove
228	35"	Quercus rubra	Northern Red Oak	Good
229	24"	Quercus rubra	Northern Red Oak	Good, Remove
230	37"	Quercus rubra	Northern Red Oak	Good
231	25"	Quercus rubra	Northern Red Oak	Good, Remove

The Forest Conservation Planner or Qualified Preparer - Certification

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE FOREST CONSERVATION ACT (COMAR TITLE 06.02.01, 06.02.02, 06.02.03, 06.02.04, 06.02.05, 06.02.06, 06.02.07, 06.02.08, 06.02.09, 06.02.10, 06.02.11, 06.02.12, 06.02.13, 06.02.14, 06.02.15, 06.02.16, 06.02.17, 06.02.18, 06.02.19, 06.02.20, 06.02.21, 06.02.22, 06.02.23, 06.02.24, 06.02.25, 06.02.26, 06.02.27, 06.02.28, 06.02.29, 06.02.30, 06.02.31, 06.02.32, 06.02.33, 06.02.34, 06.02.35, 06.02.36, 06.02.37, 06.02.38, 06.02.39, 06.02.40, 06.02.41, 06.02.42, 06.02.43, 06.02.44, 06.02.45, 06.02.46, 06.02.47, 06.02.48, 06.02.49, 06.02.50, 06.02.51, 06.02.52, 06.02.53, 06.02.54, 06.02.55, 06.02.56, 06.02.57, 06.02.58, 06.02.59, 06.02.60, 06.02.61, 06.02.62, 06.02.63, 06.02.64, 06.02.65, 06.02.66, 06.02.67, 06.02.68, 06.02.69, 06.02.70, 06.02.71, 06.02.72, 06.02.73, 06.02.74, 06.02.75, 06.02.76, 06.02.77, 06.02.78, 06.02.79, 06.02.80, 06.02.81, 06.02.82, 06.02.83, 06.02.84, 06.02.85, 06.02.86, 06.02.87, 06.02.88, 06.02.89, 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**Attachment 2:
Forest Conservation Plan
Revision Approval Memo**



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

May 25, 2011

The Bullis School
10601 Falls Road
Potomac, MD 20854

SUBJECT:

Forest Conservation Plan #: 120080030

Preliminary Plan: The Bullis School

Dear Sirs:

Based on the review by Area 3 Planning Team staff of the Maryland National Capital Park and Planning Commission, the Final Forest Conservation Plan Amendment referenced above is approved. The Final Forest Conservation Plan consists of 2.68 acres of forest clearing, 17.85 acres of forest retention, and no planting requirement. The following items will need to be addressed prior to any clearing or grading occurring on-site or off-site:

1. Inspections consistent with Section 110 of the Forest Conservation Regulations.
2. Applicant must have Final Record Plat recorded which reflects the conservation easements as shown on the FFCP dated May 25, 2011, prior to any clearing and grading.

This letter must appear on all reproduced copies of the approved Final Forest Conservation Plan. Any changes from the approved Final Forest Conservation Plan may constitute grounds to rescind or amend any approval actions taken, and to re-evaluate the site for additional or amended plantings. If there are any subsequent additions or modification planned for this development, a separate amendment must be submitted to M-NCPPC for review and approval prior to those changes occurring. If you have any questions regarding these actions, please contact Josh Penn at 301-495-4546.

Sincerely,

A handwritten signature in black ink, appearing to read "John Carter".

John Carter
Chief
Area 3 Planning Team

cc: FCP# 120080030
Dave Post

NOTES

1. WATER CATEGORY: I SEWER CATEGORY: I
2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE RE-1 AND RE-2 ZONES AS OF THE DATE OF PLAT RECORDATION.
3. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
4. THE PROPERTY SHOWN HEREON IS LOCATED ON TAX MAPS FP343 AND FP563; AND ON W.S.S.C. 200-FOOT SHEETS 213 NW 04 AND 213 NW 10.
5. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AND APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
6. COORDINATES SHOWN HEREON ARE BASED ON MARYLAND STATE PLANE (NAD 83) DATUM. STATIONS USED ARE WSC 20465 AND 20466. THE SCALE FACTOR IS 0.99994098 AND THE CONVERGENCE ANGLE IS 00°07'17.42".
7. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
8. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A, MONTGOMERY COUNTY FOREST CONSERVATION LAW, AS WELL AS ALL CONDITIONS NOTED ON THE APPROVED CAMPUS-WIDE FINAL FOREST CONSERVATION PLAN DATED 04/29/09. SEPARATE TREE SAVE PLANS WILL BE PROVIDED AT THE TIME THAT SEDIMENT AND EROSION CONTROL PERMITS ARE SUBMITTED TO DPS FOR A PARTICULAR PHASE OF THE CAMPUS BUILD-OUT.
9. THE PROPERTY SHOWN HEREON IS SUBJECT TO A COVENANT FOR THE OPERATION AND MAINTENANCE OF THE PRIVATE STREETS, STORM DRAIN SYSTEMS, AND/OR OPEN SPACES, AS RECORDED IN LIBER 44188, AT FOLIO 357, AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
10. THE PROPERTY SHOWN HEREON IS SUBJECT TO A MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY, MD AND THE BULLIS SCHOOL. THE PURPOSE OF THE AGREEMENT IS TO SPECIFY THE TERMS AND CONDITIONS RELATIVE TO THE CONSTRUCTION OF A PORTION OF THE FALLS ROAD HIKER-BIKER PATH PROJECT (CIP NO. 500905).
11. THE LOTS SHOWN HEREON ARE LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN 120060030.
12. THIS PLAT IS PART OF A FIVE (5) SHEET SET. ELEMENTS OF EACH PLAT ARE SUPPORTIVE OF ONE ANOTHER.

OWNERS' CERTIFICATE

WE, THE BULLIS SCHOOL, INC., OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION.

WE FURTHER DEDICATE TO PUBLIC USE THE 0.103 ACRES OF LAND ADJACENT TO DEMOCRACY BOULEVARD SHOWN HEREON AS THUS AND THE 0.935 ACRES OF LAND ADJACENT TO FALLS ROAD SHOWN HEREON AS THUS .

WE FURTHER GRANT TO MONTGOMERY COUNTY, MARYLAND, THE 20-FOOT REVERTIBLE SLOPE EASEMENT ALONG DEMOCRACY BOULEVARD SHOWN HEREON, AS REQUIRED BY MONTGOMERY COUNTY ORDINANCE NO. 4-115, SAID SLOPE EASEMENT SHALL BE EXTINGUISHED AUTOMATICALLY AT SUCH TIME AS THE PUBLIC IMPROVEMENTS ON THE ADJUTING RIGHT-OF-WAY HAVE BEEN LAWFULLY COMPLETED AND ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY.

WE FURTHER GRANT A 10-FOOT PUBLIC UTILITY EASEMENT, SHOWN HEREON AS "10' P.U.E." TO THOSE PARTIES NAMED IN THE DOCUMENT 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 FURTHER GRANT CONSERVATION EASEMENTS SHOWN HEREON AS THUS TO THE PARTIES NAMED IN A DOCUMENT ENTITLED "CONSERVATION DEED OF EASEMENT, CATEGORY I", AS RECORDED IN LIBER 44206 AT FOLIO 097 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO THE TERMS SET FORTH THEREIN.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS SHOWN BELOW.

7/2/12
DATE THOMAS H. SULLIVAN, CHAIRMAN, BOARD OF TRUSTEES, THE BULLIS SCHOOL, INC. WITNESS

WE, SANDY SPRING BANK, HEREBY CONSENT TO THIS PLAN OF SUBDIVISION, EFFECTIVE AS OF FINAL RECORDATION.

7/2/12
DATE WENDY M. LANCE, SENIOR VICE PRESIDENT, SANDY SPRING BANK WITNESS

Department of
Permitting Services
Montgomery County, Maryland

Date: 7-24-2012

Approved: Director

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

Approved: July 19, 2012
Chairman Asst. Secretary Treasurer

M.N.C.P. & P.C. Record File No. 633-109

AREA OF FUTURE DEDICATION FOR FUTURE SHA TRANSPORTATION NEEDS FOR A FUTURE REALIGNMENT OF FALLS ROAD

AREA OF FUTURE DEDICATION SHOWN HEREON AS THUS IS INTENDED TO BE CONSISTENT WITH AND LIMITED TO THE AREAS OF THE OWNER'S PROPERTY SHOWN TO BE IMPACTED ON THE FALLS ROAD REALIGNMENT PLAN APPROVED BY SHA ON SEPTEMBER 11, 2008. OWNER TO PROVIDE A DEED OF CONVEYANCE TO SHA FOR THE AREA OF FUTURE DEDICATION, WITHOUT ANY MONETARY CONSIDERATION OF ANY KIND, AT THE TIME A PROJECT TO REALIGN FALLS ROAD IS COMMENCED BY SHA. IF AN 8 FOOT-WIDE SHARED USE PATH EXISTS ALONG THAT PORTION OF FALLS ROAD FRONTING OWNER'S PROPERTY AT THE TIME OF DEED CONVEYANCE, OWNER SHALL BE RESPONSIBLE TO RELOCATE SAID SHARED USE PATH ALONG OR ADJACENT TO THE NEW RIGHT-OF-WAY LINE.

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C1	28.10'	583.51'	28.09'	S59°59'24"E	2°45'32"
C2	441.35'	860.00'	436.53'	N44°25'09"E	2°12'41"
C3	227.37'	860.00'	226.71'	N15°26'27"E	15°08'53"
C4	806.35'	747.94'	767.86'	N38°45'06"E	61°46'12"
C5	81.82'	7230.22'	81.82'	N69°57'39"E	0°38'54"
C6	82.35'	940.00'	82.33'	N72°47'41"E	5°01'11"
C7	190.53'	860.00'	190.14'	N68°57'28"E	12°41'37"

LINE TABLE

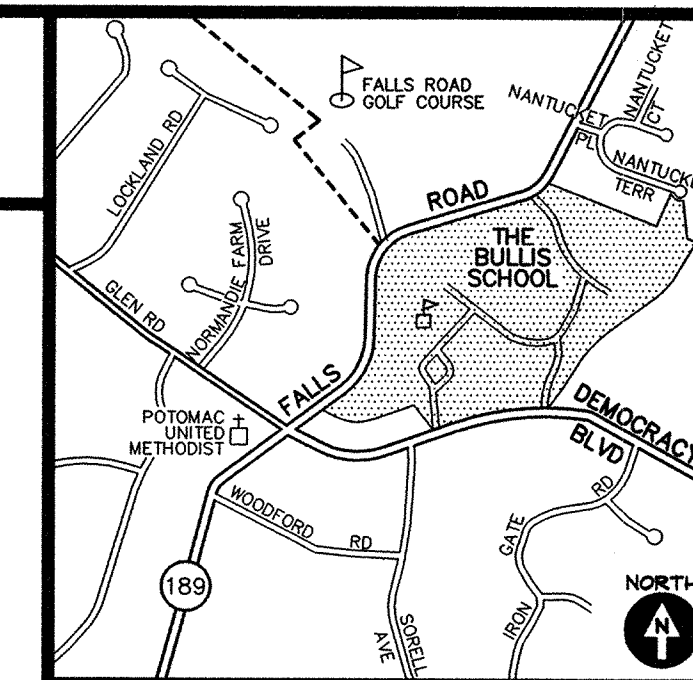
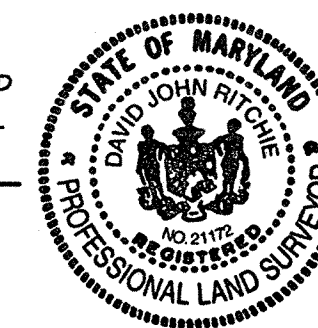
LINE	LENGTH	BEARING
L1	25.14'	N59°07'16"E
L2	278.21'	N07°52'00"E
L3	365.42'	N75°18'17"E

SURVEYOR'S CERTIFICATE

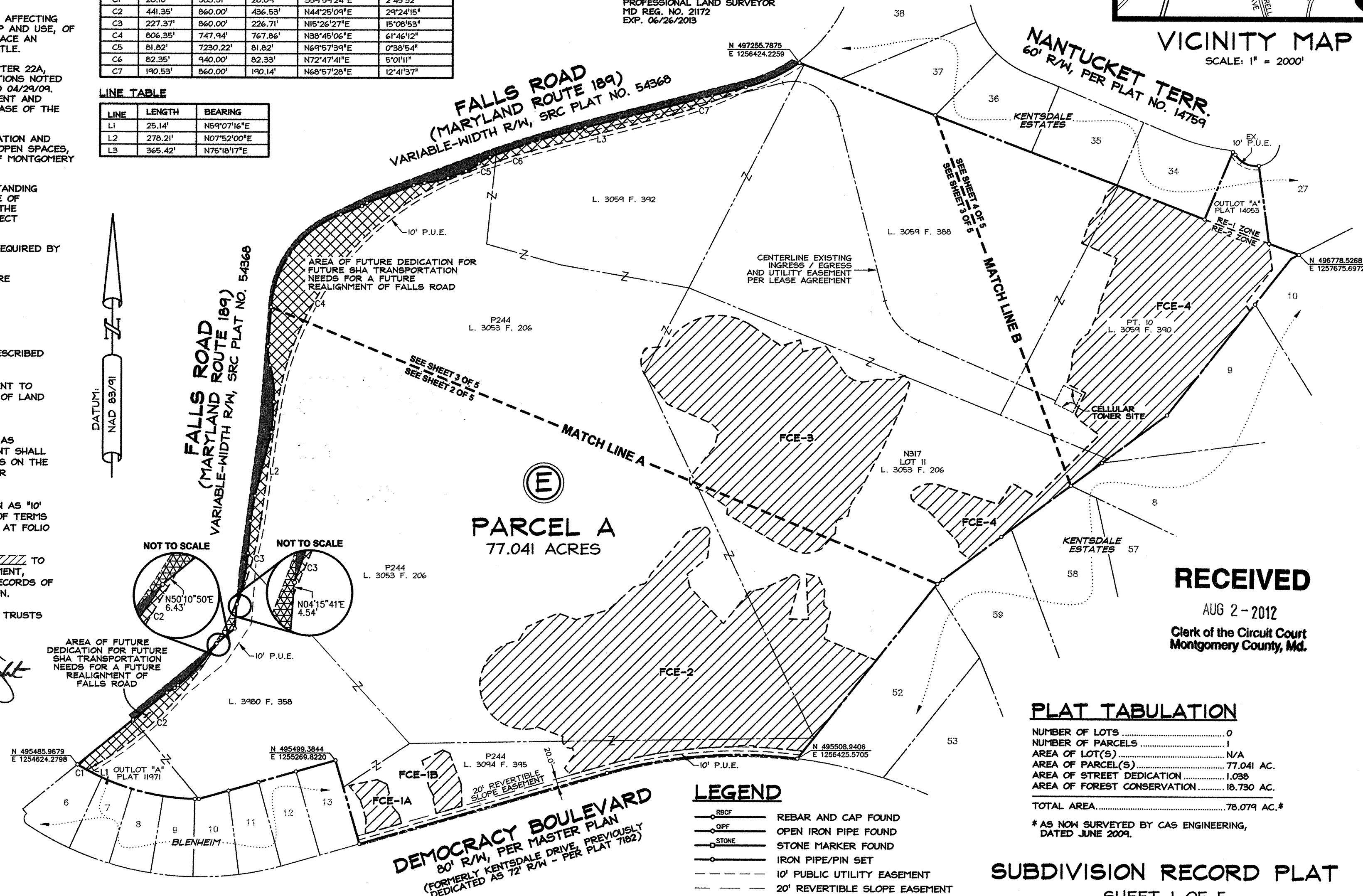
I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT IS A SUBDIVISION OF ALL OF THE LANDS SHOWN HEREON AS PREVIOUSLY CONVEYED UNTO BULLIS SCHOOL INCORPORATED, BY THE FOLLOWING DEEDS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND: LIBER 3053, FOLIO 206, DATED DECEMBER 28, 1962; LIBER 3059, FOLIO 388, DATED FEBRUARY 5, 1963; LIBER 3059, FOLIO 390, DATED FEBRUARY 5, 1963; LIBER 3059, FOLIO 392, DATED FEBRUARY 1, 1963; LIBER 3094, FOLIO 395, DATED MAY 29, 1963; LIBER 3980, FOLIO 358, DATED JUNE 13, 1970; LIBER 6034, FOLIO 596, DATED AUGUST 31, 1982; LIBER 7457, FOLIO 124, DATED DECEMBER 4, 1986, AND THAT THE TOTAL AREA INVOLVED IN THIS PLAT IS 78.079 ACRES, 1.038 ACRES OF WHICH IS DEDICATED TO PUBLIC USE, AND THAT ALL PROPERTY CORNERS MARKED THUS ARE IN PLACE AS SHOWN HEREON IN ACCORDANCE WITH SECTION 50-24(E) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

July 6, 2012
DATE DAVID JOHN RITCHIE
PROFESSIONAL LAND SURVEYOR
MD REG. NO. 21172
EXP. 06/26/2015

PLAT No.
24460



VICINITY MAP
SCALE: 1" = 2000'



OWNERS' CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE OWNERS' CERTIFICATE.

DATE: 7/2/12
 THOMAS H. SULLIVAN
 CHAIRMAN, BOARD OF TRUSTEES
 THE BULLIS SCHOOL, INC.
 WITNESS: [Signature]
 DATE: 7/2/12
 MENDY M. LANCE
 SENIOR VICE PRESIDENT
 SANDY SPRING BANK
 WITNESS: [Signature]

SURVEYOR'S CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE SURVEYOR'S CERTIFICATE.

DATE: July 4, 2012
 DAVID JOHN RITCHIE
 PROFESSIONAL LAND SURVEYOR
 MD REG. NO. 21172
 EXP. 06/26/2013

NOTES

SEE SHEET ONE (1) FOR COMPLETE LIST OF NOTES.

LEGEND

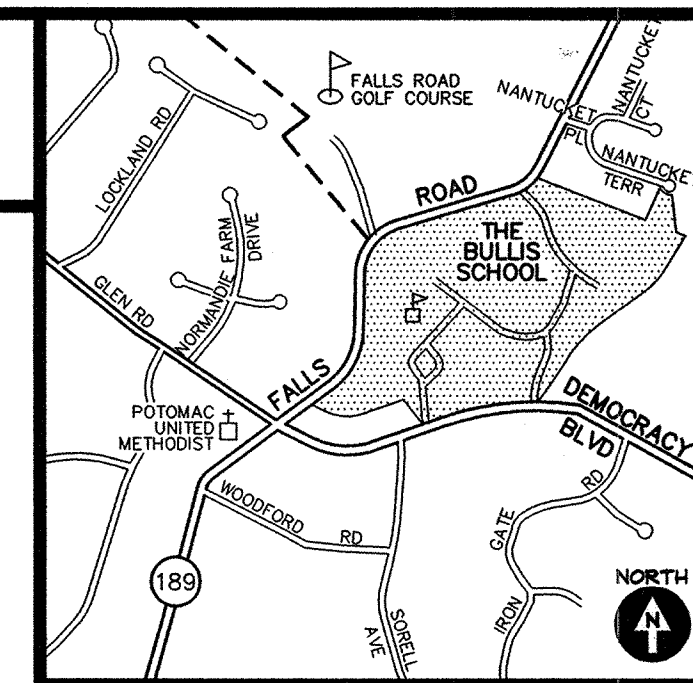
- REBAR AND CAP FOUND
- OPEN IRON PIPE FOUND
- STONE MARKER FOUND
- IRON PIPE/PIN SET
- 10' PUBLIC UTILITY EASEMENT
- 20' REVERTIBLE SLOPE EASEMENT
- CATEGORY I FOREST CONSERVATION EASEMENT
- AREA OF DEDICATION TO THE STATE OF MARYLAND, ALONG FALLS ROAD
- AREA OF DEDICATION TO MONTGOMERY COUNTY, ALONG DEMOCRACY BOULEVARD
- AREA OF VOID BETWEEN DEEDS FOR THE BULLIS SCHOOL AND R/W FROM SRC PLAT 54368
- EXISTING EASEMENTS (SEE PLAN FOR SPECIFIC EASEMENT DESCRIPTION)
- AREA OF FUTURE DEDICATION FOR FUTURE SHA TRANSPORTATION NEEDS FOR A FUTURE REALIGNMENT OF FALLS ROAD

FALLS ROAD DEDICATION AREA TWO (2)								
7	N 04°15'41" E	79.69'	21	L = 223.78' R = 1925.78' D = 06°39'28" C.B. = S 72°22'12" W CHORD = 223.65'		31	S 04°09'35" W	98.80'
8	N 07°31'27" E	246.93'	22	L = 32.43' R = 92.25' D = 20°08'40" C.B. = S 58°58'08" W CHORD = 32.27'		32	L = 47.89' R = 134.27' D = 20°26'12" C.B. = S 06°03'31" E CHORD = 47.64'	
9	N 07°31'27" E	130.53'				33	L = 92.45' R = 259.18' D = 20°26'31" C.B. = S 06°03'31" E CHORD = 91.96'	
10	N 04°17'42" E	308.27'	23	L = 38.15' R = 108.50' D = 20°08'39" C.B. = S 58°58'08" W CHORD = 37.95'		34	S 04°09'35" W	77.04'
11	L = 271.28' R = 260.00' D = 59°46'53" C.B. = N 34°04'39" E CHORD = 259.14'	134.46'				35	S 14°16'12" W	165.44'
12	N 63°46'31" E	134.46'	24	S 69°01'40" W		36	S 09°42'48" W	64.30'
13	N 69°09'22" E	241.44'				37	S 04°09'35" W	80.80'
14	L = 341.73' R = 2985.00' D = 06°33'34" C.B. = N 72°26'11" E CHORD = 341.55'		25	L = 60.57' R = 203.40' D = 17°03'42" C.B. = S 77°34'19" W CHORD = 60.34'		38	L = 131.24' R = 471.91' D = 16°58'04" C.B. = S 12°07'37" W CHORD = 130.82'	
15	N 75°42'56" E	384.24'	26	L = 27.47' R = 92.25' D = 17°03'42" C.B. = S 77°34'19" W CHORD = 27.37'			DEDICATION AREA 36,518.6 SQ. FT. OR 0.8384 ACRES± SHOWN THUS:	
16	L = 128.73' R = 365.09' D = 20°12'11" C.B. = N 65°36'50" E CHORD = 128.07'		27	S 69°02'28" W		125.45'		
17	S 68°59'53" E	20.33'	28	S 55°43'56" W		15.20'		
18	L = 148.75' R = 411.00' D = 20°44'12" C.B. = S 65°19'51" W CHORD = 147.94'		29	S 69°02'28" W		56.82'		
19	S 75°41'57" W	413.62'	30	L = 306.62' R = 270.77' D = 64°52'53" C.B. = S 36°36'02" W CHORD = 290.50'				
20	S 74°08'27" W	26.48'						

FALLS ROAD DEDICATION AREA ONE (1)		
1	N 39°45'52" W	14.80'
2	N 50°10'50" E	283.17'
3	L = 143.17' R = 471.91' D = 17°22'57" C.B. = S 42°14'53" W CHORD = 142.62'	
4	S 50°56'21" W	10.81'
5	S 59°49'53" W	22.87'
6	S 50°36'20" W	108.57'
DEDICATION AREA 4206.4 SQ. FT. OR 0.0966 ACRES± SHOWN THUS: [Symbol]		

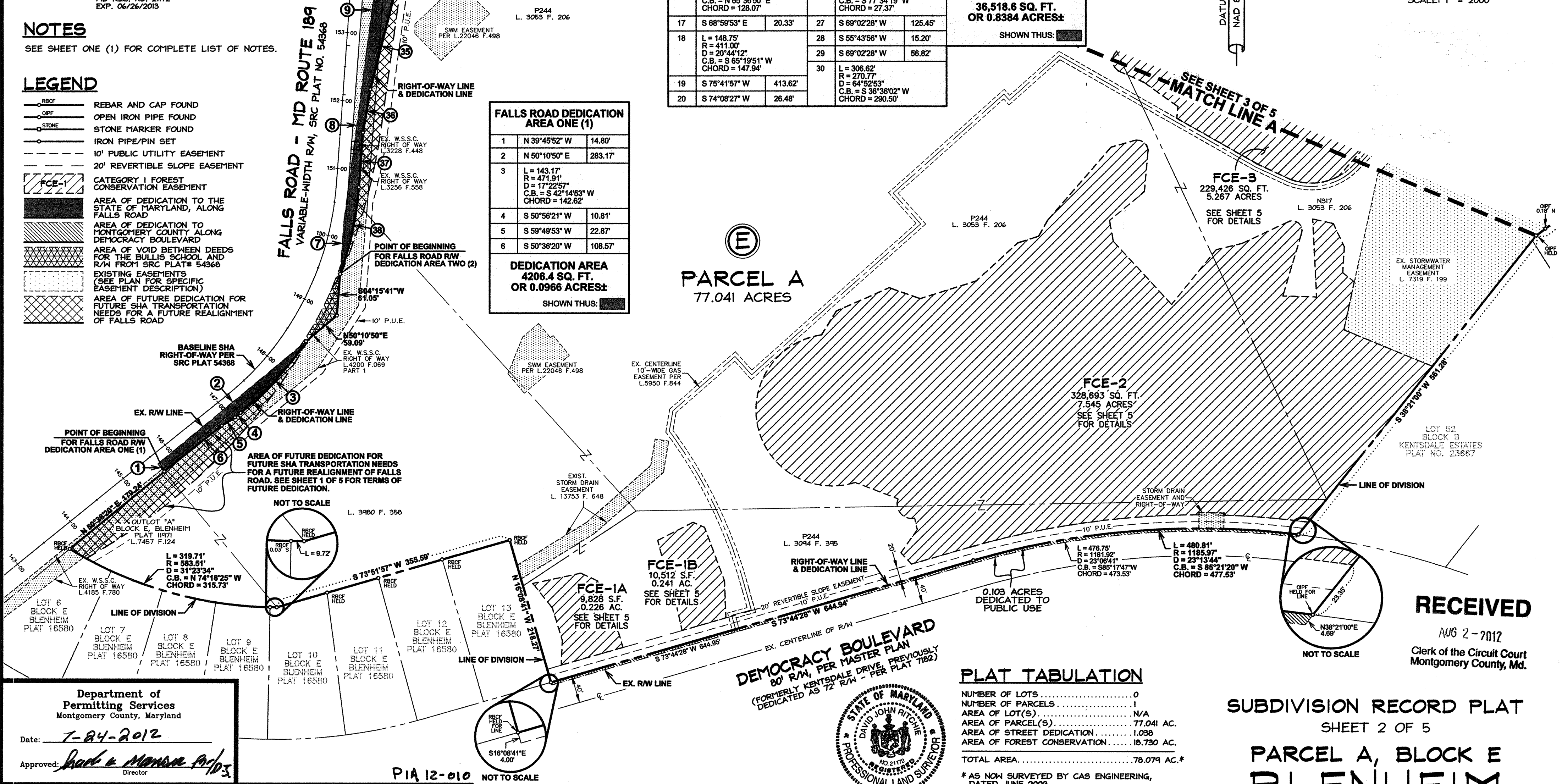
PARCEL A
77.041 ACRES

PLAT No.
24461



VICINITY MAP
SCALE: 1" = 2000'

DATUM:
NAD 83/91



PLAT TABULATION

NUMBER OF LOTS: 0
 NUMBER OF PARCELS: 1
 AREA OF LOT(S): N/A
 AREA OF PARCEL(S): 77.041 AC.
 AREA OF STREET DEDICATION: 1.038
 AREA OF FOREST CONSERVATION: 18.730 AC.
 TOTAL AREA: 78.079 AC.*
 *AS NOW SURVEYED BY CAS ENGINEERING, DATED JUNE 2009.

SUBDIVISION RECORD PLAT
SHEET 2 OF 5

PARCEL A, BLOCK E
BLENHEIM

POTOMAC (10TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100' JUNE, 2012

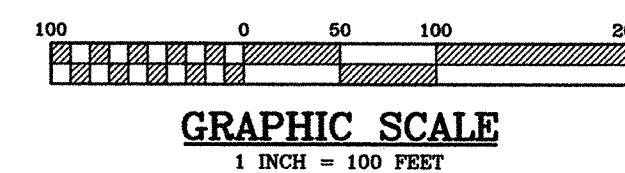
RECEIVED

AUG 2 - 2012
 Clerk of the Circuit Court
 Montgomery County, Md.



CAS
ENGINEERING

108 West Ridgeville Blvd., Suite 101
 Mount Airy, Maryland 21771
 301-607-8031 office
 301-607-8045 fax
 www.casengineering.com
 info@casengineering.com



Department of
Permitting Services
Montgomery County, Maryland

Date: 7-24-2012

Approved: [Signature]
 Director

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

Approved: [Signature]
 Chairman

M.N.C.P. & P.C. Record File No. 633-110

Recorded

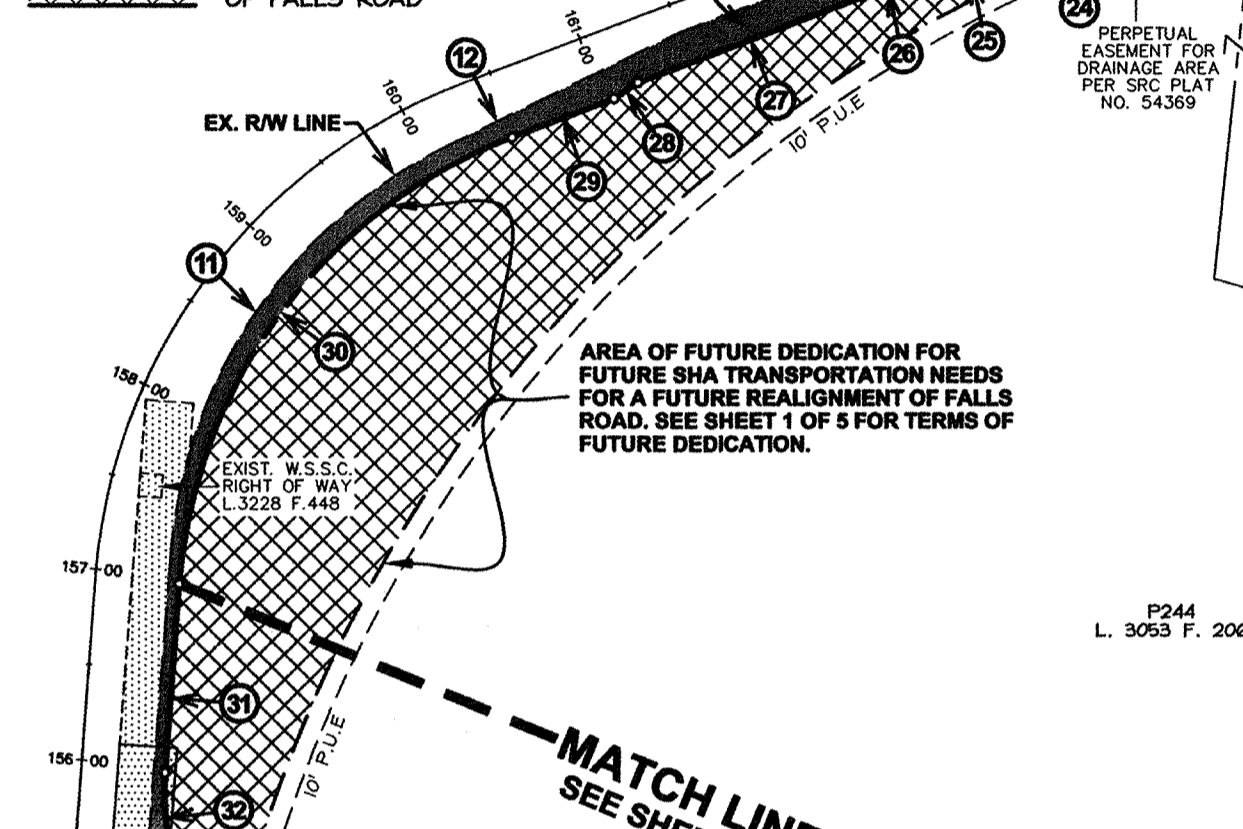
Plat No.

2201004501200 Y0020 RE-1/RE-2

PP4570 MSA SSU 1249 30063-110

LEGEND

- REBAR AND CAP FOUND
- OPEN IRON PIPE FOUND
- STONE MARKER FOUND
- IRON PIPE/PIN SET
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7	N 04°15'41" E	79.69'	21	L = 223.78'	R = 1925.78'	31	S 04°09'35" W	98.80'	
8	N 07°31'27" E	246.93'		D = 06°39'28"	C.B. = S 72°22'12" W	32	L = 47.89'	R = 134.27'	
9	N 07°31'27" E	130.53'		D = 20°26'12"	C.B. = S 06°03'31" E				
10	N 04°17'42" E	308.27'		L = 32.43'	R = 92.25'	33	L = 92.45'	R = 259.18'	
11	L = 271.28'	R = 280.00'		D = 20°08'40"	C.B. = S 58°58'08" W				
	C.B. = N 34°04'39" E	CHORD = 259.14'		D = 20°08'39"	C.B. = S 58°58'08" W				
12	N 63°46'31" E	134.46'	22	L = 38.15'	R = 108.50'	34	S 04°09'35" W	77.04'	
13	N 69°09'22" E	241.44'		D = 20°08'39"	C.B. = S 58°58'08" W	35	S 14°16'12" W	165.44'	
				CHORD = 37.95'					
14	L = 341.73'	R = 2985.00'	24	S 69°01'40" W	48.03'	36	S 09°42'48" W	64.30'	
	D = 06°33'34"	C.B. = N 72°26'11" E	25	L = 60.57'	R = 203.40'	37	S 04°09'35" W	80.80'	
	CHORD = 341.55'			D = 17°03'42"	C.B. = S 77°34'19" W	38	L = 131.24'	R = 471.91'	
15	N 75°42'56" E	384.24'		CHORD = 60.34'			D = 15°56'04"	C.B. = S 12°07'37" W	
							CHORD = 130.82'		
16	L = 128.73'	R = 365.09'	26	L = 27.47'	R = 92.25'	DEDICATION AREA 36,518.6 SQ. FT. OR 0.8384 ACRES±			
	D = 20°12'11"	C.B. = N 65°36'50" E		D = 17°03'42"	C.B. = S 77°34'19" W				
	CHORD = 128.07'			CHORD = 27.37'		SHOWN THUS:			
17	S 68°59'53" E	20.33'	27	S 69°02'28" W	125.45'				
18	L = 148.75'	R = 411.00'	28	S 55°43'56" W	15.20'				
	D = 20°44'12"	C.B. = S 65°19'51" W	29	S 69°02'28" W	56.82'				
	CHORD = 147.94'								
19	S 75°41'57" W	413.62'	30	L = 306.62'	R = 270.77'				
20	S 74°08'27" W	26.48'		D = 64°52'53"	C.B. = S 36°36'02" W				
				CHORD = 290.50'					

OWNERS' CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE OWNERS' CERTIFICATE.

7/2/12 DATE *Thomas H. Sullivan* WITNESS *Wendy M. Lance*
 THOMAS H. SULLIVAN CHAIRMAN, BOARD OF TRUSTEES THE BULLIS SCHOOL, INC.
 7/2/12 DATE *Wendy M. Lance* WITNESS *BK Lance*
 WENDY M. LANCE SENIOR VICE PRESIDENT SANDY SPRING BANK

SURVEYOR'S CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE SURVEYOR'S CERTIFICATE.

DATE *July 6, 2012*
 DAVID JOHN RITCHIE PROFESSIONAL LAND SURVEYOR MD REG. NO. 21172 EXP. 06/26/2013

NOTES

SEE SHEET ONE (1) FOR COMPLETE LIST OF NOTES.

PLAT TABULATION

NUMBER OF LOTS 0
 NUMBER OF PARCELS 1
 AREA OF LOT(S) N/A
 AREA OF PARCEL(S) 77.041 AC.
 AREA OF STREET DEDICATION 1.098 AC.
 AREA OF FOREST CONSERVATION 18.730 AC.
 TOTAL AREA 78.079 AC.*
 * AS NOW SURVEYED BY CAS ENGINEERING, DATED JUNE 2009.

Department of Permitting Services
 Montgomery County, Maryland

Date: *7-24-2012*
 Approved: *Barbara A. Moore* Director

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

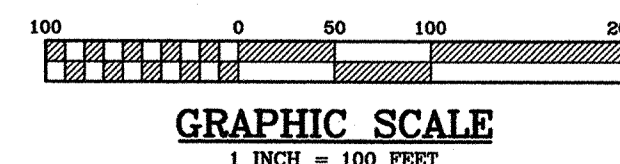
Approved: *Julius M. L. Garcia* Chairman
Asst. Secretary / Treasurer

M.N.C.P. & P.C. Record File No. *633-111*

Recorded _____
 Plat No. _____

CAS
 ENGINEERING

108 West Ridgeville Blvd., Suite 101
 Mount Airy, Maryland 21771
 301-607-8031 office
 301-607-8045 fax
 www.casengineering.com
 info@casengineering.com



SUBDIVISION RECORD PLAT
 SHEET 3 OF 5

PARCEL A, BLOCK E
 BLENHEIM

POTOMAC (10TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100' JUNE, 2012

RECEIVED

AUG 2 - 2012
 Clerk of the Circuit Court
 Montgomery County, Md.

PIA 571

MSA SSN 1249 30066-833-111

OWNERS' CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE OWNERS' CERTIFICATE.

DATE 7/2/12 Thomas W. Sullivan
THOMAS W. SULLIVAN
CHAIRMAN, BOARD OF TRUSTEES
THE BULLIS SCHOOL, INC.
WITNESS
DATE 7/2/12 Wendy M. Lance
WENDY M. LANCE
SENIOR VICE PRESIDENT
SANDY SPRING BANK
WITNESS

SURVEYOR'S CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE SURVEYOR'S CERTIFICATE.

DATE July 4, 2012 David John Ritchie
DAVID JOHN RITCHIE
PROFESSIONAL LAND SURVEYOR
MD REG. NO. 21172
EXP. 06/26/2013

NOTES

SEE SHEET ONE (1) FOR COMPLETE LIST OF NOTES.

LEGEND

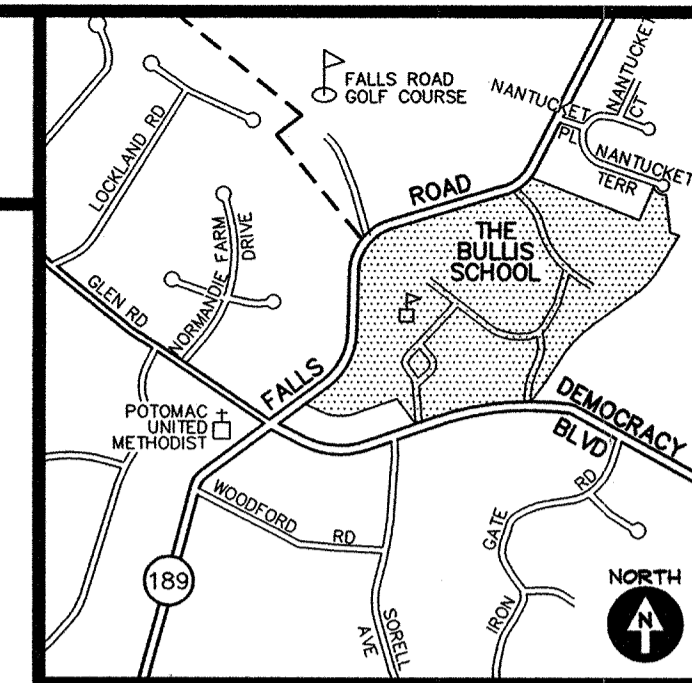
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PLAT TABULATION

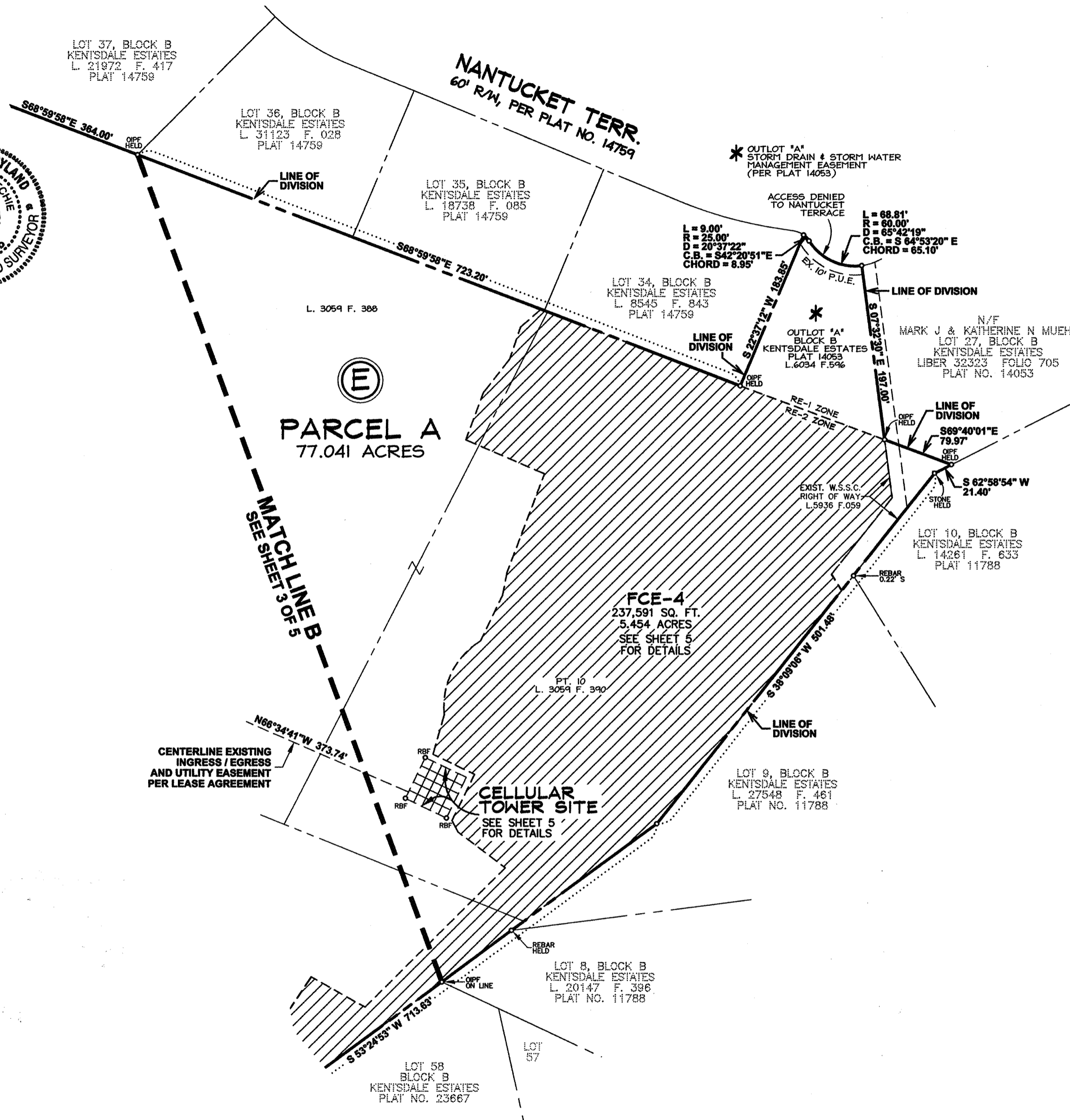
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AREA OF PARCEL(S) 77.041 AC.
AREA OF STREET DEDICATION 1.038
AREA OF FOREST CONSERVATION 10.730 AC.
TOTAL AREA 78.079 AC.*

* AS NOW SURVEYED BY CAS ENGINEERING,
DATED JUNE 2009.

PLAT No.
24463



VICINITY MAP
SCALE: 1" = 2000'



Department of
Permitting Services
Montgomery County, Maryland

Date: 7-24-2012

Approved: Paul K. Nantz, Jr.
Director

PIA 12-010

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

Approved: July 19, 2012 Paul M. L. Garcia
Chairman
Asst. Secretary - Treasurer

M.N.C.P. & P.C. Record File No. 633-112

Recorded _____
Plat No. _____

CAS
ENGINEERING

108 West Ridgeville Blvd., Suite 101
Mount Airy, Maryland 21771
301-607-8031 office
301-607-8045 fax
www.casengineering.com
info@casengineering.com

RECEIVED

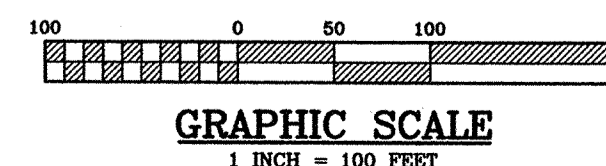
AUG 2 - 2012

Clerk of the Circuit Court
Montgomery County, Md.

SUBDIVISION RECORD PLAT
SHEET 4 OF 5

PARCEL A, BLOCK E
BLENHEIM

POTOMAC (10TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100' JUNE, 2012



PIA 12-010 MSA SSN 1249 30066-433-112

FOREST CONSERVATION EASEMENT LINE TABLES

FCE-1A LINE TABLE

LINE	LENGTH	BEARING
L1	36.39'	N02°23'34"E
L2	50.46'	N16°47'48"W
L3	46.22'	N38°38'38"W
L4	72.03'	N77°49'46"E
L5	27.22'	S65°10'33"E
L6	58.08'	S14°23'43"E
L7	25.33'	S39°36'06"E
L8	23.35'	S16°15'32"E
L9	94.07'	S73°44'28"W

FCE-1B LINE TABLE

LINE	LENGTH	BEARING
L10	36.70'	N12°18'37"W
L11	6.69'	N16°58'09"E
L12	27.28'	N27°54'29"W
L13	68.35'	N14°25'04"W
L14	58.06'	N62°24'29"E
L15	18.65'	S65°56'50"E
L16	84.14'	S20°27'28"E
L17	54.29'	S02°11'39"E
L18	66.99'	S73°44'28"W

FCE-2 LINE TABLE

LINE	LENGTH	BEARING
L19	22.80'	N43°20'13"W
L20	41.44'	N35°10'39"E
L21	17.50'	N12°47'43"W
L22	67.20'	N69°06'38"W
L23	41.20'	N31°54'47"E
L24	84.63'	N66°43'43"E
L25	48.16'	S70°43'20"E
L26	85.73'	N72°25'07"E
L27	83.45'	N47°17'53"E
L28	31.62'	N72°23'26"E
L29	27.68'	N29°48'20"E
L30	141.62'	N40°41'59"E
L31	35.13'	N73°58'08"E
L32	59.06'	S05°07'41"W
L33	66.11'	S50°25'57"W
L34	31.22'	S10°15'28"E
L35	126.25'	S42°36'52"E
L36	103.67'	N38°56'09"E
L37	39.68'	N76°13'12"E
L38	73.69'	N64°44'12"E
L39	96.66'	S16°26'11"W
L40	49.35'	S88°36'56"E
L41	114.75'	N02°51'08"W
L42	31.04'	S77°35'20"E
L43	37.77'	S25°14'14"E
L44	38.13'	S03°29'43"W
L45	21.68'	S51°14'04"E
L46	71.89'	S12°14'21"W
L47	140.39'	S67°46'42"E
L48	292.92'	S38°21'00"W
L49	3.22'	N01°03'57"E
L50	36.67'	N88°56'03"W
L51	3.40'	S01°03'57"W
L52	88.58'	S73°44'28"W

FCE-3 LINE TABLE

LINE	LENGTH	BEARING
L53	52.22'	N65°00'55"W
L54	135.96'	N60°24'35"W
L55	17.06'	N06°01'56"E
L56	61.34'	N54°19'47"W
L57	38.90'	N66°00'31"W
L58	94.37'	N38°27'28"E
L59	41.61'	N13°59'08"E
L60	26.37'	N45°01'48"W
L61	119.60'	N66°17'58"W
L62	89.00'	N38°13'41"W
L63	52.21'	N83°49'39"E
L64	89.56'	S55°14'59"E
L65	50.12'	N71°31'06"E
L66	30.21'	S13°22'51"E
L67	59.05'	N76°37'04"E
L68	77.65'	S35°01'47"E
L69	24.71'	N77°46'03"E
L70	34.52'	S88°37'43"E
L71	34.71'	N72°36'19"E
L72	23.47'	S30°20'00"E
L73	50.78'	S16°56'03"W
L74	120.57'	S24°32'15"W
L75	125.27'	S27°50'25"W
L76	39.06'	S34°25'30"W
L77	32.69'	S13°33'03"W
L78	30.91'	S69°03'26"W
L79	32.79'	S05°01'47"W
L80	51.08'	S41°28'02"W

FCE-4 LINE TABLE

LINE	LENGTH	BEARING
L81	38.41'	N51°30'42"W
L82	98.72'	N44°00'19"W
L83	43.69'	N56°53'18"W
L84	155.31'	S72°03'54"E
L85	63.36'	N33°34'19"E
L86	69.17'	S60°37'24"E
L87	221.49'	N45°00'17"E
L88	66.54'	N52°52'39"W
L89	14.75'	N27°57'26"W
L90	58.00'	N25°43'06"E
L91	51.70'	N64°16'54"W
L92	46.35'	N15°46'45"E
L93	56.60'	N25°31'12"E
L94	26.71'	N10°58'04"E
L95	118.11'	N20°37'02"E
L96	95.91'	N66°39'16"W
L97	56.43'	N20°14'42"E
L98	47.79'	N37°57'22"E
L99	38.15'	N18°33'39"E
L100	30.24'	N49°00'04"E
L101	239.06'	S69°01'22"E
L102	172.31'	S69°38'44"E
L103	65.78'	S07°32'56"E
L104	109.51'	S38°09'06"W
L105	21.25'	S32°06'31"E
L106	333.72'	S38°09'06"W
L107	611.99'	S53°24'53"W

FOREST CONSERVATION EASEMENT CURVE TABLES

FCE-2 CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C1	45.56'	21.24'	37.32'	N40°55'44"W	122°54'44"
C2	370.42'	112.01'	223.25'	N12°51'14"W	189°29'01"
C3	31.04'	16.00'	26.40'	S50°27'05"E	111°09'34"
C4	32.94'	14.00'	25.85'	S50°57'34"E	134°47'30"
C5	124.06'	1205.97'	124.00'	N85°23'58"W	5°53'38"
C6	340.36'	1205.97'	339.23'	S81°49'35"W	16°10'14"

FCE-3 CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C7	31.91'	17.50'	27.67'	N13°46'32"W	104°27'59"
C8	74.44'	60.62'	69.85'	N00°58'26"W	70°20'58"
C9	248.34'	149.24'	220.67'	N76°13'02"E	95°20'44"
C10	70.37'	60.00'	66.41'	S68°37'52"E	67°12'11"
C11	74.94'	75.37'	71.89'	S86°30'02"W	56°58'05"

FCE-4 CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C12	26.96'	23.00'	25.45'	N10°25'12"W	67°10'15"
C13	35.95'	19.18'	30.92'	N03°11'51"W	107°22'53"
C14	67.76'	67.59'	64.96'	N79°12'51"E	57°26'31"
C15	97.15'	85.16'	91.97'	N26°06'23"E	65°22'01"

SURVEYOR'S CERTIFICATE

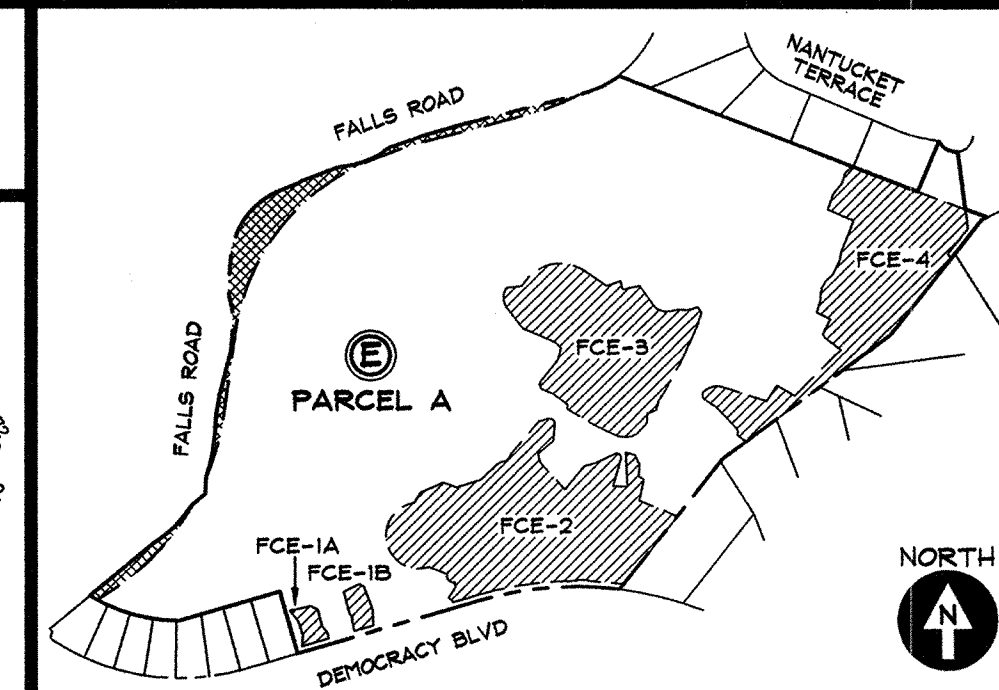
SEE SHEET ONE (1) FOR COMPLETE SURVEYOR'S CERTIFICATE.

DATE July 6, 2012
DAVID JOHN RITCHIE
PROFESSIONAL LAND SURVEYOR
MD REG. NO. 21172
EXP. 06/26/2015

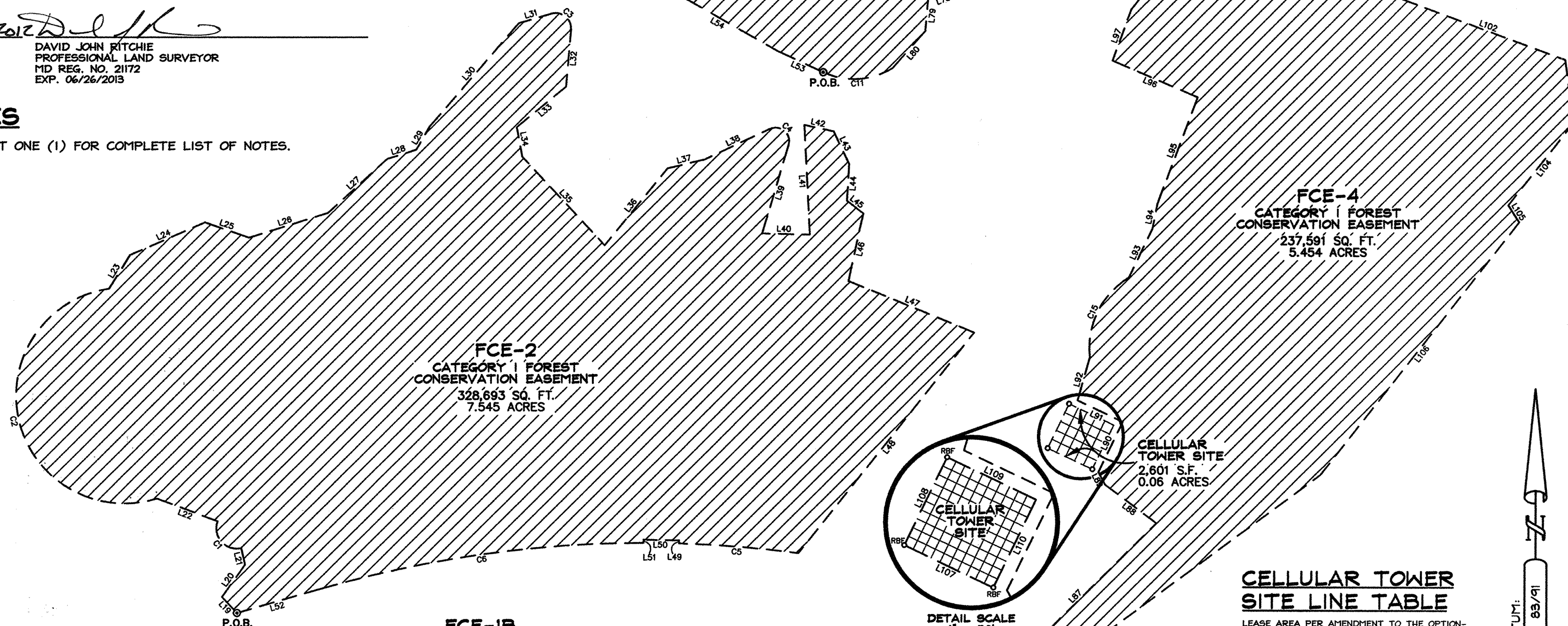
NOTES

SEE SHEET ONE (1) FOR COMPLETE LIST OF NOTES.

PLAT No.
24464



INDEX MAP
NOT TO SCALE



CELLULAR TOWER SITE LINE TABLE

LINE	LENGTH	BEARING
L107	51.00'	N64°16'54"W
L108	51.00'	N25°43'06"E
L109	51.00'	S64°16'54"E
L110	51.00'	S25°43'06"W

OWNERS' CERTIFICATE

SEE SHEET ONE (1) FOR COMPLETE OWNERS' CERTIFICATE.

DATE 7/2/12
THOMAS H. SULLIVAN
CHAIRMAN, BOARD OF TRUSTEES
THE BULLIS SCHOOL, INC.
DATE 7/19/12
WENDY M. LANCE
SENIOR VICE PRESIDENT
SANDY SPRING BANK

DATE 7/2/12
JOHN SHAW
WITNESS
DATE 7/19/12
BRIAN LANCE
WITNESS

FCE-1A
CATEGORY 1
FOREST CONSERVATION
EASEMENT
9,828 S.F.
0.226 AC.

FCE-1B
CATEGORY 1
FOREST CONSERVATION
EASEMENT
10,512 S.F.
0.241 AC.



Department of
Permitting Services
Montgomery County, Maryland

Date: 7-24-2012
Approved: [Signature]
Director

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

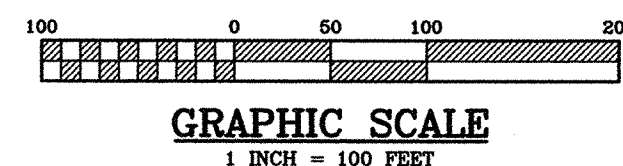
Approved: July 19, 2012
Chairman: [Signature]
Asst. Secretary: [Signature]
Treasurer: [Signature]

M.N.C.P. & P.C. Record File No. 633-113

Recorded _____
Plat No. _____



108 West Ridgeville Blvd., Suite 101
Mount Airy, Maryland 21771
301-607-8031 office
301-607-8045 fax
www.casengineering.com
info@casengineering.com



RECEIVED

AUG 2 - 2012
Clerk of the Circuit Court
Montgomery County, Md.

SUBDIVISION RECORD PLAT

SHEET 5 OF 5
EASEMENTS, LINE TABLES,
AND CURVE TABLES

PARCEL A, BLOCK E
BLenheim

POTOMAC (10TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100' JUNE, 2012

P194573 MSA SSN 1249 30082313

Tax Account Nos.: 10-01826310, 10-00849326, 10-00849372,
10-02468364, 10-02256257

44206 097

MONTGOMERY COUNTY, MD

CONSERVATION DEED OF EASEMENT ("Easement")

APPROVED BY Kam

Category I

JUN 18 2012

DEFINITIONS

\$ NA RECORDATION TAX PAID
\$ NA TRANSFER TAX PAID

Grantor: Fee simple owner of real property subject to a:

- (i) Plan approval conditioned on compliance with a FCP, whether or not the applicant is the fee simple owner of the property; or
- (ii) Plan approval conditioned on compliance with a conservation easement agreement (issued pursuant to Chapter 50 or 59, Montgomery County Code).

Grantee: Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ("Commission").

Property: Parcel A, Block E, Subdivision: Blenheim, recorded among the Land Records of Montgomery County, Maryland as per a plat to be recorded hereafter with this Easement referenced.

Planning Board: Montgomery County Planning Board of the Maryland-National Capital and Planning Commission.

Planning Director: Director of the Montgomery County Planning Department of the Maryland-National Capital Park and Planning Commission, Montgomery County, or the Director's designee.

Plan: Preliminary Plan #1-20080030 approved under Montgomery County Code Chapter 50.

Forest Conservation Plan ("FCP"): Forest Conservation Plan No. 120080030 approved by the Planning Board or Planning Director pursuant to Chapter 22A, Montgomery County Code.

Exhibit A:

FCP approved as a condition of receiving any of the Plan approval noted above.

Exhibit B:

Description and sketch of the easement over and across property to be developed.

WITNESSETH

The Easement reflects a grant of easement by Grantor to the Grantee.

WHEREAS Grantor (The Bullis School) has obtained authority to develop pursuant to a Plan in accordance with Montgomery County, Maryland laws; and

Grantor Initials

FILED
LORETTA E. KIGHT
CLERK'S OFFICE
MONTGOMERY CO. MD.

2012 JUN 18 PM 2:28

IMP. FD SURE 40.00
RECORDING FEE 75.00
TOTAL 115.00
Reg # M087 Rpt # 55857
REV CA Blk # 5853
Jun 18, 2012 02:22 PM

WHEREAS, the Planning Board or other approving authority approved Grantor's Plan conditioned upon a requirement that development occur in strict accordance with an FCP approved by the Planning Board after full review of the FCP pursuant to the provisions of Montgomery County Code Chapter 22A (Forest Conservation); Chapter 50 (Subdivision Regulations); and/or Chapter 59 (Zoning Ordinance); and/or

WHEREAS, the Planning Board approved Grantor's Plan conditioned upon Grantor subjecting the property to be developed ("Property") or a portion of the Property to a conservation easement pursuant to the provisions of Montgomery County Code Chapter 50 (Subdivision Regulations), and/or Chapter 59 (Zoning Ordinance); and

WHEREAS, the location of this Easement is as shown on Exhibit A attached hereto and incorporated by reference into the terms of this Easement; and

WHEREAS, the purpose of this Easement is to protect existing and future forest cover; individual trees; streams and adjacent buffer areas, wetlands and other sensitive natural features; and to maintain existing natural conditions to protect plant habitats, water quality and wildlife; and


WHEREAS, the purpose includes preservation of the natural beauty of the Property subject to the easement and prevention of any alteration, construction or destruction that will tend to mar or detract from such natural beauty; and

WHEREAS, the purpose also includes the protection and preservation of natural features within the area of the Easement which efforts are consistent with the terms and conditions of the approved Plan and applicable law; and

WHEREAS, the Grantor and Grantee (collectively referred to as the "Parties") intend for the conditions and covenants contained in this Easement to run with the land in perpetuity and to be binding on all subsequent owners and occupants of the Property; and

WHEREAS, the Grantor intends that a servitude be placed upon the Property to create a conservation benefit in favor of the Planning Board.

NOW, THEREFORE, the Grantor has executed this Easement for no monetary consideration but for the purpose of ensuring compliance with development standards imposed in accordance with Montgomery County law as a condition of development approval. The Grantor does hereby grant and convey unto the Planning Board, in perpetuity, an easement on the Property of the size and location described in Exhibit B attached hereto and incorporated by reference into the terms of this Easement, and further described on the applicable record plat(s), of the nature and character described herein. This Easement constitutes a covenant real running

Grantor Initials 

44206 099

with the title of the land, and is granted to preserve, protect and maintain the general topography and natural character of the land. The Grantor does hereby waive any challenge to the validity of this easement whether or not shown on a plat. Grantor, its heirs, successors and assigns covenant to abide by the following restrictions within the Easement:

1. The foregoing recitals are agreed to and incorporated herein and shall be binding upon the Grantor.
2. No living trees or shrubs (of any size or type) shall be cut down, removed or destroyed without prior written consent from the Planning Board. Diseased or hazardous trees or limbs may be removed to prevent personal injury or property damage after reasonable notice to the Planning Board, unless such notice is not practical in an emergency situation or removal of trees is undertaken pursuant to a forest management plan approved by the Planning Director.
3. No plant materials (including, but not limited to brush, saplings, undergrowth, or non-woody vegetation) shall be mowed or cut down, dug up, removed or destroyed unless removed pursuant to the terms and conditions of an approved forest management plan. Noxious weeds (limited to those weeds defined as "noxious" under Maryland State or Montgomery County laws or regulations and "exotic or invasive plants" in the Montgomery County *Trees Technical Manual*) may be removed as required by law, but the method of removal must be consistent with the limitations contained within this Easement. Vegetation removal shall be limited to noxious weeds only, exotic and invasive weeds only, and protective measures must be taken to protect nearby trees and shrubs. Notwithstanding the foregoing, Grantor may remove understory vegetation less than two inches (2") in diameter at breast height at the perimeter of the forest stands for a distance of twenty feet (20') into the stand and within ten feet (10') of the center of any unpaved natural surface paths or trails used by the Grantor for school-related activities such as cross country racing. Grantor shall be required thereafter to mulch such areas where understory was removed in accordance with this paragraph.
4. No mowing, agricultural activities, or cultivation shall occur. Grantor may replace dead trees or undergrowth provided that new plantings are characteristic of trees or undergrowth native to Maryland.
5. Nothing in this Easement precludes activities necessary to implement an afforestation or reforestation efforts pursued pursuant to an approved forest conservation plan or maintenance agreement implemented under Chapters 19 or 22A of the Montgomery County Code.
6. The following activities may not occur at any time within the Easement area:
 - a. Construction, excavation or grading (except for afforestation and reforestation efforts conducted in compliance with an approved forest

Grantor Initials



conservation plan).

- b. Erection of any building or structural improvements on or above ground, including (but not limited to) sheds, dog pens, play equipment and retaining walls.
- c. Construction of any roadway or private drive.
- d. Activities which in any way could alter or interfere with the natural ground cover or drainage (including alteration of stream channels, stream currents or stream flow).
- e. Industrial or commercial activities.
- f. Timber cutting, unless conducted pursuant to an approved forest management plan approved by the Planning Director and the Department of Natural Resources for the State of Maryland.
- g. Location of any component of a septic system or wells.
- h. Excavation, dredging, or removal of loam, gravel, soil, rock, sand and other materials.
- i. Diking, dredging, filling or removal of wetlands.
- j. Pasturing of livestock (including horses) and storage of manure or any other effluent.
- k. Alteration of stream.

7. Nothing in this Easement shall prevent construction or maintenance of stormwater structures and/or facilities or other utilities, including, but not limited to water and sewer lines, on, over, or under the easement area, if said structures, facilities or utilities are (i) required to implement the Plan, (ii) shown on the approved FCP, and (iii) approved by the appropriate governing bodies or agencies in accordance with applicable laws and regulations.

8. No dumping of unsightly or offensive material, including trash, ashes, sawdust or grass clippings shall occur. Natural biodegradable materials may be allowed in a properly located, designed, managed and maintained compost pile, provided the activity does not damage adjacent trees. Upon prior written approval of the Planning Director, suitable heavy fill and other stabilization measures may be placed to control and prevent erosion, provided that the fill is covered by arable soil or humus and properly stabilized.

Grantor Initials



9. Fences consistent with the purposes of the Easement may be erected within the Easement area if shown on the FCP or only after written approval from the Planning Director.

10. Unpaved paths or trails consistent with the purposes of the Easement may be created only after written approval from the Planning Director. The continued use and maintenance of unpaved natural surface paths, which are used by the Grantor for school-related activities such as cross country racing, shall be permitted.

11. All rights reserved by or not prohibited to Grantor shall be exercised so as to prevent or minimize damage to the forest and trees, streams and water quality, plant and wildlife habitats, and the natural topographic character of the land within the Easement.

12. Grantor authorizes Planning Board representatives to enter the Property and easement area at their own risk and at reasonable hours for the purpose of making periodic inspections to ascertain whether the Grantor, its heirs, successors or assigns have complied with the restrictions, conditions, and easements established herein. This Easement does not convey to the general public the right to enter the Property or easement area for any purpose. This Easement does not restrict or enlarge access to the general public in common open space held under community or homeowner association control beyond any access rights created by applicable community or homeowner association covenants and by-laws.

13. The Grantor does hereby waive any challenge to the validity of this Easement in the event it is not shown on a plat, and Grantor agrees to make specific reference to this Easement in a separate paragraph of any subsequent deed, sales contract, mortgage, lease or other legal instrument by which any possessory or equitable interest in the Property is conveyed.

14. No failure on the part of the Planning Board to enforce any covenant or provision herein shall waive the Planning Board's right to enforce any covenant within this Easement.

15. Upon finding a violation of any of the restrictions, conditions, covenants and easements established by this Easement, the Planning Board shall have the right to enforce such provisions in accordance with any statutory authority (including, if applicable, the imposition of civil monetary fines or penalties in amounts and by such means as may be promulgated from time to time). The Planning Board also may seek injunctive or other appropriate relief in any court of competent jurisdiction, including the right to recover damages in an amount sufficient to restore the property to its original natural state, and Grantor agrees to pay for court costs and reasonable attorney fees if the Planning Board successfully seeks judicial relief.


16. All written notices required by this Easement shall be sent to the Planning Director, M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910.


Grantor Initials



TO HAVE AND TO HOLD unto the Planning Board, its successors and assigns forever, this Grant shall be binding upon the heirs, successors and assigns of the Grantor in perpetuity and shall constitute a covenant real running with the title of the Property.

[SIGNATURE PAGE FOLLOWS]

 5/24/12
Approved for legal sufficiency
Office of the General Counsel, MNCPPC

Grantor Initials 

IN WITNESS WHEREOF, Grantor has caused to be executed this Easement to be signed by itself or its duly authorized officer as of this 9th day of May, 2012

WITNESS:

Todd Spangler

GRANTOR:

Gerald L. Boarman

Type: Gerald L. Boarman
Head of School
The Bullis School
10601 Falls Road
Potomac, MD 20854
(301) 983-5702

STATE OF MARYLAND

COUNTY OF MONTGOMERY to wit:

I HEREBY CERTIFY that on this 9th day of May, 2012, before me, a Notary Public in and for the State and County aforesaid, personally appeared Gerald L. Boarman, Head of School of The Bullis School, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing and annexed instrument and acknowledged that said individual executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bernice Sparrow
Notary Public


My Commission Expires: 5/9/2014

BERNICE J. SPARROW
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 9, 2014

Grantor Initials GB

ATTORNEY CERTIFICATION

I certify that this instrument was prepared under the supervision of the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.


Soo Lee-Chu, Esq.

Grantor Initials



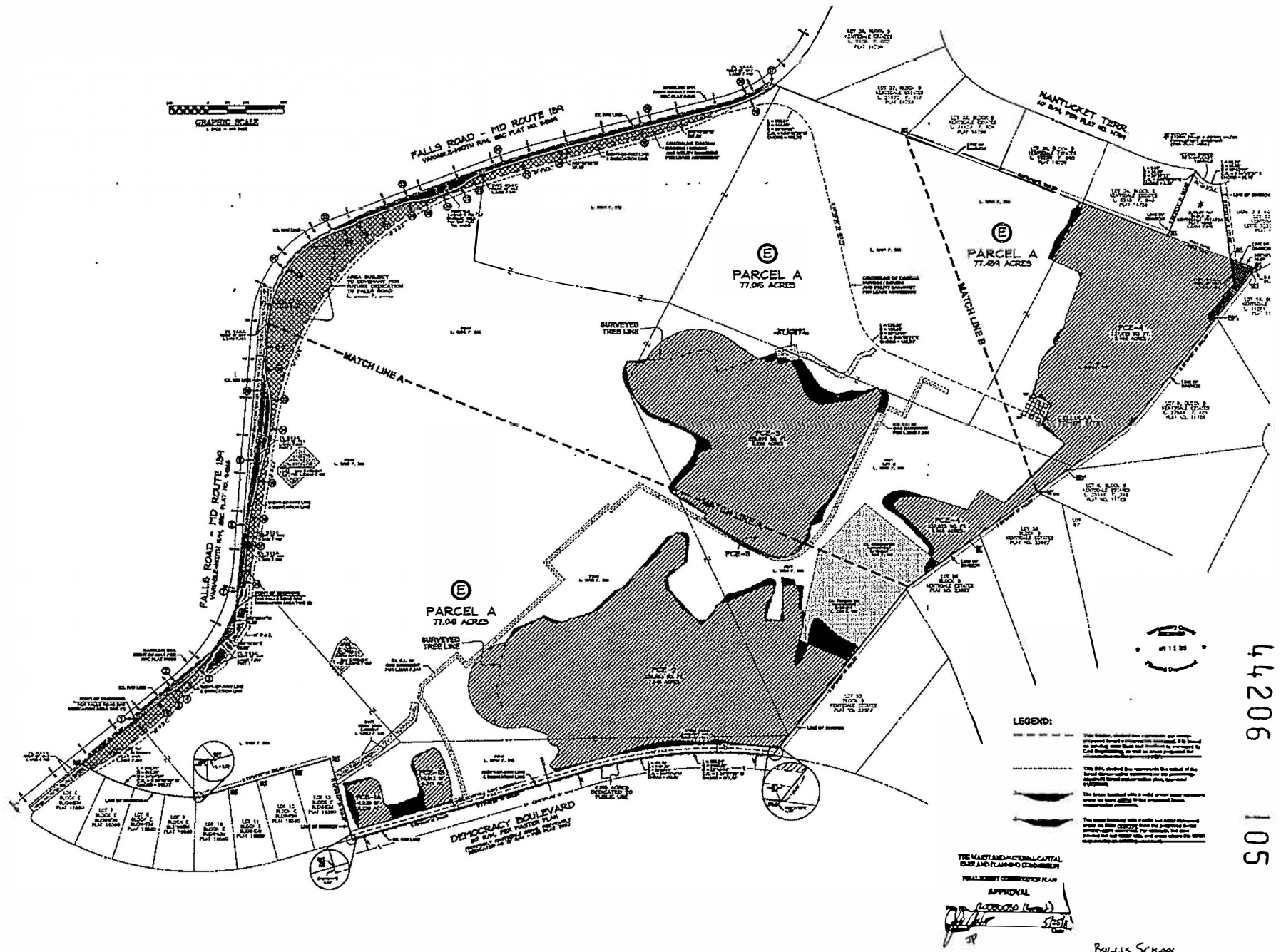
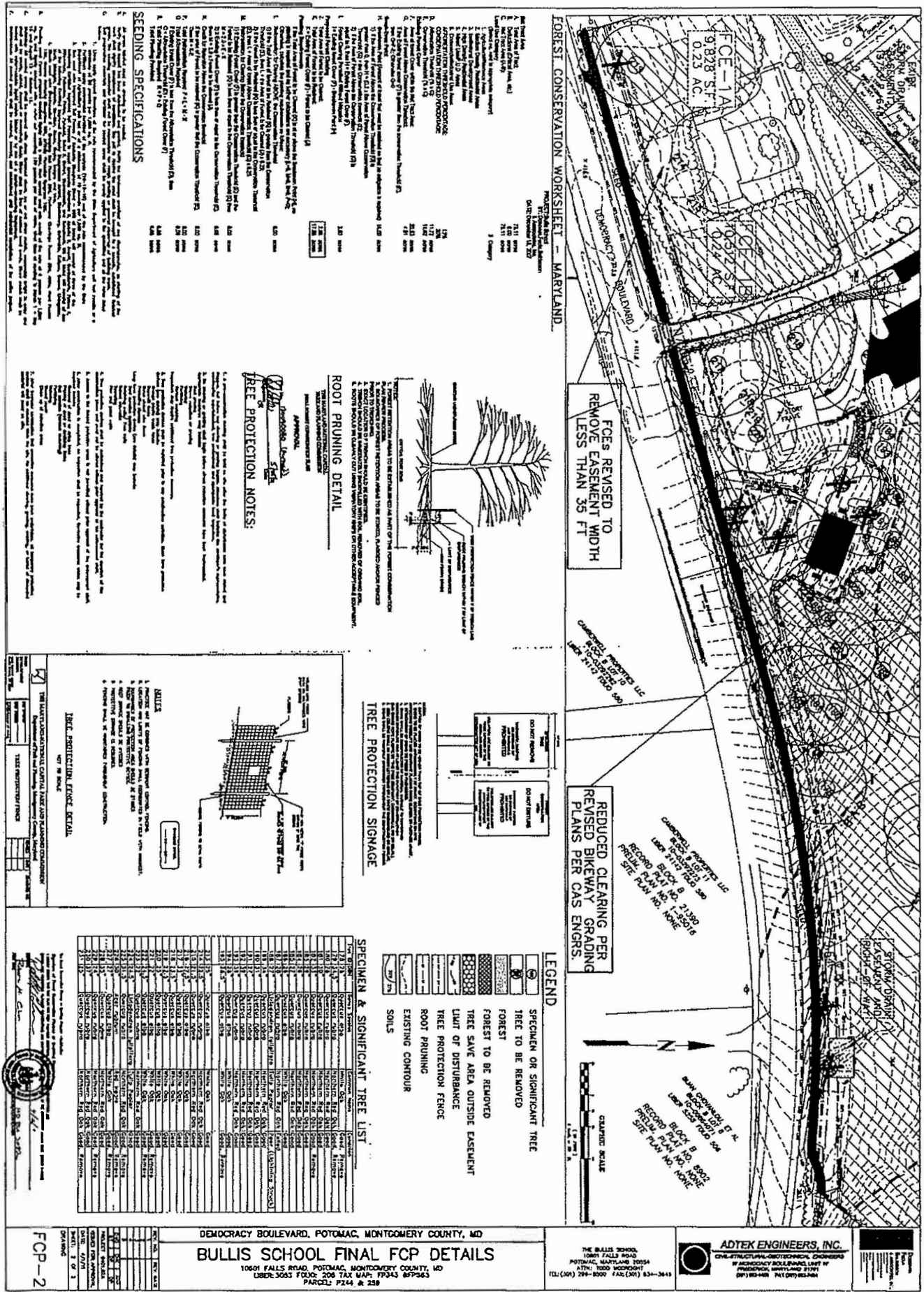


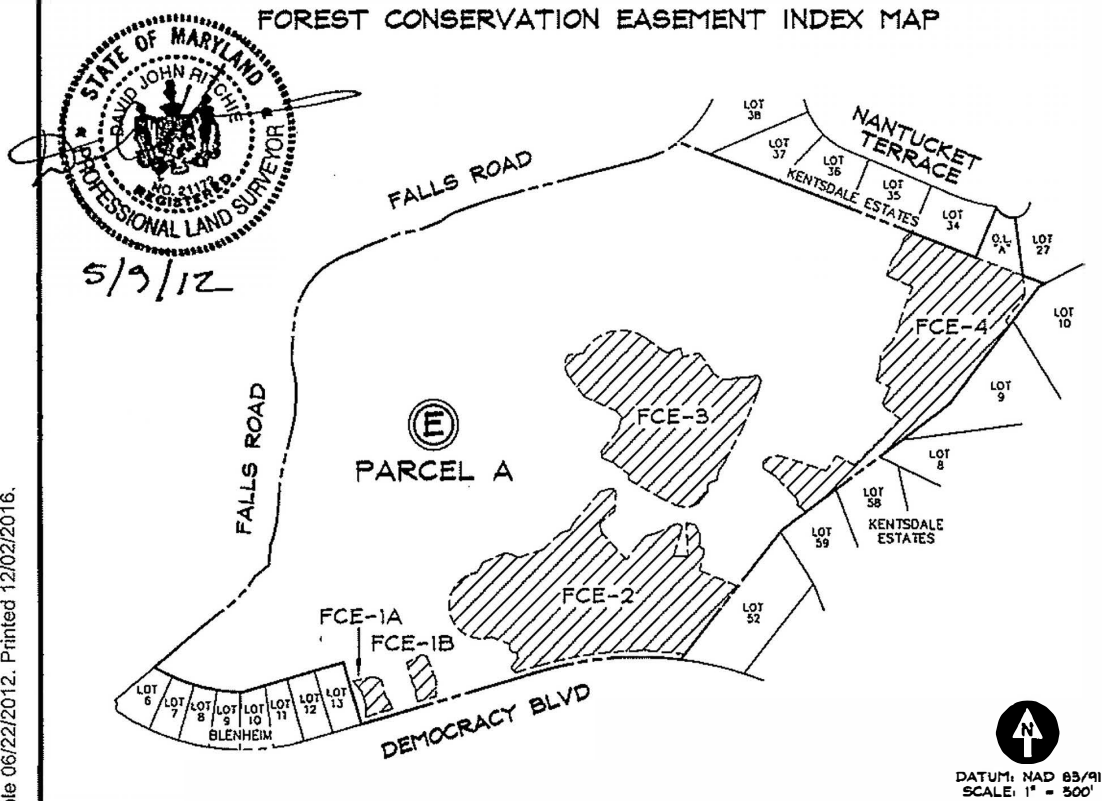
EXHIBIT A

44206 105

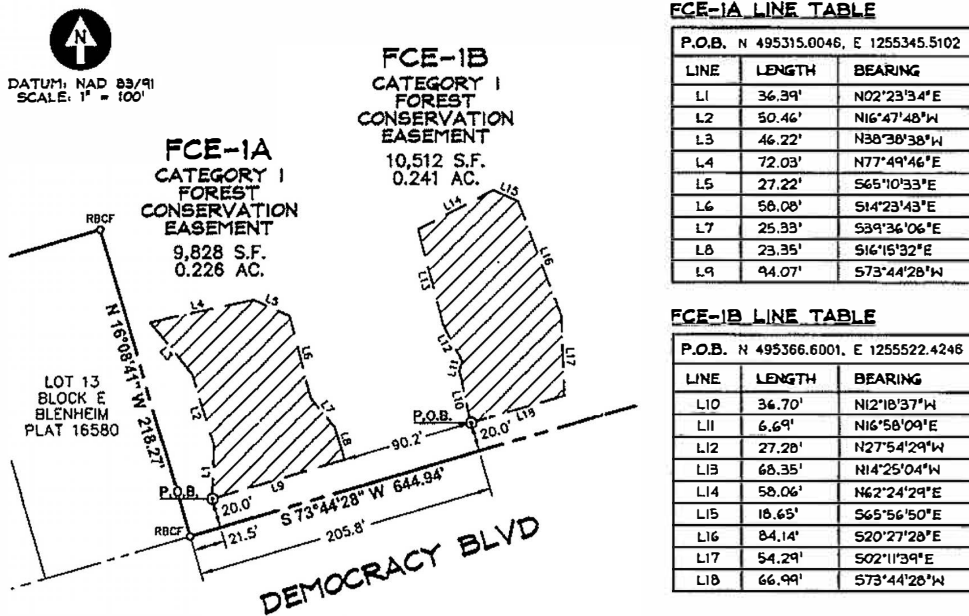




FOREST CONSERVATION EASEMENTS - EXHIBIT B, PAGE 1 OF 4



FOREST CONSERVATION EASEMENTS FCE-1A AND FCE-1B

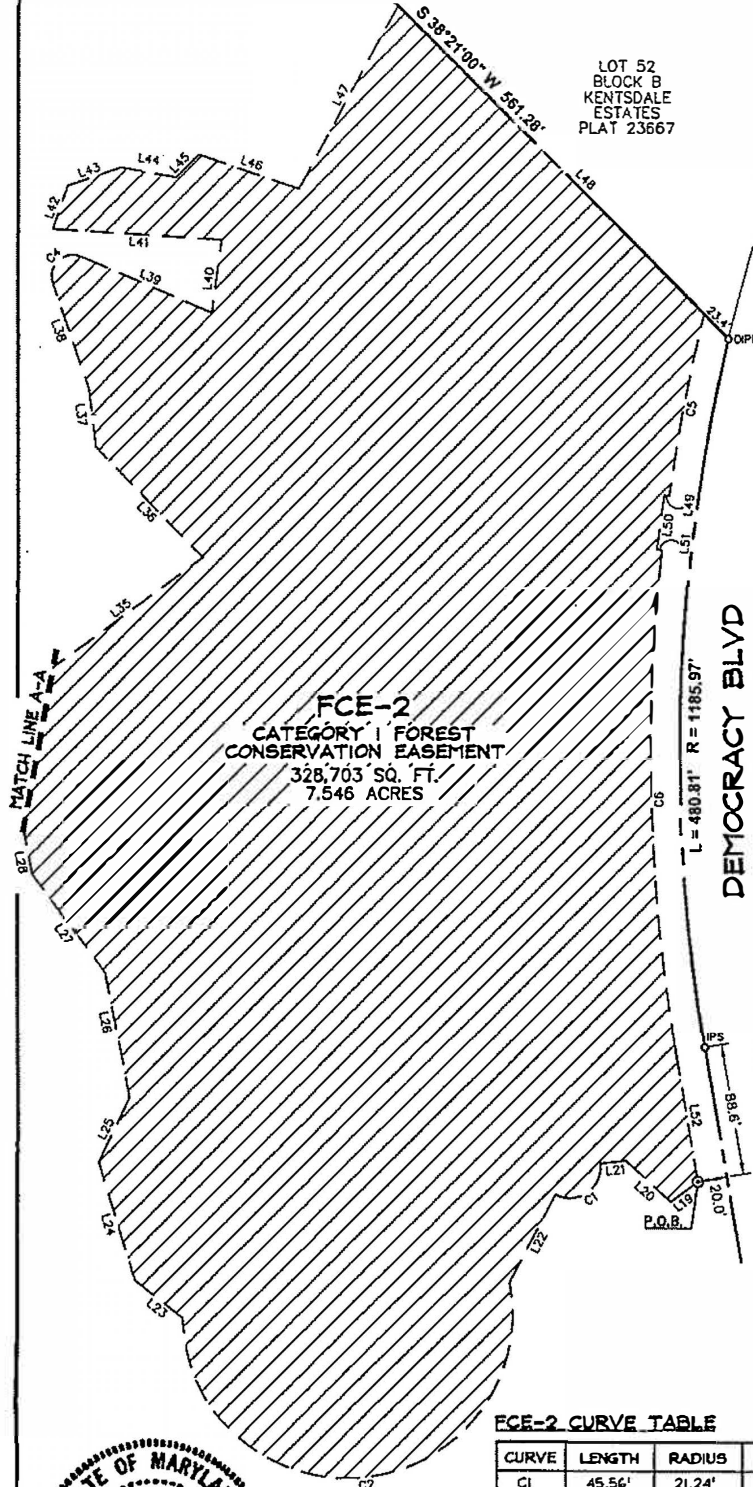


CAS Engineering
108 West Ridgeville Blvd., Ste. 101
Mount Airy, Maryland 21771
301-607-8031 office
301-607-8045 fax
info@casengineering.com

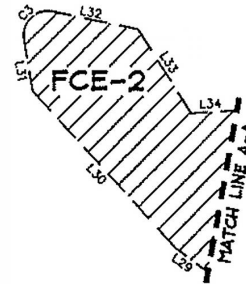
CATEGORY I FOREST
CONSERVATION EASEMENTS
THE BULLIS SCHOOL
PARCEL A, BLOCK E, BLENHEIM
TO BE RECORDED IN THE LAND RECORDS
OF MONTGOMERY COUNTY, MD

FOREST CONSERVATION EASEMENTS - EXHIBIT B, PAGE 2 OF 4

FOREST CONSERVATION EASEMENT FCE-2



DATUM: NAD 83/91
SCALE: 1" = 100'



FCE-2 LINE TABLE

LINE	LENGTH	BEARING
L19	22.80'	N43°20'13"W
L20	41.44'	N35°10'39"E
L21	17.50'	N12°47'43"W
L22	67.20'	N69°06'38"W
L23	41.20'	N31°54'47"E
L24	84.63'	N66°18'43"E
L25	48.16'	S70°43'20"E
L26	85.73'	N72°25'07"E
L27	83.45'	N47°17'53"E
L28	31.62'	N72°23'26"E
L29	27.68'	N29°48'20"E
L30	141.62'	N40°41'59"E
L31	35.13'	N73°58'08"E
L32	59.06'	S05°07'41"W
L33	66.11'	S50°25'57"W
L34	31.22'	S10°15'28"E
L35	126.25'	S42°36'52"E
L36	103.67'	N38°56'09"E
L37	39.68'	N76°13'12"E
L38	73.69'	N64°44'12"E
L39	96.66'	S16°26'11"W
L40	49.35'	S88°36'56"E
L41	114.75'	N02°51'08"W
L42	31.04'	S77°35'20"E
L43	37.77'	S25°14'14"E
L44	38.13'	S03°29'43"W
L45	21.68'	S51°14'04"E
L46	71.89'	S12°14'21"W
L47	140.39'	S67°46'42"E
L48	292.92'	S38°21'00"W
L49	3.22'	N01°03'57"E
L50	36.67'	N88°56'03"W
L51	3.40'	S01°03'57"W
L52	88.58'	S73°44'28"W

FCE-2 CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C1	45.56'	21.24'	37.32'	N40°55'44"W	122°54'44"
C2	370.42'	112.01'	223.25'	N12°51'14"W	189°29'01"
C3	31.04'	16.00'	26.40'	S50°27'05"E	111°09'34"
C4	32.94'	14.00'	25.85'	S50°57'34"E	134°47'30"
C5	124.06'	1205.97'	124.00'	N85°23'58"W	5°53'38"
C6	340.36'	1205.97'	339.23'	S81°49'35"W	16°10'14"



CAS Engineering
108 West Ridgeville Blvd., Ste. 101
Mount Airy, Maryland 21771
301-607-8031 office
301-607-8045 fax
info@casengineering.com

CATEGORY I FOREST
CONSERVATION EASEMENTS
THE BULLIS SCHOOL
PARCEL A, BLOCK E, BLENHEIM
TO BE RECORDED IN THE LAND RECORDS
OF MONTGOMERY COUNTY, MD

FOREST CONSERVATION EASEMENTS - EXHIBIT B, PAGE 3 OF 4

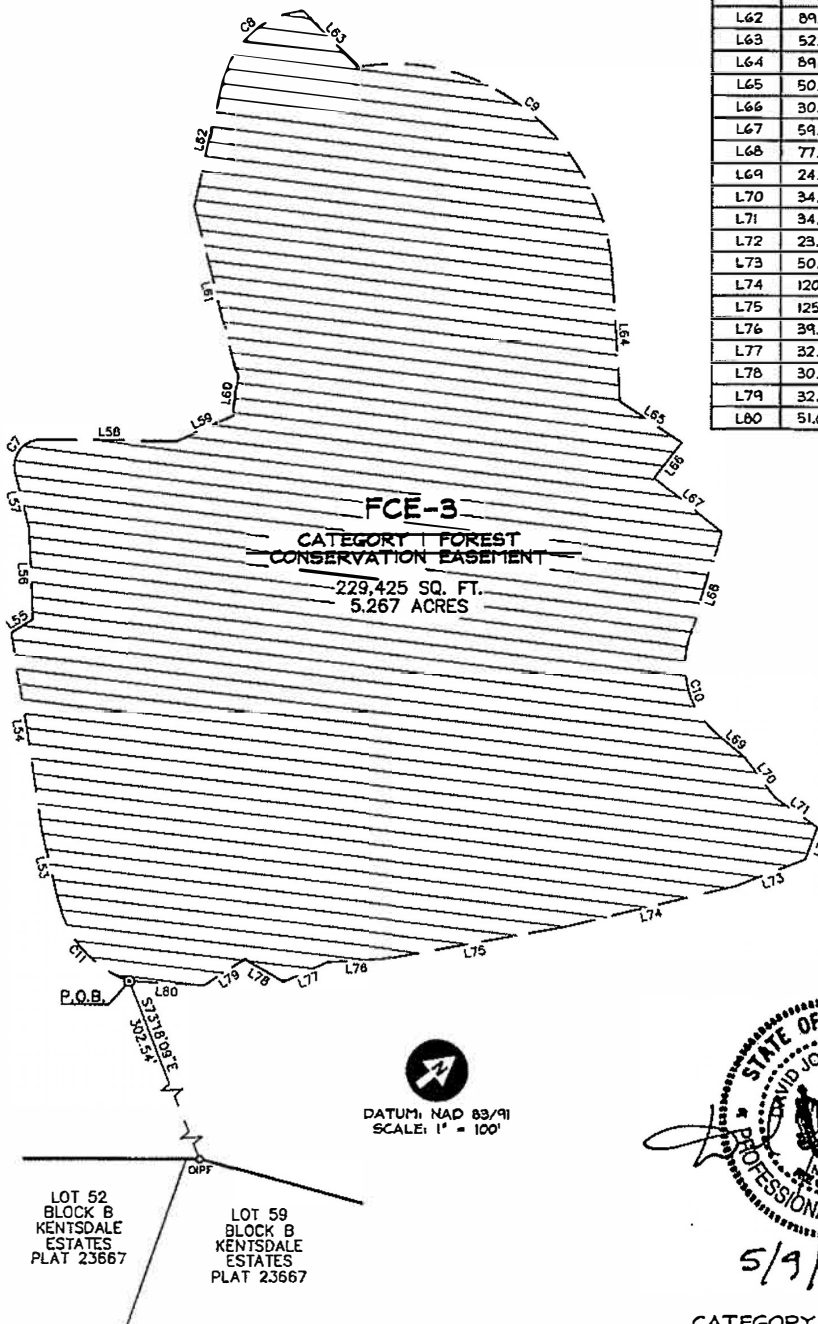
FOREST CONSERVATION EASEMENT FCE-3

FCE-3 CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA ANGLE
C7	74.94'	75.37'	71.89'	S86°30'02"W	56°58'05"
C8	31.91'	17.50'	27.67'	N13°46'32"W	104°27'59"
C9	74.44'	60.62'	69.85'	N00°58'26"W	70°20'58"
C10	248.34'	149.24'	220.67'	N76°13'02"E	95°20'44"
C11	70.37'	60.00'	66.41'	S68°37'52"E	67°12'11"

FCE-3 LINE TABLE

LINE	LENGTH	BEARING
L53	52.22'	N65°00'55"W
L54	135.96'	N60°24'35"W
L55	17.06'	N06°01'56"E
L56	61.34'	N54°19'47"W
L57	38.90'	N66°00'31"W
L58	94.37'	N38°27'28"E
L59	41.61'	N13°59'08"E
L60	26.37'	N45°01'48"W
L61	119.60'	N66°17'58"W
L62	89.00'	N38°13'41"W
L63	52.21'	N83°49'39"E
L64	89.56'	S55°14'59"E
L65	50.12'	N71°31'06"E
L66	30.21'	S13°22'51"E
L67	59.05'	N76°37'09"E
L68	77.65'	S35°01'47"E
L69	24.71'	N77°46'03"E
L70	34.52'	S88°37'43"E
L71	34.71'	N72°36'19"E
L72	23.47'	S30°20'00"E
L73	50.78'	S16°56'03"W
L74	120.57'	S24°32'15"W
L75	125.27'	S27°50'25"W
L76	39.06'	S34°25'30"W
L77	32.69'	S13°33'03"W
L78	30.91'	S49°03'26"W
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L80	51.08'	S41°28'02"W



DATUM: NAD 83/91
SCALE: 1" = 100'



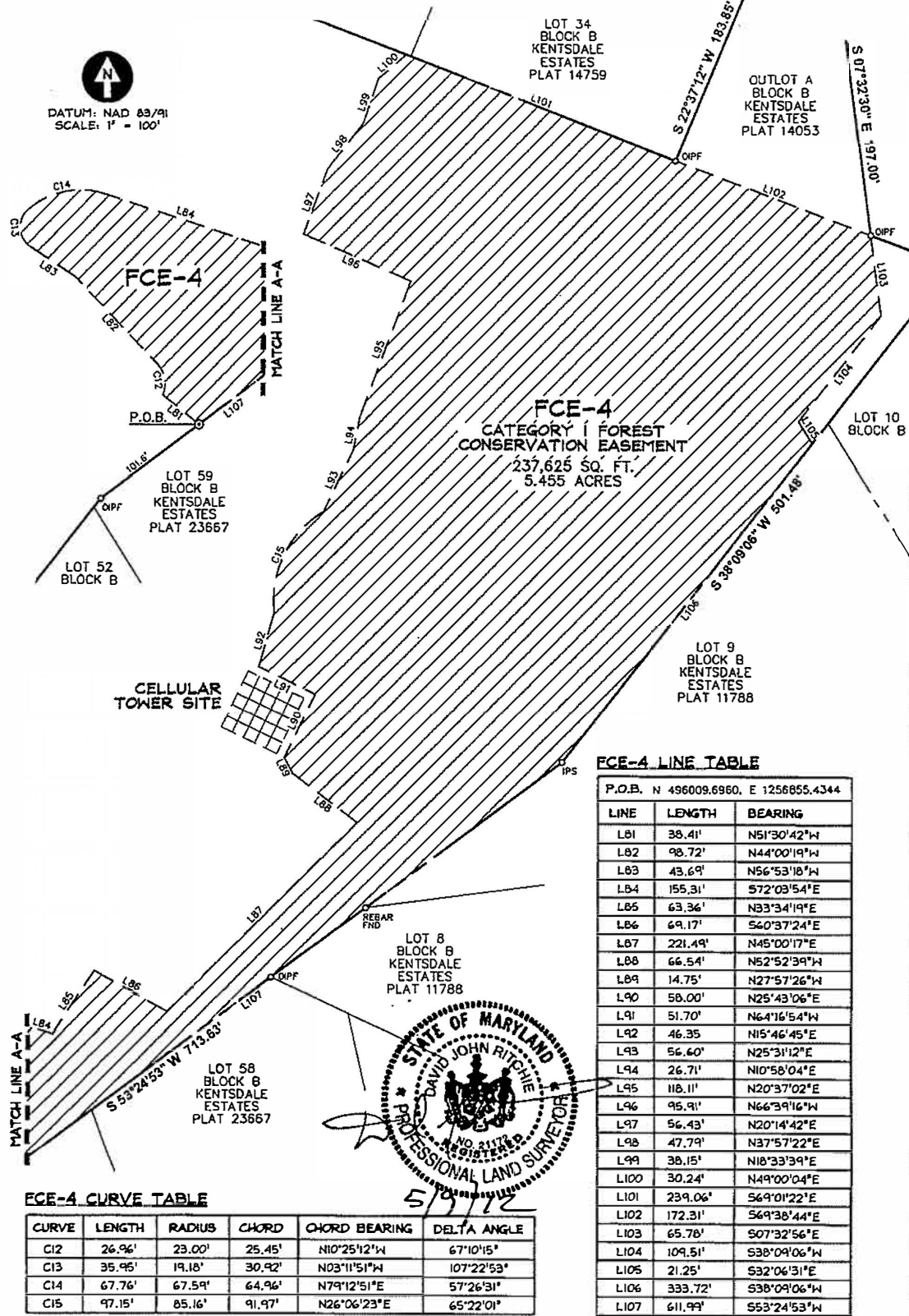
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FOREST CONSERVATION EASEMENTS - EXHIBIT B, PAGE 4 OF 4

FOREST CONSERVATION EASEMENT FCE-4



MONTGOMERY COUNTY CIRCUIT COURT (Land Records) LEK 44206, p. 0111, MSA_CE63_43941. Date available 06/22/2012. Printed 12/02/2016.



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State of Maryland Land Instrument Intake Sheet

[] Baltimore City [x] County: Montgomery
 Information provided is for the use of the Clerk's Office and State Department of
 Assessments and Taxation, and the County Finance Office only.
 (Type or Print in Black Ink Only All Copies Must Be Legible)

1	Type(s) of Instruments	<input type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input checked="" type="checkbox"/> Other -- <input type="checkbox"/> Other <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Lease <input type="checkbox"/> Easement																																																																	
2	Conveyance Check Box	<input type="checkbox"/> Improved Sale <input type="checkbox"/> Unimproved Sale <input type="checkbox"/> Multiple <input type="checkbox"/> Not an Arms- Arms-Length [1] Arms-Length [2] Arms Length [3] Length Sale [9]																																																																	
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MONTGOMERY COUNTY CIRCUIT COURT (Land Records) LEK 44206, p. 0112, MSA, CE63 43941, Date available 06/22/2012. Printed 12/02/2016.

CLERK'S NOTATION
 Document submitted for
 record in a condition
 permitting satisfactory
 photographic reproduction.



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

March 3, 2016

TO: Dr. Gerald Boarman
Head of School – Bullis School
10601 Falls Road
Potomac, MD 20854

CC: Bob Butland – bob.butland@bullis.org
Director of Facilities – Bullis School
10601 Falls Road
Potomac, MD 20854

Re: Violation of Category I Conservation Easement behind headmaster house

Dear Dr. Gerald Boarman:

Please let me re-introduce myself, I previously wrote to you in 2011 about a mowing violation of the Category I Conservation Easement at the Bullis School. I'm a forest conservation inspector with the Montgomery County Planning Department which is part of the Maryland National Capital Park and Planning Commission (M-NCPPC). My inspection area includes Potomac, Maryland.

I am writing today about a Category I Conservation Easement agreement violation which occurred behind the headmaster house on the Bullis School property.

Yesterday, I met with Bob Butland, the Bullis School Director of Facilities and with Patrick La Vay from Macris, Hendricks and Glascock at the headmaster's house. Mr. La Vay and Mr. Butland showed me the construction project occurring behind the house. They acknowledged that clearing and grading of the conservation easement had occurred. Mr. La Vay gave me a surveyed drawing showing construction of a slab for a proposed addition and grading, some of which occur within the conservation easement. The drawing shows 2,000 square feet of grading and corner of the concrete slab and footer within the conservation easement area.

The terms of the Category I Conservation Easement area are recorded at Liber 44206 Folio 097 among the land records of Montgomery County, MD. The location of these conservation easements are shown on approved Record Plat No. 24460. Copies of Category I Conservation Easement agreement and Record Plat No. 24460 are attached.

As you know, cutting of trees and shrubs, construction, grading and dumping are prohibited activities within the conservation easement area. In my investigation on March 2nd, I determined violations had occurred over an approximately 4,390 square foot area of Category I Conservation Easement. Within this area, cutting and clearing of natural ground cover and plants has occurred. Also it is evident that cut wood and cut trees are being dumped within a portion of the Category I Conservation Easement.

There are penalties for not honoring the conservation easement agreement the Bullis School made with M-NCPPC. Attached to this letter is Administrative Citation No. EPD 000260 which requires payment of a fine and immediate restoration of the Category I Conservation Easement. All grading and clearing within the Category I Conservation Easement must stop. A Restoration Plan detailing the stabilization, planting and restoration of the 4,890 square foot disturbance area must be submitted for approval and implemented after approval.

Immediate stabilization with topsoil, and a native seed mix is required within the graded area. After Restoration Plan approval, portions of the dumped wood will need to be scattered in the disturbed area. Christmas ferns are to be planted on the steep banks. After that twenty (20) 1inch caliper trees and then (10) 3 gallon shrubs are to be planted as specified at a pre-planting meeting with the M-NCPPC inspector. The trees are to include American beech, white oak, red maple, red oak, and dogwood. These plants must be maintained for 2 years.

I appreciate the Bullis School's stewardship of the conservation easements. Please let me know if you have any questions, I can be reached at 301-495-4564 or stephen.peck@montgomeryplanning.org. I look forward to meeting with Mr. Butland to discuss the installation of conservation easement signs, the management of invasive plants, the required forest plantings and the documentation of any structural encroachments within the conservation easement areas.

Sincerely,



Stephen Peck
Senior Planner
Forest Conservation Inspector
ISA Certified Arborist
M-NCPPC - Montgomery County Planning Department

Enclosures: Category 1 Conservation Easement Agreement
 Copy of Record Plat No. 24460 (not to scale)
 Administrative Citation No. EPD 000260
 Frequently Asked Questions about Forest Conservation Law Violations

Citation No. EPD 000260

Administrative Citation
Forest Conservation
The Maryland-National Capital Park and Planning Commission

vs.

Name: Gerald L Boorman
 Company/Position: Head of School, The Bullis School
 Address: 10601 Falls Road Potomac, MD 20854
 Phone Number: 301-983-5902 Fax Number: _____ Email: _____

Location and Description of Violation: Category 1 Conservation Easement behind headmasters house
 Address/location of site: _____

Pursuant of the M-NCPPC's authority under Chapter 22A of the Montgomery County Code, it is formally charged that the above named defendant on 3/3/2016 (date) at the stated site location did commit the following:
during construction activities cut and cleared more than 4,800 square feet of Category 1 Conservation Easement. Graded approximately 2,000 square feet of Category 1 Conservation Easement. Dumped wood in conservation easement.

In violation of:

☒ Montgomery County Code, Chapter 22A
☒ Approval of Forest Conservation Plan No. 120080030

☒ Other: Liber 44206 Folio 097

Civil Fine and Compliance:

1. (a) ☒ You shall pay a fine of \$ \$1,000.00 by 3/24/16 (date) and complete the remedial action listed below
 (b) ☐ You shall pay a daily fine of \$ _____ if the original fine has not been paid. by _____ (date). The daily fine shall accrue (until the original fine is paid).
 2. ☐ You shall pay a daily fine of \$ _____ until the remedial action listed below is completed. This fine shall be paid within 15 days of completion of all remedial action.

Checks should be made payable to M-NCPPC and shall be paid during normal business hours at the information Counter of M-NCPPC's Montgomery Regional Office located at 8787 Georgia Avenue, 2nd Floor, Silver Spring, MD 20910, 301-495-4610. Failure to comply with this citation may result in further enforcement proceedings and/or issuance of additional citations including additional fines. You may also request a hearing before the Planning Board or the Board's designee. If you elect to request a hearing, you must notify the M-NCPPC Office of the General Counsel, in writing, at 8787 Georgia Avenue, Suite 205, Silver Spring, MD 20910, within 15 days of the citation.

Remedial Action:

- 1) Stop all construction activity within conservation easement
☒ 2) The 2,000 square foot area that was graded is to be stabilized by hand with top soil and with Maryland piedmont native woodland opening or upland seed mixture and straw by March 24 2016
 3) Submit for approval and implement after approval a Restoration Plan that shows the encroachment and construction activity and a restoration planting of 20 1-inch caliper trees and 10 3gallon shrubs and protection and maintenance

by _____ (date). If remedial action is not completed by _____ (date), you shall pay a daily fine of \$ _____ a day until work is completed.

2. ☒ You have violated Chapter 22A of the Montgomery County Code, and may be subject to an Administrative Civil Penalty and additional corrective measures.

Acknowledgment:

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation. I have a right to request a hearing for the offense(s) charged. If I do not exercise my right to a hearing, I agree to entry by the court judgment on affidavit for the amount of the fine.

Defendant's Signature

Date

Affirmation:

I solemnly affirm under the penalties of perjury, and upon personal knowledge or based on the affidavit, that the contents of this citation are true to the best of my knowledge, information and belief and that I am competent to testify on these matters.

Inspector's Signature

Date

Print Name:

Phone Number:

Sent certified mail

Stephen Peck

Stephen Peck

3/3/16

301-495-4564

1. Why is there a forest conservation easement on my property?

When your lot was created in order to build your house, the developer was required by law to preserve a certain amount of property for forest conservation. The developer chose to place a forest conservation easement over a portion of the subdivision that included your lot. The location of your house on the lot was determined by the builder after the subdivision was created with the easements already in place.

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In some, but not all cases the Planning Board may let you remove and replace the easement, but it is a costly process. You should expect to survey or replat your property, survey the replacement property, and plant trees and bushes in a much larger area determined appropriate to replace the easement. If you are interested in learning if this is an option for your property, please request a meeting with M-NCPPC staff.

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You may set up a meeting with M-NCPPC Staff to discuss the Notice of Violation. The staff will work with you to identify possible solutions to bring your property into compliance. However, you can also request a hearing on the matter, and a Notice of Hearing will be issued. *Please read FAQ #9* If you ignore the Notice of Violation, the inspector may issue an Administrative Citation to you with a fine of up to \$1,000 for each violation and a date by which the fine needs to be paid and the corrective actions completed. You can avoid a fine by bringing your property into compliance.

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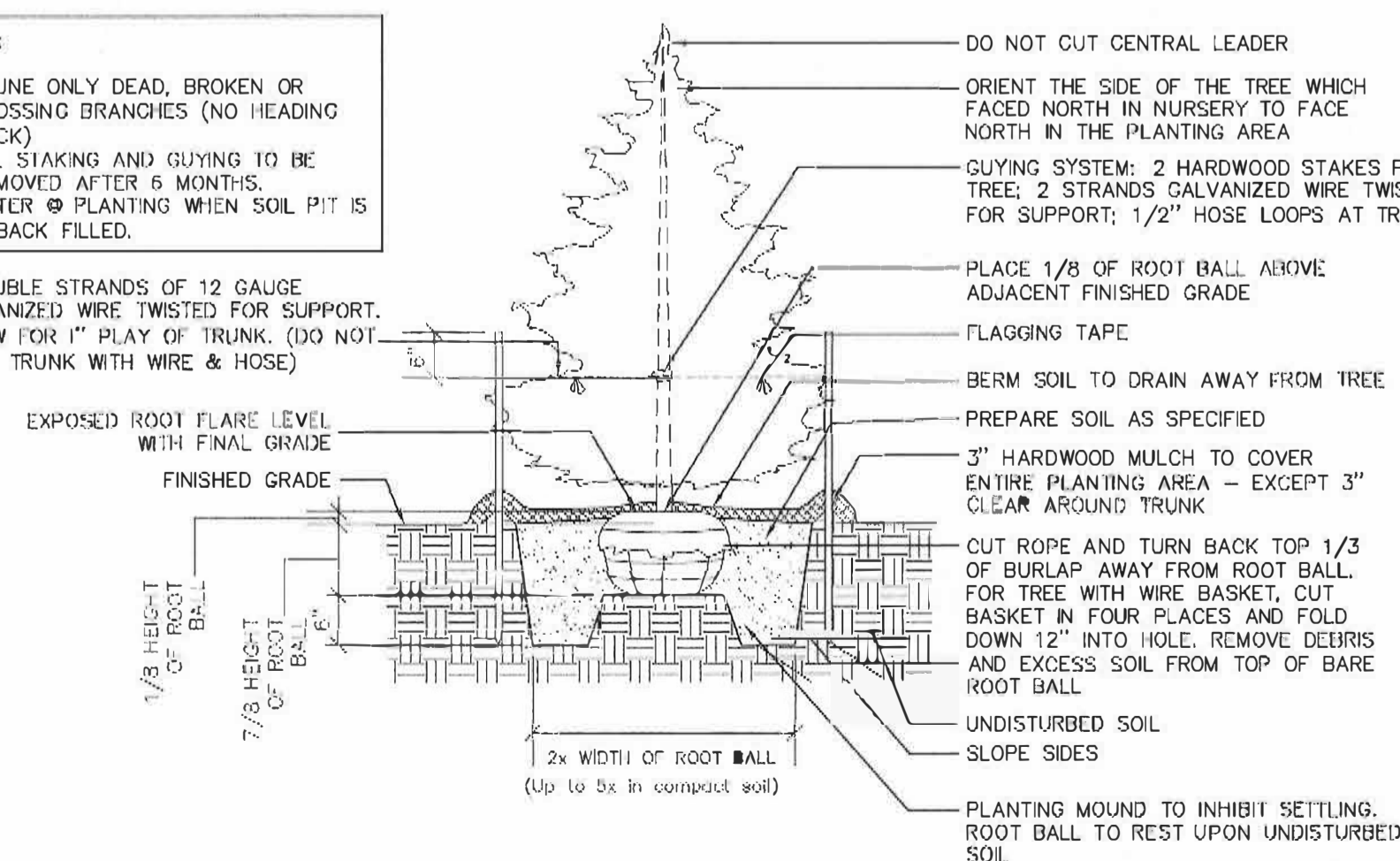
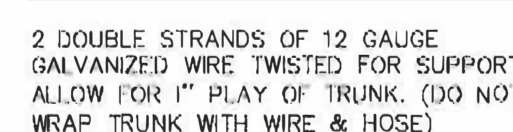
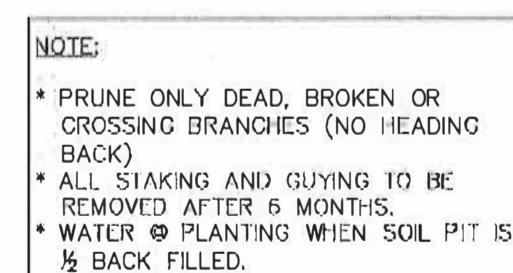
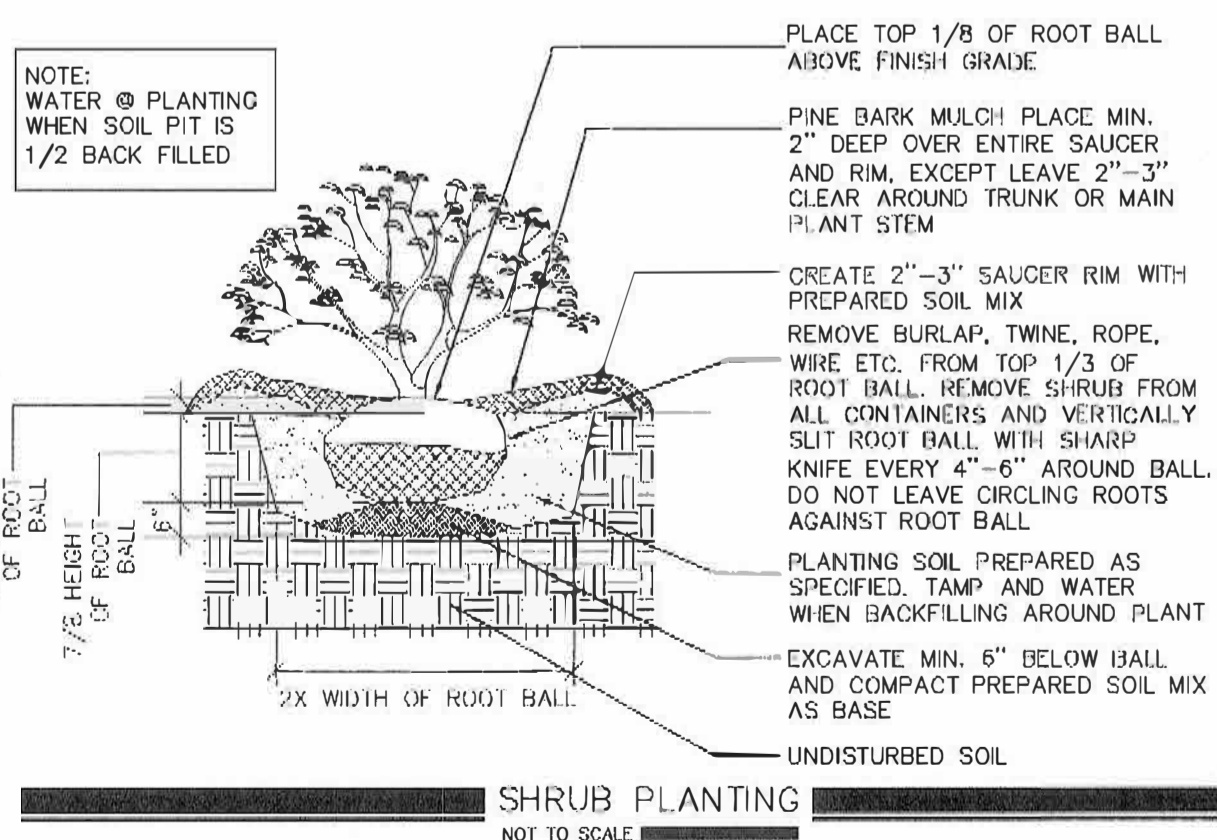
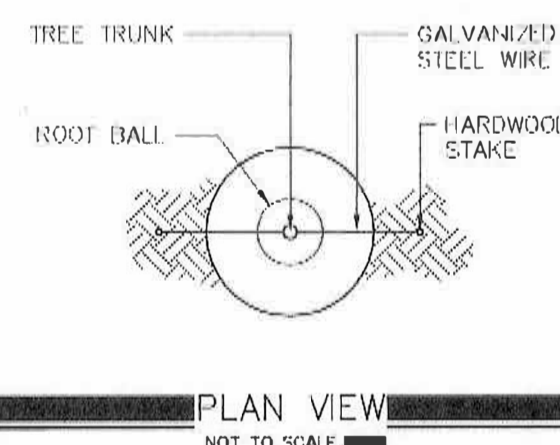
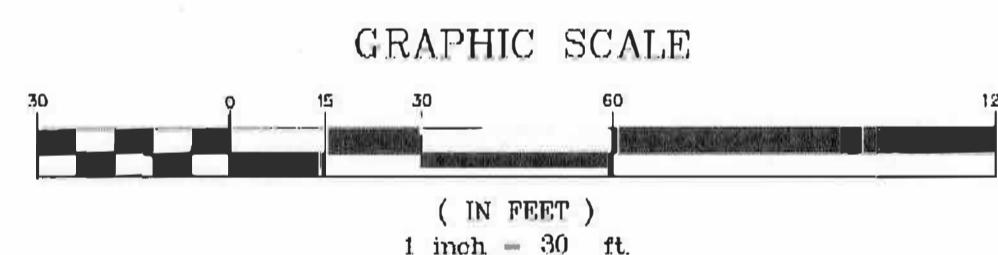
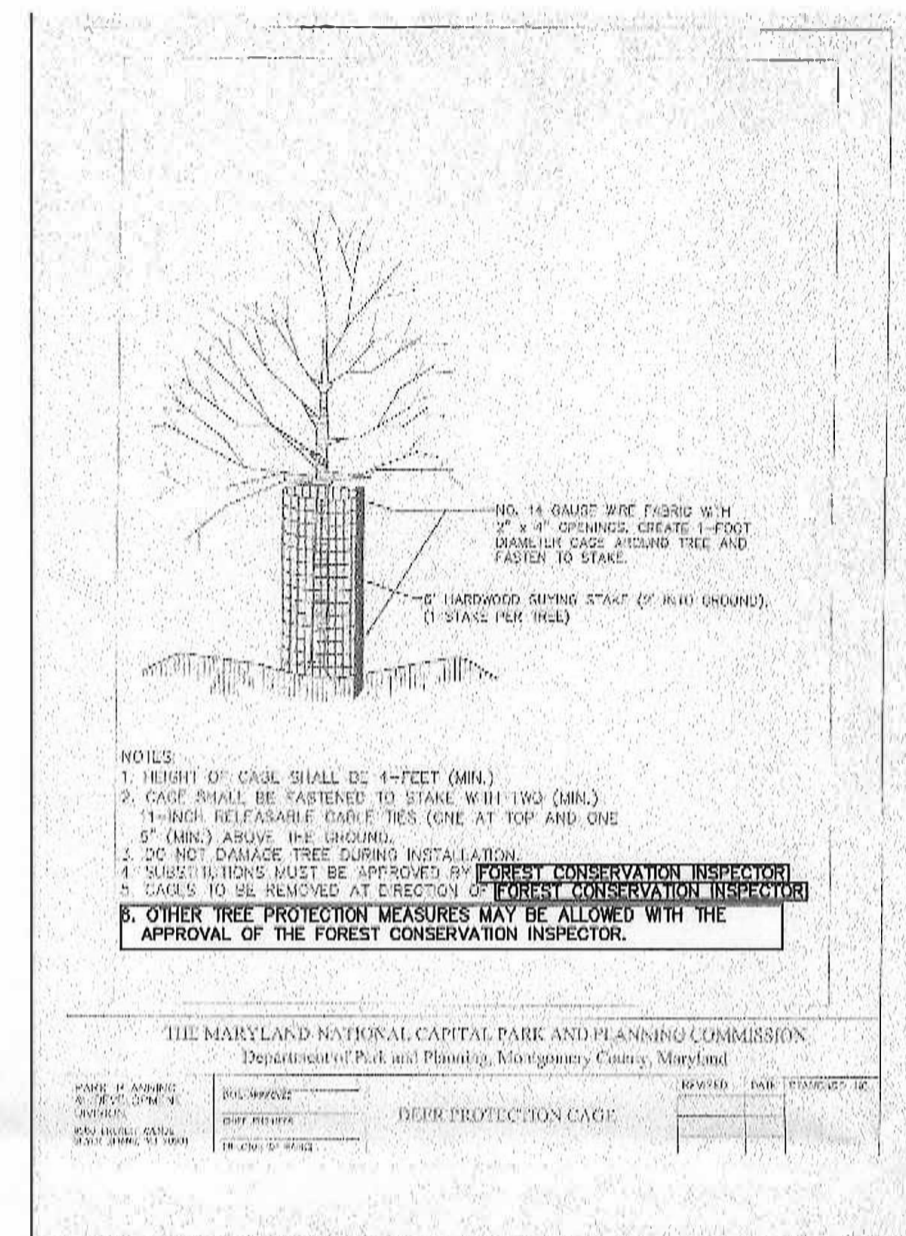
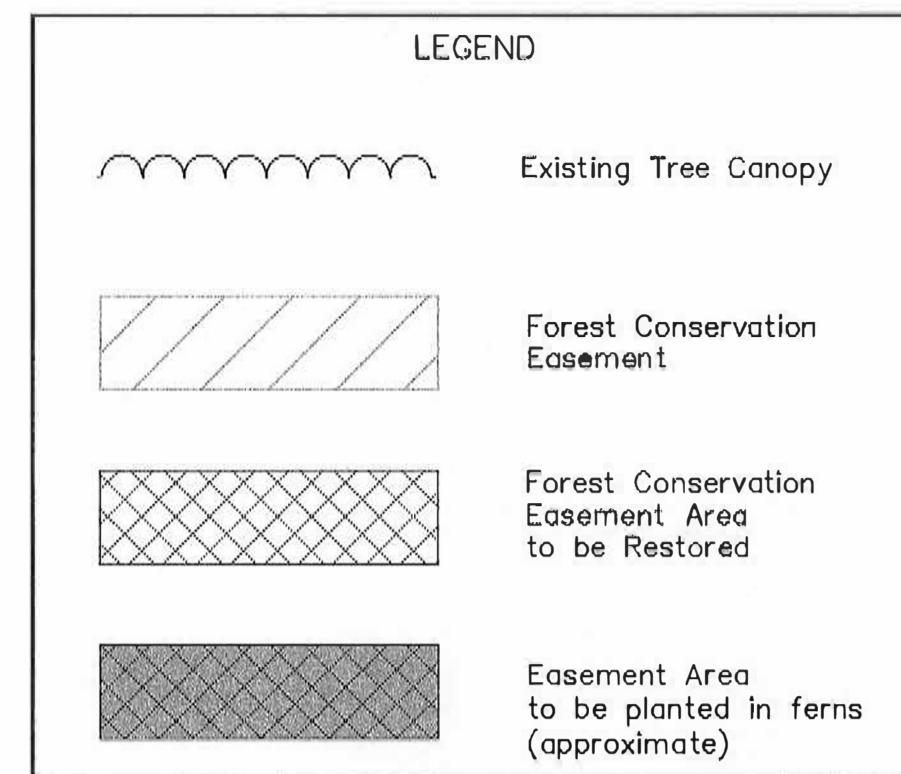
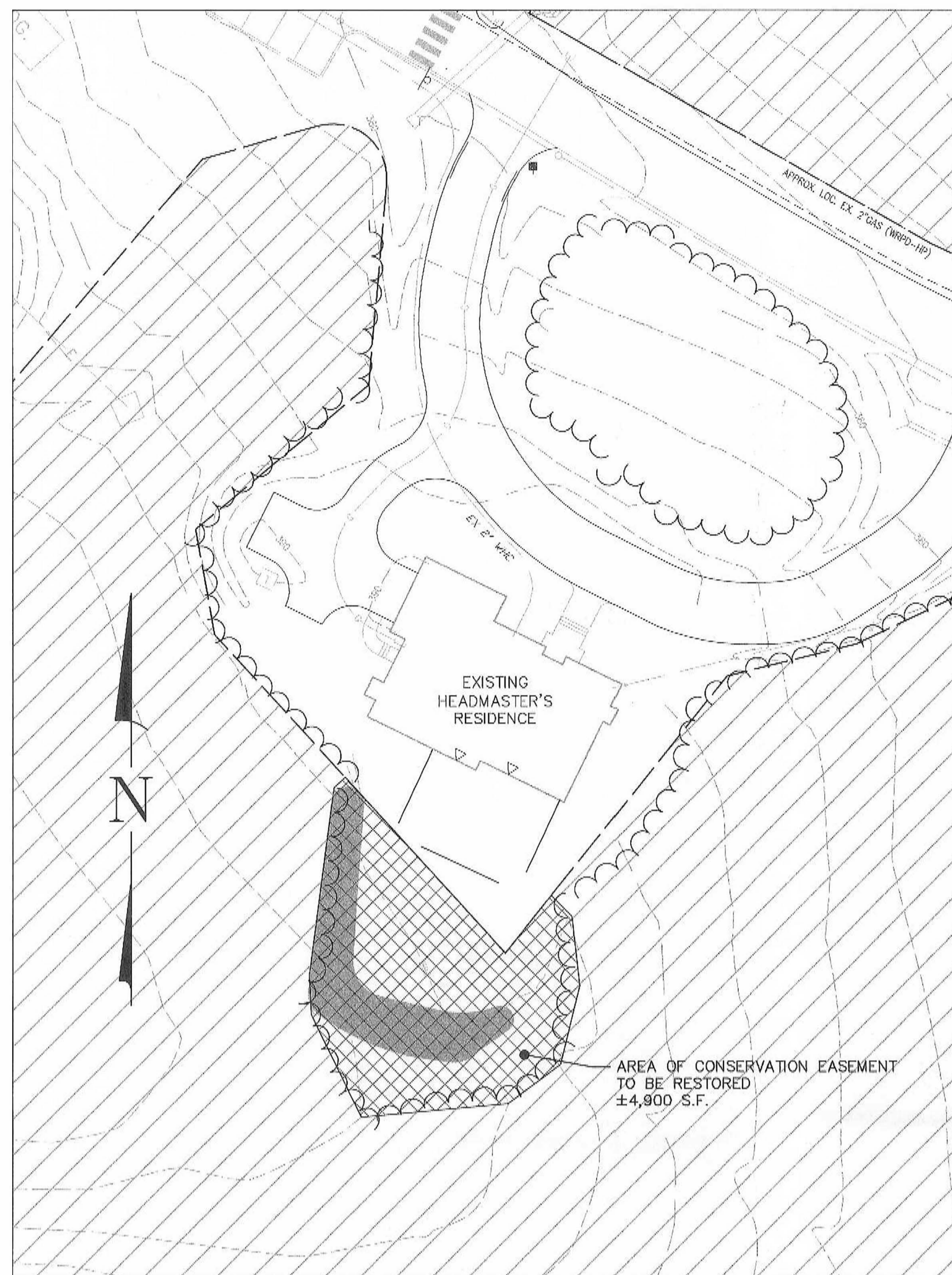
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FOREST CONSERVATION PLANTING NOTES

Planting:

1. a. Owner shall contact MC Planning Department staff before planting.
- b. Contractor to remove all invasive plants (i.e. multiflora rose, mulberry trees) and apply herbicide, only if determined to be needed by MC Planning Department Inspector, to eliminate competition of weed seed prior to planting. MC Planning Dept. inspector will determine if additional measures are needed.
2. All plant material shall be approved by the Owner or duly appointed representative prior to planting. If plant material is not available substitutions may be made with prior approval from the developer and MC Planning Dept.
3. Size and standards of plant materials shall conform to latest edition of "USA Standards for Nursery Stock", by the American Association of Nurserymen, Inc. (AAN).
4. All plants shall be placed so as not to obstruct drainage.
5. Plants shall be installed randomly in a triangular or staggered pattern (not in a straight line). Container stock shall be spaced minimum 8-12 feet on center (See detail).
6. Slow release fertilizer (Osmocote® 10-10-5) shall be applied at the time of planting at rate of 600 lbs. per acre. If Osmocote is not available, equivalent product or other means of fertilization to be determined during pre-planting meeting.
7. Where field conditions exist which would adversely affect plant performance, or interfere with proper planting procedures, the contractor shall notify the Owner prior to installation of plant material.
8. All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from any public street light, and 5' from any driveway aprons.
9. Remove litter and debris as required during the first growing season and at the beginning of the second growing season.
10. Plants shall be installed only between the months of January and May and between September and December when the ground is not frozen.
11. All disturbed areas within the Forest Conservation easement to be seeded with Southern Tier Consulting, Inc. (716-968-3120), Native/Naturalized Wildflower Seed Mix (Northeast) at a rate of 23 pounds per acre.
12. After planting is complete, MNCPCC inspector must inspect the planted area to determine if planted area is acceptable and required maintenance period may begin or whether additional measures are needed in order for the planted area to be accepted. At the discretion of the MNCPCC Plan reviewer, up to one-half of the financial security may be released if stock and planted area is in good condition. Plants shall have 2 year maintenance/warranty period from the time of installation with MNCPCC acceptance. Any replacement must be installed as above
13. See top soil specifications this sheet for restoring disturbed areas within the proposed conservation easements to ensure proper soil mix for planting.

Maintenance:

1. The plant material shall be maintained by the owner/ developer for two (2) years after the completion. Maintenance shall consist of:
 - A. Remove and replace all dead or diseased vegetation.
 - B. Remove all invasive non-native plants.
 - C. Necessary watering, fertilization, or pest control.
 - D. Mowing shall not occur unless performed under a valid M-NCPPC maintenance and management agreement.
 - E. Deer protection measures as seen necessary.
2. Maintenance of the afforestation/reforestation area for a period of two years is required per the Montgomery County Tree Technical Manual. During this maintenance period the health and vigor of the plantings shall be monitored and may include the need to specify actions to correct existing problems. The following inspection schedule shall be carried out:
 - Year 1 and 2: Two inspections per year: inspect in the beginning of the growing season (May or June), and in-spect at the end of the growing season (September or October).
 - At the end of the second year the survival rate of all the afforestation/reforestation areas shall be to a minimum standard of 100 trees per acre or 75% of the total trees planted per acre (whichever is greater). Additional material may need to be planted to bring the total count up to the minimum standard needed.
3. At the end of the maintenance period a final inspection shall be set up at the site with the Owner or owner's representative and a staff member from MNCPPC to ensure that the required afforestation/reforestation survival rate has been achieved.

QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE 3/24/16


FRANK C. JOHNSON

RECOGNIZED AS QUALIFIED PROFESSIONAL
BY MD. DEPT. OF NATURAL RESOURCES
COMAR 08.19.06.01

SEED MIX FOR STABILIZATION

'Field and Forest Mix' or Equivalent
Sylva Native Nursery and Seed Company
3815 Roser Road
Glen Rock, PA 17327

www.sylvanative.com
Tel: 717-227-0486
Email: info@sylvanative.com

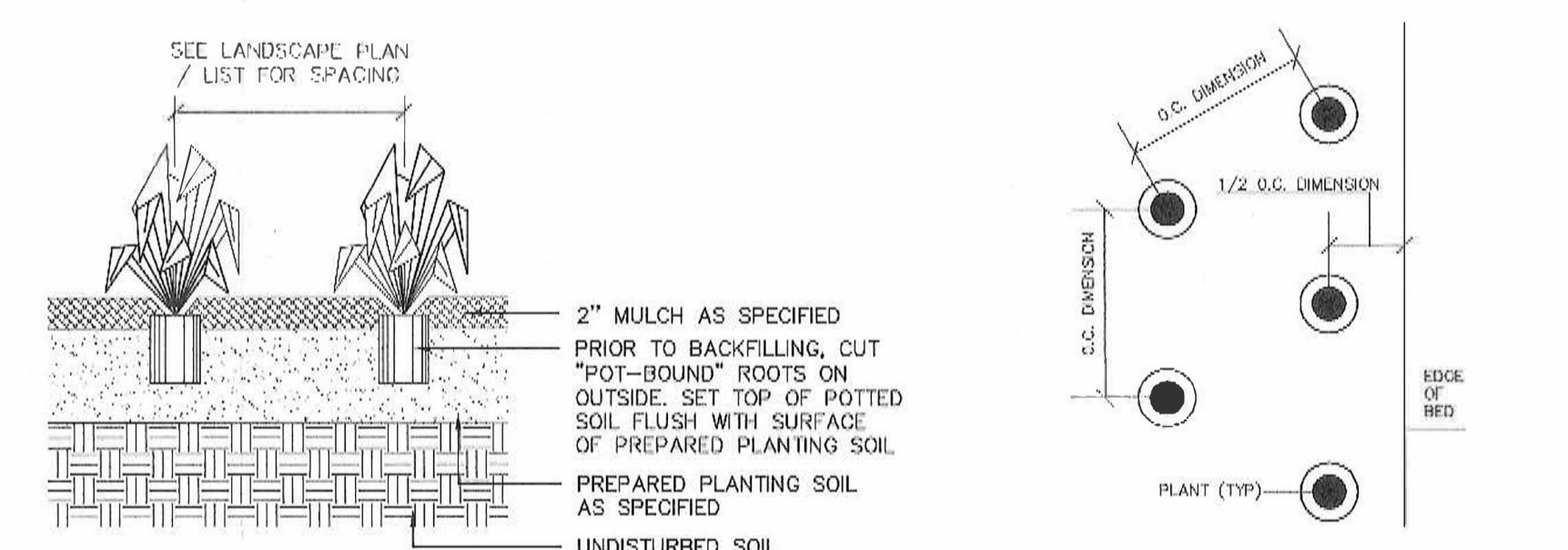
1. Apply seed as recommended by the supplier. 'Field and Forest Mix' is to be applied at a rate of 25-40 pounds per acre.
2. Plant seed mix between March 1 and April 30. It may also be planted between May 1 and June 15, when supplemental watering may be needed to ensure plant establishment. During other times of year, exposed banks must be protected from erosion using a mulch consisting of natural and/or artificial non-toxic materials, such as wood shavings, straw, hay, bark chips, or fabric, of sufficient thickness and durability to achieve the intended effect for the required length of time. Emulsions, netting, pinning, or other methods of anchoring mulch shall be sufficiently durable to maintain mulch in place until it is no longer needed.
2. The planting of this Seed Mix shall conform to the standards and specifications published by the USDA Natural Resources Conservation Service in the Maryland Conservation Practice Standard for Critical Area Planting, Code 342.

FOREST RESTORATION PLANTING SCHEDULE

QTY	BOTANICAL NAME	COMMON NAME	CAL	HGT	NOTES
4	Acer rubrum	Red Maple	1-1½"		B&B
4	Cornus florida 'Appalachian Spring'	Appalachian Spring Dogwood	1-1½"		B&B
4	Fagus grandifolia	American Beech	1-1½"		B&B
4	Quercus alba	White Oak	1-1½"		B&B
4	Quercus rubra	Red Oak	1-1½"		B&B
3	Lindera benzoin	Spicebush		18-24"	Cont.
4	Viburnum dentatum	Southern Arrowwood		18-24"	Cont.
3	Prunus virginiana	Choke Cherry		18-24"	Cont.
700	Polystichum acrostichoides	Christmas Fern			Bare-root, Install 18" o.c

FOREST RESTORATION SEQUENCE:

1. Gather and retain all Woody material and other debris from the soil surface of the delineated area as shown on this plan. All other debris in the delineated area is to be removed and discarded.
2. Provide locally-sourced topsoil. Topsoil shall be a friable loam, reasonably free of roots, rocks larger than $\frac{1}{4}$ " , subsoil, debris, large weeds, and foreign matter. It shall have a pH between 5.5 and 7.5, and it shall contain a minimum 4% and a maximum 8% organic matter.
3. Spread topsoil to a depth of 4-6" over the entire area to be restored.
4. Spread specified seedmix (see note, this sheet) evenly over the prepared topsoil and rake into surface to ensure good contact between seed and soil. Water well.
5. Plant Christmas Fern (*Polystichum acrostichoides*) on all steep banks within the disturbed area.
6. Scatter portions of the retained woody material in the disturbed area, as directed by M-NCPPC staff.
7. Install trees and shrubs (see Plant Schedule) as directed by the M-NCPPC Inspector at a pre-planting meeting. Install trees using deer protection fencing (see detail, this sheet).



HERBACEOUS PLANTING & TRIANGULAR PLAN SPACING

TAX MAP FP343 & FP563

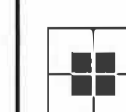
WSSC 213NW09 & 213NW10

FOREST CONSERVATION RESTORATION PLAN
PARCEL A, BLOCK E – BLENHEIM

THE BULLIS SCHOOL

PLAT NO. 24460 - 24464

10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND



MHG

Macris, Hendricks & Glascock, P.A.
Engineers ■ Planners
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 12
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693
www.mhgpaa.com

Proj. Mgr. PGL	Designer GSH
Date 3/22/16	Scale 1"=30'
Project No. 12.145.16	Sheet 1 of 1



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 8, 2016

TO: Dr. Gerald Boarman
Head of School – Bullis School
10601 Falls Road
Potomac, MD 20854

CC: Bob Butland – bob_butland@bullis.org
Director of Facilities – Bullis School
10601 Falls Road
Potomac, MD 20854

Re: Violation of Category I Conservation Easement behind headmaster house and next to maintenance building

Dear Dr. Gerald Boarman:

The purpose of this letter is to inform you of Category I Conservation Easement Agreement violations within portions of the Category I Conservation Easement at the Bullis School. The terms of the Category I Conservation Easement area subject to this matter are recorded at Liber 44206 Folio 097 among the land records of Montgomery County, MD. The location of these conservation easements are shown on approved Record Plat No. 24460.

This spring, I discovered the following violations within the conservation easement.

- Corner of a concrete slab and footer, behind the head of school house, is within a Category I Conservation Easement
- A separate maintenance shed with concrete base is within a Category I Conservation Easement
- Portions of a gravel maintenance access drive and access path are within a Category I Conservation Easement.

The concrete slab behind the head of school house, the maintenance shed, maintenance access work area, and maintenance driveway are not shown on the approved final forest conservation plan, plan number 120080030, approved on May 25, 2011. Structural improvements like buildings and sheds are prohibited within Category I Conservation Easement areas. Every day, a structure is within the conservation easement, it is a violation of the easement agreement. Private driveways, like a maintenance access drive are prohibited within conservation easement areas as well.

The approximate location of these violations are highlighted in red on the attached map. Also shown is a larger area in yellow which may be susceptible to easement agreement conflicts in the future.

Attached to this letter is a Notice of Violation which requires either removal of impervious surfaces (including gravel driveways) and structures and restoration of the red area shown on the map or submittal of a limited preliminary plan amendment for conservation easement purposes.

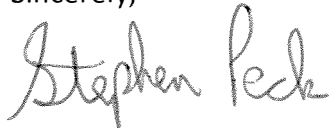
The first step is to inform this Inspector, in writing, as to whether you would like to pursue Restoration or a Plan Amendment as means to resolve the violations. Regardless of your decision you will be given ninety (90) days to either complete restoration of the affected conservation easement areas or submit a Limited Preliminary Plan Amendment for conservation easement changes.

If you are going to pursue an Amendment, a checklist will be issued to you which lists the plan documents required to be submitted for review. The conservation easement to be removed should be replaced with an equal area of conservation easement on the campus.

If you are going to pursue Restoration, a follow-up inspection is required with the Inspector at the site to verify removal of unapproved improvements and restoration of natural soil and grades has been completed.

I appreciate the Bullis School's stewardship of the conservation easements. Please let me know if you have any questions, I can be reached at 301-495-4564 or stephen.peck@montgomeryplanning.org.

Sincerely,



Stephen Peck
Senior Planner
Forest Conservation Inspector
ISA Certified Arborist
M-NCPPC - Montgomery County Planning Department

Enclosures: Notice of Violation
Frequently Asked Questions about Forest Conservation Law Violations
Map of Conservation Easement Encroachment



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue, Silver Spring, Maryland 20910

Environmental Planning Division 301.495.4540 Fax: 301.495.1303

www.MontgomeryPlanning.Org

Issued
with
FAQS

See Letter

NOTICE OF VIOLATION

EDPNOV 0001

FOR MONTGOMERY COUNTY, MARYLAND, the undersigned issuer, being duly authorized, states that:

On, June 8, 2016 the recipient of this NOTICE, Dr Gerald Boarman
Date Recipient's Name

who represents the property owner, The Bullis School
Property Owner's Name

is notified that a violation of the Montgomery County Forest Conservation Law (Chapter 22-A) exists at the following location: 10601 Falls Road Potomac, MD 20854

Plan No. 120060030 Explanation: portions of buildings, a shed, concrete slab and driveway within existing Category I Conservation Easement
VIOLATION:

	Failure to hold a required pre-construction meeting.
	Failure to have tree protection measures inspected prior to starting work.
	Failure to install or maintain tree protection measures per the approved Forest Conservation or Tree Save plan.
	Failure to comply with terms, conditions and/or specifications of an approved Forest Conservation plan or Tree Save plan, or as directed by Forest Conservation Inspector
	Failure to obtain an approved Forest Conservation plan or Tree Save plan prior to cutting, clearing, or grading 5,000 square feet on a property of 40,000 square feet or greater.
	Failure to comply with reforestation or afforestation requirements of a Forest Conservation Plan.
	Failure to obtain written approval for a fence permit prior to installing a fence that passes through or around a conservation easement.

X Other: violations of Category I Conservation Easement Agreement Liber 44206 Folio 697
Failure to comply with this NOV by 6/24/16 may result in i) issuance of a citation, ii) issuance of a Stop Work Order, and/or iii) issuance of a Notice of Hearing to appear before the Planning Board for appropriate Administrative Action. Recipient is to call the inspector at 301-495-4540 when the corrective action is complete. The following corrective action(s) must be performed as directed and within any time frames specified below:

	Stake out limits of disturbance (LOD) and contact Forest Conservation Inspector for a pre-construction meeting:
	Install tree protection measures and/or tree care as directed by Forest Conservation Inspector.
	Submit required application for compliance with Chapter 22A of the County Code. Contact Environmental Planning at 301-45-4540.
	Cease all cutting, clearing, or grading and/or land distributing activity. Approval from Forest Conservation Inspector is required to resume work.
	Schedule a pre-planting meeting with the Forest Conservation Inspector prior to the reforestation of afforestation planting.
	Schedule and attend a meeting with staff to determine appropriate corrective action to be performed by a date certain. Failure to complete the corrective action by the date assigned may result in i) issuance of a citation, ii) issuance of a Stop Work Order, and/or iii) issuance of a Notice of Hearing to appear before the Planning Board for appropriate Administrative Action.

X Other: submit letter in writing to this inspector notifying inspector of whether restoration will be done or an amendment will be submitted for conservation easement changes

MNCPPC
Inspector

Stephen Peck
Printed Name

Signature

Stephen Peck

Date

6/8/16

RECEIVED
BY:

sent certified mail

Printed Name

Signature

Date

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PERMANENT FOREST CONSERVATION EASEMENT SIGNAGE

**FOREST
CONSERVATION
AREA**

MNCPPC

301-495-6610

NOTES:
POST TO BE INSTALLED IN A VERTICALLY PLUMB POSITION.

ALL WOOD SHALL BE PRESSURE TREATED SOUTHERN YELLOW PINE OR CEDAR.

ALL FASTENERS SHALL BE STAINLESS STEEL 1- $\frac{1}{2}$ " IN LENGTH.

ALL POSTS TO BE INSTALLED ALONG FOREST CONSERVATION EASEMENT LINE AS SPECIFIED PER APPROVED FINAL FOREST CONSERVATION PLAN OR MNCPPC FIELD INSPECTOR'S INSTRUCTIONS.

The diagram shows a cross-section of the signpost and its foundation. The post is labeled as 6x6x8 pressure treated wooden post. It has a capped top with a beveled edge. The height from the finished grade to the top of the post is 5 feet. The diameter of the post at the top is 5 1/2 x 3 inches. The post is secured with metal forest conservation signs (MNCNPC). The base of the post is set in a hole filled with gravel. The hole is 6 inches wide at the bottom. The soil around the post is compacted to adjacent undisturbed soil density, and a mixture of grout is used to create a firm foundation. The slope of the footing is for positive drainage. The post is installed vertically plumb.

- CAPPED POST OR BEVELED EDGE.
- 5 1/2"x3" METAL FOREST CONSERVATION SIGNS (AS SPECIFIED BY MNCNPC)
- 6x6x8 PRESSURE TREATED WOODEN POST
- COMPACT SOIL TO ADJACENT UNDISTURBED SOIL DENSITY. ADD CURE GROUT TO SOIL MIXTURE AS NECESSARY TO CREATE FIRM FOUNDATION. SLOPE TOP OF FOOTING FOR POSITIVE DRAINAGE.
- FINISHED GRADE
- INSTALL GRAVEL SUMP PRIOR TO POST INSTALLATION. OVER EXCAVATE POST HOLE AS NECESSARY.

Dimensions shown:
Total height: 5'
Post diameter: 5 1/2"
Gravel sump depth: 6"

MONTGOMERY COUNTY PLANNING DEPT. 12/23/2008

Note: Monument to be placed in a manner to not disturb existing property markers. If existing property marker exists, proposed FC monument to be offset at a distance needed to ensure that property marker is not disturbed.

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.
100 0 50 100 200
30.48 0 15.24 30.48 60.96
(IN METERS)
1 inch = 30.48 m.

WSSC 213NW09 & 213NW10

 **MHG** Macris, Hendricks & Glascock, P.A.
Engineers ■ Planners
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120 Phone 301.670.0840
Montgomery Village, Maryland Fax 301.948.0693
20886-1279 www.mhgpca.com

Proj. Mgr. PGL	Designer FCJ
Date 5/11/15	Scale 1"=100'
Project No. 12 145 15	Sheet 1

QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

_____ DATE	_____ FRANK C. JOHNSON
	RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

FRANK C. JOHNSON

RECOGNIZED AS QUALIFIED PROFESSIONAL
BY MD. DEPT. OF NATURAL RESOURCES
COMAR 08.19.06.01

[illegible]

NOTES

1. PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING.
2. LOCATION AND LIMITS OF FENCING SHALL COORDINATED IN FIELD WITH ARBORIST.
3. BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEVICE.
4. ROOT DAMAGE SHOULD BE AVOIDED.
5. PROTECTIVE SIGNAGE IS REQUIRED.
6. FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION FENCE DETAIL
NOT TO SCALE

[illegible]

* All wood must be pressure-treated

SPLIT RAIL FENCE
N.T.S.

N.T.S.
NOTE: No trees to be removed during fence installation.