

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

MCPB
Item # 1B
5-31-2012

MEMORANDUM

DATE: ~~May 18, 2012~~ Revised - May 22, 2012

TO: Montgomery County Planning Board

VIA: Mark Pfefferle, Chief *mp*
D.A.R.C. Division
(301) 495-4730

FROM: Stephen Smith, Senior Planner *SSS*
D.A.R.C. Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 31, 2012

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plan drawings for the record plat. The following plats are included:

220120830 **Batchellors Forest (corrected typographical error)**
220121090 **Plaza Gardens**
220121510 **Glen Echo Heights/Tulip Hill**

Plat Name: Batchellors Forest
Plat #: 220120830

Location: Located on the east side of Batchellors Forest Road, approximately 2,000 feet north of Norbeck Farm Drive
Master Plan: Olney
Plat Details: ~~R~~ RNC zone; 1 parcel
Community Water, Community Sewer
Applicant: Pulte Home Corp.

The subdivision plat has been reviewed by M-NCPPC staff as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120060850 (MCPB Resolution No. 11-21) and with Site Plan No. 82008019A (Certified Site Plan dated August 24, 2011), as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plans.

BACKGROUND

The subject plat is one of the six Batchellors Forest plats considered by the Board at its February 9, 2012 meeting. At said meeting, the Board approved five of the six plats (220120260 – 220120300), and deferred action on the plat included herein, pending proposed modifications to the plat, and the execution of a Deed of Dedication, to satisfy Condition #3 of Site Plan No. 82008019A, which states:

3. Rural Open Space

Section 59-C.573(c)(3) of the Zoning Ordinance requires land in the rural open space area to be preserved in perpetuity, either by dedication as parkland or by application of a rural open space easement for the 65.6 acre area designated as private rural open space ("Rural Open Space Area") (Block A: Parcels C,D,E and Lot 13; Block B: Parcel A; Block C: Parcel A, as shown on the Certified Site Plan). A reference to the recorded easement and deed of dedication is to be noted on the record plat(s).

- a) Applicant must grant a rural open space easement over the portion of the Rural Open Space Area to be owned by the HOA on the west side of Batchellors Forest Road (Block A: Parcels C,D,E and Lot 13; Block B: Parcel A) to M-NCPPC and Greater Sandy Spring Green Space Inc. as joint grantees, and record the easement in the Montgomery County Land Records.
- b) Applicant must dedicate the portion of the Rural Open Space Area on the east side of Batchellors Forest Road (Block C: Parcel A) to M-NCPPC for uses consistent with the intent of the rural open space in the RNC zone as set forth in Section 59-C-9.23.1 and uses as set forth in Section 59-C-9.572.

Staff notes the following modifications to the plat, resulting from the February 9, 2012 Planning Board meeting:

Modification of Note 4:

Previous version: "Parcel A, Block C is to be dedicated to the M-NCPPC, to meet Rural Open Space requirements of the RNC zone."

Current version: "**Parcel A, Block C is subject to a Deed of Dedication recorded in Liber 43553 at Folio 453 among the Land Records of Montgomery County, Maryland.**"

Modification to notation on the face of plat drawing

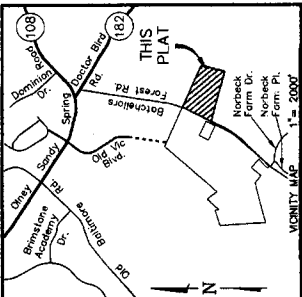
Previous version: "(To be dedicated to MNCP&PC)"

Current version: "**(Dedicated to MNCP&PC per L. 43553 F.453)**"

Modification to the Owner's Certificate

The Owner's Certificate has been changed to include reference to the Deed of Dedication and to add signature lines (with signatures) for M-NCPPC Executive Director and Secretary Treasurer representing the Commission as having interest in the property.

Supplemental information in the following pages includes, a copy of the previous version of the plat for which action was deferred on February 9, 2012; a copy of the current version of the plat highlighting the changes noted above, and; a copy of the recorded Deed of Dedication, the form of which was approved by the Planning Board at its March 1, 2012 meeting.



TAX MAP No. HT561 & JT 121

PLAT No.

LINE	BEARING	DISTANCE
C01	N. 01°20'00" E.	144.77
C02	N. 64°18'10" E.	54.54
C03	S. 70°22'00" E.	41.47
C04	S. 80°42'00" E.	63.29
C05	S. 82°30'00" E.	64.94
C06	S. 71°12'00" E.	54.35
C07	S. 70°12'00" E.	31.81
C08	S. 69°29'30" E.	72.63
C09	S. 69°29'30" E.	92.92
C10	S. 61°54'50" E.	82.37
C11	N. 72°09'30" E.	152.77
C12	S. 53°12'00" E.	101.68
C13	N. 02°42'00" E.	138.65
C14	N. 01°13'44" E.	128.92
C15	N. 01°10'35" W.	78.55
C16	N. 50°32'13" W.	34.05
C17	N. 25°14'45" E.	45.07

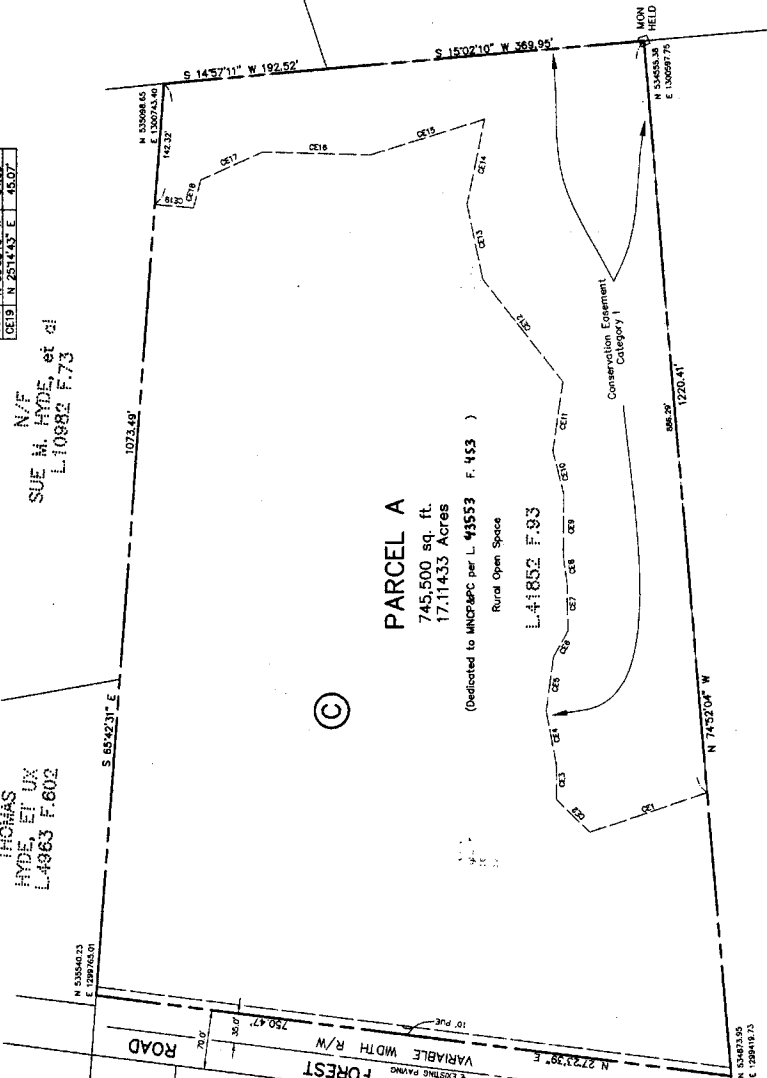
N/F
SUE M. HYDE, et al
L-10982 F.73

N/F
THOMAS
HYDE, ET UX
L-4963 F.602

LOT 1
PLAT 23191
OUR LADY OF
GOOD COUNSEL
HIGH SCHOOL

PARCEL A
745,500 sq. ft.
17.11433 Acres
(Dedicated to MNC&PC per L-49553 F.453)

Rural Open Space
L-41852 F.83



N/F
MONTGOMERY COUNTY BOARD OF EDUCATION
L-3403 F.244

SUBDIVISION RECORD PLAT
PARCEL A BLOCK C
BATCHELLORS FOREST
ELECTION DISTRICT No. 8
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100'
FEBRUARY, 2012



PLAT No. 6
2005.119

SURVEYOR CERTIFICATE

We hereby certify that the plot shown hereon is correct, that it is a subdivision of all of the land conveyed by SM Batchellors Forest, L.L.C. to Pulse Home Corporation by deed dated June 29, 2011 and recorded in Montgomery County Code regarding Moderately Priced Dwelling Units, 200900019A, and Preliminary Plan No. 120060850 both entitled "Batchellors Forest". We hereby certify that all property owners marked thus "X" are in place as shown hereon, and that once engaged as described in the owner's certification hereon, all requirements and all property markers and other information shown hereon are in accordance with the provisions of Section 50-24(a) of the Montgomery County Code. The total area included on this plat is 745,500 square feet or 17.11433 acres.

Barbara J. Glascock
Barbara J. Glascock, P.A.
Professional Land Surveyor
Md. Reg. No. 21135
Expiration Date: June 21, 2012

NOTES

- This property is zoned RMC.
- The development conforms to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units.
- This plat is limited to use and conditions as required by Site Plan No. 82006019A, and Preliminary Plan No. 120060850 both entitled "Batchellors Forest".
- Parcel A, Block C is subject to a Deed of Dedication recorded in Liber 49553 at Folio 453 among the Land Records of Montgomery County, Maryland.
- The land contained herein is within an approved cluster development and resubdivision is not permitted after the property is developed.
- The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision control permit.
- Unless expressly contemplated by the plan or approved, all terms, conditions, covenants, restrictions, easements, and other provisions of any deed, agreement, site plan, project plan, or other plan, allowing development of this property, approved by the Montgomery County Planning Board are intended to survive and not be extinguished by the resubdivision of this plat. The official public files for this plat are available for review during normal business hours.
- This plat is not intended to show any other affecting or restricting the ownership and use of the property. This Plat is not intended to replace an examination of title or to depict or note all matters affecting title.
- This property is subject to a Declaration of Covenants recorded in Liber 42814 at Folio 361.
- Coordinates shown hereon are based on the Maryland State NAD 83 (N) Datum as provided by NGS and are to Geographical Information Systems (GIS) only. Station used are No. 6011 with grid coordinates of North 534457.88 feet and East 1248951.21 feet and No. 6012 with coordinates of North 493540.73 feet and East 1248951.21 feet. To convert the grid coordinates to ground/surface coordinates, divide the grid coordinates by the combined scale factor. The distances shown on this plat are as measured on the ground/surface.
- To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.

OWNERS CERTIFICATE

Pulse Home Corporation, a Michigan corporation, owner of the property shown hereon, hereby adopts this plat of subdivision, establish and grant to Montgomery County, Maryland or other appropriate agency temporary easements contiguous thereto, and hereby agrees to pay the cost of the survey and other all required public improvements in adjacent roadways have been accepted for maintenance by Montgomery County, Maryland or other appropriate agency, hereby grant a Certificate of Easement to allow access to the parcels shown in a plat recorded in Liber 412 among the Land Records of Montgomery County, Maryland and hereby grant a Public Utilities Easement (P.U.E.) as shown hereon to the parties named in a document titled "Terms and Provisions of Public Utility Easements" recorded in Liber 412 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations of all federal, state, and local governing agencies. As owners of this subdivision, we, our heirs, assigns, and assigns in law, do hereby agree to execute and record the required monumentation, to be set by a registered Maryland Land Surveyor, in accordance with Section 50-24(a)(2) of the Montgomery County Code.

The property included hereon is subject to a Deed of Dedication recorded among the recorded Land Records in Liber 49553 at Folio 453.

2/23/2012
Date
Pulse Home Corporation
Cory Layton, Vice President of Legal Development
As to the Deed of Dedication (L-49553 F.453)
The Maryland-National Capital Park and Planning Commission
Patricia Calhoun Barnery, Executive Director
Joseph C. Zimmerman, Secretary Treasurer

FOR PUBLIC WATER AND SEWER ONLY
THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

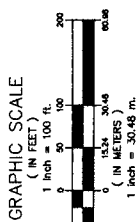
APPROVED: _____
CHAIRMAN
APPROVED: _____
SECRETARY-TREASURER

APPROVED: _____
DIRECTOR

DATE: _____
PLAT No. _____

PLAT TABULATION

Number of Lots	= 0
Number of Parcels	= 1
Area of Lots	= 0 sq. ft.
Area of Parcels	= 745,500 sq. ft.
Area of Street	= 0 sq. ft.
Dedication	= 0 sq. ft.
Total Area	= 745,500 square feet or 17.11433 acres



RECORD PLAT REVIEW SHEET

Plat Name: Batchellors Forest Plat Number: 220120830
 Plan Name: Batchellors Forest Plan Number: 120060850
 Plat Submission Date: _____
 DRD Plat Reviewer: W. Maynor / S. Smith
 DRD Prelim Plan Reviewer: R. Weaver Checked: VM/SOS Date 11/18/11

Background Review:

Signed Preliminary Plan - Date 6/6/11 Checked: Initial SOS Date 11/18/11
 Planning Board Resolution No. 11-21 Resolution Mailing Date 3/30/2011
 Site Plan Required? Yes No _____ Verified By: SOS (initial)
 Site Plan Name: Batchellors Forest Site Plan Number: 82009019A
 Site Plan Signature Set - Date 8/24/2011 Checked: Initial SOS Date 11/18/2011
 Planning Board Resolution No. 11-50
 Site Plan Reviewer Check: Initial _____ Date _____

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

Agency Reviews	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Evelyn Gibson	9/9/11	9/21/11	9/29/11	FC PLAT AMENDMENT OK ✓
Research	Bobby Fleury			9/12/11	OK
SHA	Corren Giles				
PEPCO					
Parks	Doug Powell				
DRD	Keiona Clark S. Smith				street names ok

Final DRD Review:

	Initial	Date
Consultant Notified (Final Mark-up):	<u>SOS</u>	<u>2/17/2012</u>
Final Mylar & DXF/DWG Received:	<u>SOS</u>	<u>5-4-2012</u>
Final Mylar Review Complete:	<u>SOS</u>	<u>5-11-2012</u>

Board Approval of Plat:

Plat Agenda: SOS 5/31/2012

Planning Board Approval: _____
 Chairman's Signature: _____

MCDPS Approval of Plat:

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

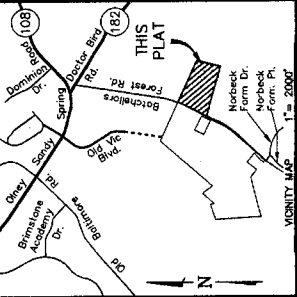
Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Plat Books for Resubdivision: _____
 Complete Reproduction: _____
 Notify Consultant to Seal Plats: _____
 Surveyor's Seal Complete: _____
 Sent to Courthouse for Recordation: _____
 Recordation Info Entered into Hansen: _____

No. _____

HIGHLIGHTED CURRENT PLAT

PLAT NO.



TAX MAP No. HT561 & JT 121

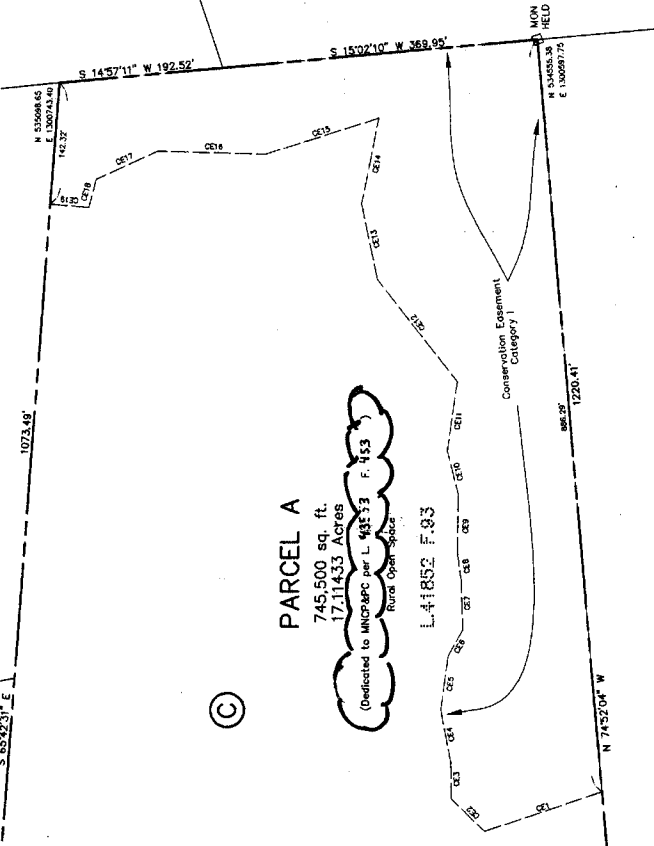
LINE	BEARING	DISTANCE
C01	N. 01°29'05" E.	144.77
C02	N. 81°18'15" E.	54.57
C03	N. 81°18'15" E.	54.57
C04	S. 82°42'20" E.	43.26
C05	S. 82°42'20" E.	43.26
C06	S. 40°46'58" E.	34.65
C07	S. 71°17'27" E.	56.73
C08	S. 70°37'28" E.	31.61
C09	S. 82°42'20" E.	43.26
C10	S. 81°54'50" E.	82.37
C11	S. 81°46'22" E.	90.11
C12	S. 58°33'29" E.	101.66
C13	N. 02°42'28" E.	39.65
C14	N. 02°42'28" E.	39.65
C15	N. 71°17'27" E.	56.73
C16	N. 71°17'27" E.	56.73
C17	N. 71°17'27" E.	56.73
C18	N. 53°21'33" W.	34.03
C19	N. 25°14'43" E.	45.07

N/F
SUE M. HYDE et al
L-10882 F-73

N/F
THOMAS
HYDE, ET UX
L-4963 F-802

LOT 11
NORWOOD
OVERLOOK
PLAT 18428

LOT 43
PLAINFIELD ORCHARDS
PLAT 76461

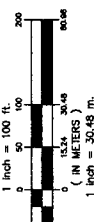


PARCEL A
745,500 sq. ft.
17.11433 Acres
(Dedicated to MNDP/PC per L-48153 F-453
Rural Open Space)

L-41852 F-83

N/F
MONTGOMERY COUNTY BOARD OF EDUCATION
L-3403 F-244

SUBMISSION RECORD PLAT
PARCEL A BLOCK C
BATCHELLORS FOREST
ELECTION DISTRICT No. 8
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100'
FEBRUARY, 2012



PLAT TABULATION

Number of Lots	= 0
Number of Parcels	= 1
Area of Lots	= 0 sq. ft.
Area of Parcels	= 745,500 sq. ft.
Area of Street	= 0 sq. ft.
TOTAL Area	= 745,500 square feet or 17.11433 acres

SURVEYOR CERTIFICATE

We hereby certify that the plat shown hereon is correct, that it is a true and correct copy of the original plat, and that the same has been filed in the Land Records of Montgomery County, Maryland, in Liber 49553 of Folio 187. We further certify that all property corners marked thus "P" are in place and that all boundary lines shown hereon are in accordance with the provisions of Section 90-246(a) of the Montgomery County Code. The total area included on this plat is 745,500 square feet or 17.11433 acres.

Barry C. Hoyle
Barry C. Hoyle
Professional Land Surveyor
Expiration Date: June 21, 2012

NOTES

- This property is zoned RNC.
- This development conforms to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units.
- This plat is filed to use and conditions as recited by Site Plan No. 20090670A, and Preliminary Plan No. 12090800 both entitled "Batchellors Forest".
- Parcel Block C is subject to a Deed of Dedication recorded in Liber 49553 of Folio 187 among the Land Records of Montgomery County, Maryland.
- The land contained hereon is within an approved cluster development and subdivision and is not permitted after the property is developed.
- The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Code regarding the requirements for a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision control permit.
- Unless expressly contemplated by the plan as approved, 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 not be superseded by the recordation of this plat. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
- This plat is not intended to show any matter affecting or restricting the ownership and use of the property. This plat is not intended to replace an examination of the lot or to depict or note all matters affecting title.
- This property is subject to a Declaration of Covenants recorded in Liber 42814 of Folio 301.
- Coordinates shown hereon are based on the Maryland State NAD 83/91 Datum as projected by NGS and are for Geographical Information Systems (GIS) only. The coordinates are based on the datum of North 4935403.73 feet and East 1361533.03 feet. The combined scale factor for this site is 0.999942622. To convert the grid coordinates to ground/surface coordinates, multiply the grid coordinates by the combined scale factor. The distances shown on this plat are as measured on the ground/surface.
- To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.

OWNERS CERTIFICATE

Pulte Home Corporation, a Michigan corporation, owners of the property shown hereon, hereby do, in this plat of subdivision, establish and grant to Montgomery County, Maryland, a Conservation Easement, to be known as the "Batchellors Forest" (25) feet wide over the parcel shown hereon, adjacent, contiguous and parallel to the street lines, the slope easements shall be extinguished after all required public improvements in adjacent roadways have been completed for the benefit of the public. The Conservation Easement shall be subject to the terms and conditions set forth in the document entitled "Conservation Easement Agreement, Category 1" as recorded in Liber 13178 of the Land Records of Montgomery County, Maryland, and the document entitled "Public Utility Easements" as recorded in Liber 3834 of Folio 457 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations or other federal, state or local laws, rules and regulations. The Conservation Easement and other required monumentation, to be set by a registered Maryland Land Surveyor, in accordance with Section 90-246(c) of the Montgomery County Code.

The property included hereon is subject to a Deed of Dedication recorded among the aforesaid Land Records in Liber 49553 of Folio 187.

2/23/2012
Date

Pulte Home Corporation
Gary Layton
Gary Layton, Vice President of Land Development

As to the Deed of Dedication (L-49553 F-453)

The Maryland-National Capital Park and Planning Commission
Patricia C. Barry
Patricia C. Barry, Executive Director

N/F
PULTE HOME CORP
L-41852 F-83

N/F
VICOR G. LOPEZ
L-32736 F-87

N/F
OUR LADY OF
GOOD COUNSEL
HIGH SCHOOL
LOT 1
PLAT 23191

LOT 10
FOREST
BATCHELLORS
FOREST

FOR PUBLIC WATER AND SEWER ONLY
THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____
CHAIRMAN

APPROVED: _____
SECRETARY-TREASURER

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____
DIRECTOR

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

DATE: _____

PLAT NO. _____

2005.119

PLAT No.

LINE	BEARING	DISTANCE
CE1	N 01°20'05" E	144.37
CE2	N 64°18'18" E	54.54
CE3	S 70°25'05" E	41.42
CE4	S 80°49'20" E	63.33
CE5	S 62°30'59" E	64.84
CE6	S 71°32'22" E	54.55
CE7	S 78°07'28" E	31.61
CE8	S 69°29'38" E	72.63
CE9	S 83°48'47" E	52.85
CE10	S 61°54'59" E	82.37
CE11	N 72°08'39" E	152.77
CE12	S 84°33'22" E	80.16
CE13	S 84°33'22" E	11.65
CE14	N 02°46'28" E	138.85
CE15	N 21°43'44" E	125.92
CE16	N 04°10'33" W	79.55
CE17	N 55°29'33" W	34.05
CE18	N 25°14'43" E	45.07

TAX MAP No. HT561 & JT 121

N/E
SUE W. HYDE, et al
L 10382 F.73

N/E
THOMAS
HYDE, ET UX
L 4863 F.602

LOT 11
NORWOOD
OVERLOOK
PLAT 19428

LOT 43
PLAINFIELD CROCHARD'S
PLAT 16431

SUBMISSION RECORD PLAT
PARCEL A BLOCK C
BATCHELLORS FOREST
ELECTION DISTRICT No. 8
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100'
JANUARY, 2012



SURVYOR CERTIFICATE
We hereby certify that the plat shown hereon is correct; that it is a subdivision of all of the land conveyed by SM Batchellors Forest, L.L.C. to Pulte Home Corporation by deed dated June 25, 2011 and recorded among Montgomery County Records in Liber 42814 at Folio 656. We further certify that all property corners marked thus "C" are in place as shown hereon, and that once engaged as described in the owner's certification hereon, all monuments and all property markers and other physical evidence of the boundaries of the subject property shall conform to the plat is 745,500 square feet or 17.11433 acres. The total area included on this plat is 745,500 square feet or 17.11433 acres.

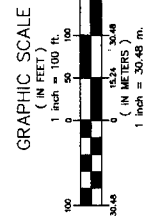
1/24/12
Date
Doris E. Hyatt
Doris E. Hyatt & Glascock, P.A.
Professional Land Surveyor
Md. Reg. No. 21135
Expiration Date: June 21, 2012

LOT 1
PLAT 23101
OUR LADY OF
GOOD COUNSEL
HIGH SCHOOL

PARCEL A
745,500 sq. ft.
17.11433 Acres
(To be dedicated to MNC&P)
Rural Open Space

L 41852 F.93

N/E
MONTGOMERY COUNTY BOARD OF EDUCATION
L 3403 F.244



PLAT TABULATION

Number of Lots	= 0
Number of Parcels	= 1
Area of Lots	= 0 sq. ft.
Area of Parcels	= 745,500 sq. ft.
Area of Streets	= 0 sq. ft.
Dedication	= 0 sq. ft.
Total Area	= 745,500 square feet or 17.11433 acres

- NOTES**
- This property is zoned RNC.
 - This plat conforms to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units.
 - This plat is limited to uses and conditions as required by Site Plan No. 82008019A, and Preliminary Plan No. 120080850 both entitled "Batchellors Forest".
 - Parcel A, Block C is to be dedicated to the MNC&P, to meet Rural Open Space requirements of the RNC zone.
 - The land contained hereon is within an approved cluster development and rezoning is not permitted after the property is developed.
 - The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision contract permit.
 - Unless expressly contemplated by the plan as approved, all terms, conditions, covenants, restrictions, easements, and other provisions of any deed, plat, site plan, subdivision plan, or other plan showing development of this property shall apply to the property shown hereon. The official public files for this plat are on file with the Planning Board and available for public review during normal business hours.
 - This plat is not intended to show any matter affecting or restricting the ownership and use of the property. This plat is not intended to replace an examination of title or to depict or note all matters affecting title.
 - This property is subject to a Declaration of Covenants recorded in Liber 42814 at Folio 361.
 - Coordinates shown hereon are based on the Maryland State MAD 83/61 Datum and are based on the National Grid System. The coordinates of the corners are East 124851.22 feet and North 534457.86 feet and East 124851.22 feet and North 534457.86 feet. The official public files for this plat are on file with the Planning Board and available for public review during normal business hours. To convert the grid coordinates to ground/surface coordinates, divide the grid coordinates by the combined scale factor. The distances shown on this plat are as measured on the ground/surface.
 - To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.

OWNERS CERTIFICATE
Pulte Home Corporation, a wholly owned subsidiary of PulteGroup, Inc., of the State of Maryland, hereby certifies that the plat of subdivision shown hereon is correct and that the property shown hereon is subject to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units. The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision contract permit. The property shown hereon is subject to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units. The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision contract permit. The property shown hereon is subject to the requirements of Chapter 25-A of the Montgomery County Code regarding Moderately Priced Dwelling Units. The property shown hereon is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision contract permit.

1/24/12
Date
Doris E. Hyatt
Doris E. Hyatt & Glascock, P.A.
Professional Land Surveyor
Md. Reg. No. 21135
Expiration Date: June 21, 2012

1/24/12
Date
Doris E. Hyatt
Doris E. Hyatt & Glascock, P.A.
Professional Land Surveyor
Md. Reg. No. 21135
Expiration Date: June 21, 2012

1/24/12
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FOR PUBLIC WATER AND SEWER ONLY
THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____
CHAIRMAN

APPROVED: _____
SECRETARY-TREASURER

APPROVED: _____
DIRECTOR

DATE: 1/24/12
Plat No.: 7-2012-02-230

PLAT No. 6
2005.119

MONTGOMERY COUNTY, MD

43553

453

APPROVED BY [Signature]

MAR 19 2012

Parcel I.D. # 03-01959272

\$ ~~Exempt~~ RECORDATION TAX PAID
\$ ~~Exempt~~ TRANSFER TAX PAID
DEED OF DEDICATION

THIS DEED OF DEDICATION ("Deed"), made as of the 14th day of March, 2012 by and between Pulte Home Corporation, a Michigan corporation, hereinafter referred to as the Grantor, and The Maryland-National Capital Park and Planning Commission, a body politic, hereinafter referred to as the Grantee.

WHEREAS, the property, as more particularly described below, which is the subject of this Deed ("Property") is located in the Rural Neighborhood Cluster (RNC) zone, in the Olney Master Plan area; and

WHEREAS, on June 16, 2011, the Planning Board approved Site Plan Amendment 82008019A (MCPB Resolution No. 11-50) for Grantor to develop approximately 93.64 acres of property for residential use, of which this Property is a part, subject to a condition that Grantor must dedicate this Property for use as rural open space ("ROS") consistent with the requirements of the RNC zone as set forth in Section 59-C-9.23.1 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance") and the uses set forth in Section 59-C-9.572 of the Zoning Ordinance.

FILED
LORETTA E. KNIGHT
CLERK OF THE
MONTGOMERY COUNTY, MD

2012 MAR 19 P 4:23

WITNESSETH:

Grantor does hereby dedicate unto the Grantee, its successors and assigns, for use as rural open space consistent with the requirements of the RNC zone as set forth in Section 59-C-9.23.1 of the Zoning Ordinance and the uses set forth in Section 59-C-9.572 of the Zoning Ordinance, all of that piece or parcel of land, situate, lying and being in the Olney (8th) Election District of Montgomery County, Maryland, and more particularly described on Exhibit "A", attached to and made a part of this Deed.

FURTHER, Grantor, by this dedication, does hereby declare and establish a real covenant on the Property to preserve it as ROS in perpetuity as required by Section 59-C-9.574(h)(4) of the Zoning Ordinance.

TOGETHER WITH all and singular the buildings, improvements, ways, easements, rights, waters, privileges, covenants, and appurtenances to the same belonging, benefitting or in any way appertaining, and all the estate, title, right, interest and claim, either at law or otherwise of the Grantor, of, in or out of the Property for so long as the Property is used for the purposes intended by this conveyance.

IMP FD SURE 40.00
RECORDING FEE 20.00
TOTAL 60.00
Rcpt # 57493
Blk # 5422
04:14 PM

TO HAVE AND TO HOLD said Property above described or mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit forever of the Grantee, its successors and assigns.

800
50
NCE

Linowes and Blocher LLP

MO CIRCUIT COURT (Land Records) [MSA CE 63-44288] 7200 Wisconsin Avenue, Suite 800 Bethesda, MD 20814-4842 03/30/2012.

**L&B 1778747v1/05363.0101

Bethesda, MD 20814-4842
ATT: SCOTT WALLACE

43553 454

SUBJECT, HOWEVER, to all easements, covenants, conditions, encumbrances, and restrictions of record affecting the Property intended to be conveyed by this Deed.

AND, the Grantor covenants that it will warrant specially the property hereby conveyed and that it will execute further assurances of said lands as may be requisite.

THE Grantor hereby certifies and makes affidavit under the penalties of perjury that there is no consideration paid or to be paid for the foregoing conveyance and that there are no mortgages or deeds of trust assumed by the Grantee.

[SIGNATURE PAGE FOLLOWS]

43553 455

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written and states that it is authorized to execute this Deed on behalf of the Partnership.

WITNESS:

GRANTOR:

PULTE HOME CORPORATION,
a Michigan corporation

[Signature]

By: [Signature]
Name: Gary J. Leugraaf
Title: VP Land Development
Date: 3/6/2012

STATE/Commonwealth of Virginia *
COUNTY OF Fairfax * to wit: *

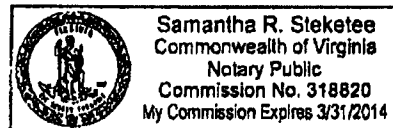
I HEREBY CERTIFY that on this 6 day of March, 2012, before me, a Notary Public in and for the State/Commonwealth and County aforesaid, personally appeared Gary J. Leugraaf, known to me (or satisfactorily proven) to be the VP Land Dev. of PULTE HOME CORPORATION, a Michigan corporation, and that such person, being authorized so to do, executed the foregoing and annexed instrument for the purposes therein contained by signing the name of the corporation.

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

[Signature]
Notary Public

My term of office expires on the 31 day of March, 2014

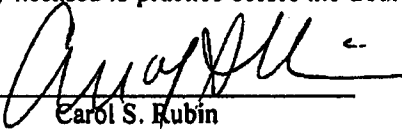
[NOTARIAL SEAL]



43553 456

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of the undersigned, an attorney at law, duly licensed to practice before the Court of Appeals of Maryland.



Carol S. Rubin

Property Address: Batchellors Forest Road
Olney, Maryland 20832

Grantor: Pulte Home Corporation
10600 Arrowhead Drive
Suite 225
Fairfax, Virginia 22030
Attn: Stephen Collins

Grantee: The Maryland-National Capital Park
and Planning Commission
9500 Brunett Avenue
Silver Spring, Maryland 20901

ID#: Part of #08-501-01959272

Title Insurance: N/A

After Recordation, Return to:
Land Acquisition Specialist
M-NCPPC
9500 Brunett Avenue
Silver Spring, Maryland 20901

Tax ID #: 08-01959272

SCHEDULE "A"
PART OF THE PULTE HOME CORPORATION PROPERTY
LIBER 41852 FOLIO 93

Being a parcel of land, located in the Eighth (8th) Election District of Montgomery County, Maryland, hereinafter described in, through, over and across the property conveyed by SM BATCHELLORS FOREST, LLC to PULTE HOME CORPORATION by deed dated June 29, 2011 and recorded among the Land Records of Montgomery County, Maryland in Liber 41852 at Folio 93 and being more particularly described by Macris, Hendricks and Glascock, P.A. on February 9, 2012 in the Maryland State Plane NAD 83/91 datum as follows:

Beginning at a concrete monument found at the beginning of the Fourteenth (14th) or North 74°51'47" West, 1241.08 foot line of the aforementioned Liber 41852 at Folio 93, then binding with part of said line as now surveyed

1. North 74°52'04" West, 1,220.41 feet to the point, said point being on the easterly right-of-way limits of Batchellors Forest Road (Variable Width Right-of-Way), then binding with part of said easterly right-of-way limits
2. North 27°23'39" East, 750.47 feet to a point, said point being on the Twelfth (12th) or South 65°32'25" East, 2,105.48 foot line of the aforementioned Liber 41852 at Folio 93, then binding with part of said line
3. South 65°42'31" East, 1,073.49 feet to a point, said point being the beginning of the Thirteenth (13th) line of the aforementioned Liber 41852 at Folio 93, then binding with said Thirteenth Line the following two (2) courses and distances as now surveyed

43553 458

4. South 14°57'11" West, 192.52 feet to a point, then
5. South 15°02'10" West, 369.95 feet to the point of beginning; containing an area of 745,500 square feet or 17.11433 acres of land.

Certified correct to the best of my professional knowledge, information and belief and this description was prepared by me and is in conformance with Title 9, Subtitle 13, Chapter 6, Section 12 of the Minimum Standards of Practice for Land Surveyors. If the seal and signature are not violet colored, the document is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.



Barry E. Hoyle

Macris, Hendricks & Glascock, P.A.
Barry E. Hoyle, Professional Land Surveyor
Maryland Registration No. 21135
Expiration Date: 06-21-2012

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