

Item # 7

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

M E M O R A N D U M

DATE: November 29, 2001

TO: Montgomery County Planning Board

FROM: A. Malcolm Shaneman
Planning Department
(301) 495-4587

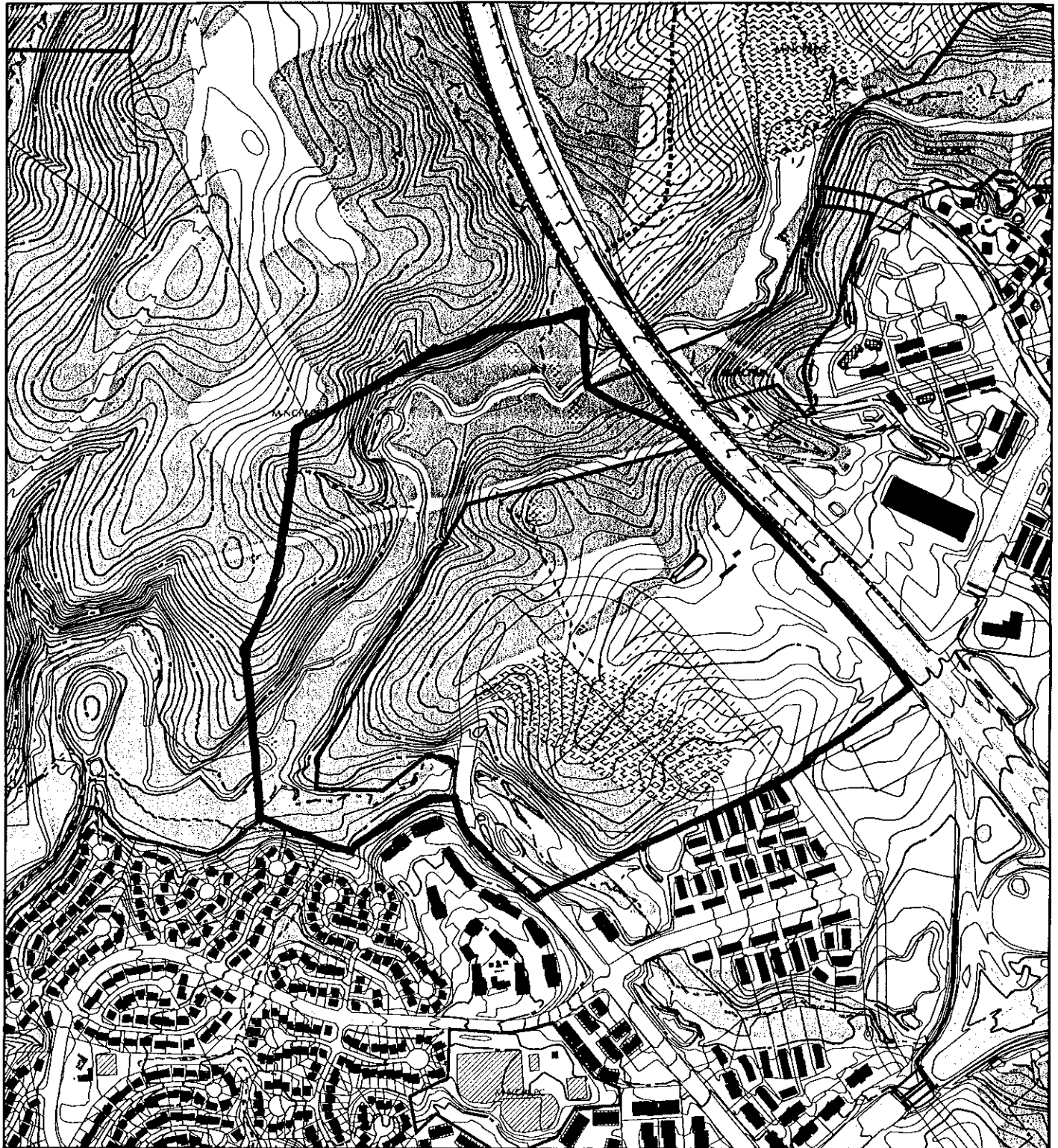
SUBJECT: Informational Maps for Subdivision Items on the
Planning Board's Agenda for December 06, 2001.

Attached are copies of plan drawings for Items #04, #05, #06, #07, #08, #09. These subdivision items are scheduled for Planning Board consideration on December 06, 2001. The items are further identified as follows:

- Agenda Item #04 - Preliminary Plan 1-02036
Dailey Tract
- Agenda Item #05 - Preliminary Plan 1-02013
College View
- Agenda Item #06 - Preliminary Plan 1-01060
Spencer Farm
- Agenda Item #07 - Preliminary Plan 1-87012E
North Village
- Agenda Item #08 - Preliminary Plan 1-02012
Morrison Property
- Agenda Item #09 - Pre Preliminary Plan 7-02010
Huntington Terrace

Attachment

VICINITY MAP FOR
NORTH VILLAGE (1-87012E)



Map compiled on November 30, 2001 at 9:42 AM | Site located on base sheet no - 228NW13

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



1 : 9600

VICINITY MAP FOR
NORTH VILLAGE (1-87012E)



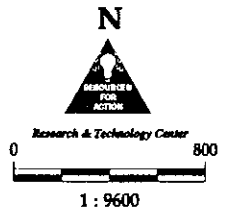
Map compiled on November 30, 2001 at 9:29 AM | Site located on base sheet no - 229NW13

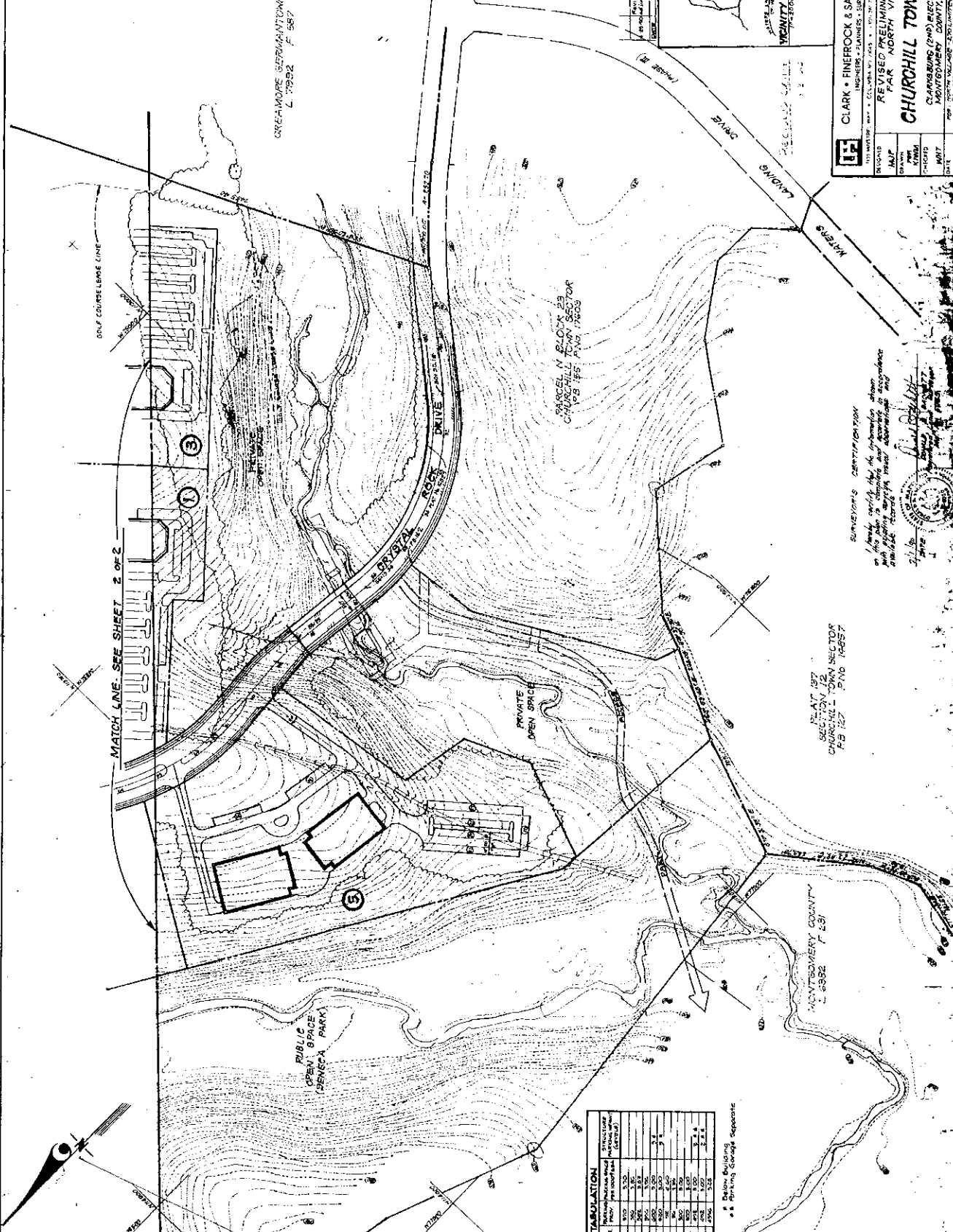
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MATCH LINE - SEE SHEET 2 OF 2

DRIVE COURSE LEASE LINE

PUBLIC OPEN SPACE
SENECA PARK

M.Y.C.P. 04
L 9706 F 557

GRECI-MORE SERVANTOWNY ASSOC.
L 1982 F 557

PARCEL N BLDG. #3
CHURCHILL TOWN SECTOR
198 F5 AND 2009

PRIVATE OPEN SPACE

PLAT 197
SECTION 12
CHURCHILL TOWN SECTOR
F5 157 AND 14857

MONTGOMERY COUNTY
L 8982 F 231

WATERS

DRIVE

LANDING

CLARK • FINEROCK & SACKETT, INC.
ENGINEERS • PLANNERS • SURVEYORS
1105 WATERWAY • COLLEGE PARK, MD • TEL: 410-326-7470 • FAX: 410-326-8844

REVISOR'S PRELIMINARY PLAN
FOR NORTH VILLAGE

REVISION	DATE	DESCRIPTION
1	11-21-00	INITIAL PLAN
2	03-09-00	REVISIONS TO PRELIMINARY PLAN
3	08-10-00	REVISIONS TO PRELIMINARY PLAN
4	08-09-00	REVISIONS TO PRELIMINARY PLAN
5	08-09-00	REVISIONS TO PRELIMINARY PLAN
6	08-09-00	REVISIONS TO PRELIMINARY PLAN

CHURCHILL TOWN SECTOR
CHURCHILL TOWN SECTOR
MONTGOMERY COUNTY, MARYLAND

Surveyor's Certification
I hereby certify that the information shown on this plan is true and correct to the best of my knowledge and belief.

[Signature]
Date: 11/21/00
Title: Surveyor



DEVELOPMENT TABULATION

NO.	AREA (SQ. FT.)	NO. OF UNITS	NO. OF PARKING SPACES	NO. OF TRUCK SPACES
1	1,111,000	21	21	0
2	1,111,000	21	21	0
3	1,111,000	21	21	0
4	1,111,000	21	21	0
5	1,111,000	21	21	0
6	1,111,000	21	21	0
7	1,111,000	21	21	0
8	1,111,000	21	21	0
9	1,111,000	21	21	0
10	1,111,000	21	21	0
TOTAL	11,110,000	210	210	0

Notes:
• Return, Enclosing Separate.
• Spacing, Variable Separable.

WASHINGTON NATIONAL
(INTERSTATE 270)

MINESE F 600
L 5995 F 600
L 5915 F 600

2 MILLSTONE CT AL
L 7405 F 605

PRIVATE OPEN SPACE

GOLF COURSE LEASE LINE

PRIVATE OPEN SPACE

PUBLIC OPEN SPACE
(GENEDA PARK)

ROCK DRIVE

GRANITE DRIVE

GOLF COURSE LEASE LINE

CREAMHASE GERVANTOWN
L 7382 F 5900 F 5917

RESERVATION

MATCH LINE - SEE SHEET 1 OF 2



CLARK & SACKETT, INC.
ENGINEERS, ARCHITECTS, SURVEYORS

PROJECT	RESORT AND VILLAGE IN FAIR NORTH VILLAGE	SCALE	1" = 100'
OWNER	CLARK BUREAU (40%); BILSON (30%); PACIFIC (30%)	DATE	1-31-20
DESIGNED BY	CLARK & SACKETT, INC.	PROJECT NO.	14-000-P
DATE	1-31-20	SHEET NO.	1 OF 2

1-87012

14-000-P

November 16, 2001

VIA HAND DELIVERY

Mr. A. Malcom Shaneman
Development Review Division
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20901

Re: North Village
Preliminary Plan Extension (No. 1-87012)

Dear Mr. Shaneman:

As you know, we represent North Village - 270 Limited Partnership ("North Village"), the owner of the referenced property. This property has approval for 1,328,000 square feet of office space. This letter contains the justification for the requested extension of phase two of the preliminary plan for one year, until December 31, 2002.

On October 27, 1988, the Planning Board approved Preliminary Plan 1-87012 (the "Plan") subject to various conditions, resulting in the approval of 240,000 square feet of office development. The Plan received a two year extension by the Planning Board on October 14, 1991. On February 17, 1994, the Planning Board approved an additional extension of the Plan and implemented a phasing schedule. Due to increased capacity under the 1996 Annual Growth Policy, the Planning Board approved development of the remaining 1,060,000 square feet of office space pursuant to an opinion issued on November 28, 1995. On September 20, 1996, the Planning Board granted approval to revise the Plan by implementing a revised phasing schedule for the development. Phase one required record plats to be recorded for at least 400,000 square feet by December 31, 1998. Phase two required the recordation of record plats for the remaining square footage (900,000) by December 31, 2001. On December 10, 1998, the Planning Board approved an extension of the phase one development through June 10, 1999. The Site Plan for the phase one development (400,000 square feet) was approved on January 14, 1999. On January 7, 2000, subdivision plats for the phase one development were recorded. A Site Plan (No. 8-02003) was filed for the phase two development (900,000 square feet) on September 4, 2001.

The purpose of this letter is to request a supplemental extension of the second phase of development for the purpose of preparing, signing and recording the record plats after obtaining approval of the pending Site Plan. We estimate that the minimum time necessary to achieve these objectives is twelve months, which would extend the record plat deadline for phase two to December 31, 2002.

November 16, 2001
Page 2

Our site plan application for the second phase was delayed because of protracted negotiations with the Washington Suburban Sanitary Commission ("WSSC") over the location of and access to the Crystal Rock Pumping Station. Negotiations with WSSC commenced in August, 1996. WSSC sent us a notice of condemnation for certain property (the "WSSC Property") adjacent to our development on March 21, 2000, a copy of which is attached hereto as "Exhibit A". Since then, we negotiated diligently and in good faith with WSSC on a number of issues directly relating to the development of the WSSC Property and the second phase of North Village, including the following:

1. location and coordination of the new sewer line from Clarksburg and the Crystal Rock Pumping Station;
2. construction of the Crystal Rock Drive extension and the parties' responsibilities related thereto;
3. utility construction;
4. access to the existing driving range during construction;
5. impact of the pumping station location on parking, building and access plans for proposed adjacent office buildings;
6. construction staging areas;
7. purchase price of the WSSC Property; and
8. various other issues which required resolution before we could finalize our own development plans.

The complexity of the issues involved in the construction of the Crystal Rock Pumping Station resulted in lengthy negotiations. North Village conveyed the WSSC Property to WSSC on March 14, 2001 (see the Deed attached hereto as "Exhibit B") and continued working closely with WSSC to ensure that its planning process was not further delayed. It was not until late August, 2001 that we received final construction plans from WSSC and were able to review such plans to determine compatibility with our own. The construction of the Crystal Rock Pumping Station forced us to alter our development plans significantly.

We believe such unanticipated delays resulting from WSSC's construction of the Crystal Rock Pumping Station warrant the requested extension. If the Planning Board does not grant the requested extension, North Village is certain to experience undue hardship. North Village has made a serious financial commitment to this project: the site plan development of 400,000 square feet has been approved by the Planning Board and plats recorded; approximately 64 acres of land have been dedicated to Black Hills Regional Park; Crystal Rock Drive and Dorsey Mill Road have been dedicated throughout the site; and over One Million Dollars has been spent to widen Middlebrook Road.

The North Village project continues to be a viable project. As mentioned above, many phases of this project are well underway. Additionally, we do not foresee any impediments to

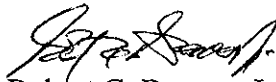
November 16, 2001
Page 3

obtaining Site Plan approval for the second phase on the requested schedule. North Village is very committed to this project and will work diligently to prepare and file record plats to implement the Site Plan for the second phase immediately after obtaining Site Plan approval.

Please schedule this preliminary plan of subdivision extension for hearing before the Montgomery County Planning Board at your earliest convenience, prior to December 31st. If additional information is necessary concerning the protracted negotiations with WSSC or our dependency upon their final construction plans, please do not hesitate to contact us.

Thank you very much. With best regards.

Very truly yours,



Robert G. Brewer, Jr.

Enclosures

cc: Mr. Peter Rosen
Mr. Nelson Clark
Mr. Dennis Ream

Exhibit A

Notice of Condemnation

(see attached)



WASHINGTON SUBURBAN SANITARY COMMISSION

COMMISSIONERS
W. Gregory Wims, Chairman
Juanita D. Miller, Vice Chairperson
Robert G. Berger
Marita B. Brown
Kevin P. Maloney
Duane W. Qates

GENERAL MANAGER
John R. Griffin

14501 Sweitzer Lane • Laurel, Maryland 20707-5902

March 21, 2000

Robert G. Brewer, Jr., Esquire
Lerch, Early & Brewer, Chartered
Suite 380
3 Bethesda Metro Center
Bethesda, MD 20814-5367

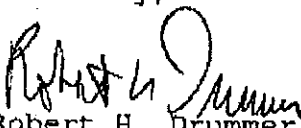
Re: WSSC Contract No. 94CP1599-B
Crystal Rock Pumping Station

Dear Mr. Brewer:

Thank you for your recent letter concerning our acquisition of property owned by your client, North Village 270 LP. Please be advised that a Resolution authorizing the General Manager to file a Petition for Condemnation to acquire your client's property will be on the Commission's public agenda for the March 22, 2000 meeting scheduled to begin at 1:00 p.m. You and your client are welcome to attend this meeting and address the Commissioners concerning this Resolution. If you do wish to attend this public meeting and you would like me to sign you up as a speaker in advance, please let me know. Enclosed please find a copy of the agenda package that will be presented to the Commissioners at this meeting on March 22nd.

If you have any questions concerning this matter, please call me.

Sincerely,


Robert H. Drummer
Associate Counsel
(301) 206-8158

RHD/egs

Enclosure

hdz:umme\lit\crystal rock\corrspd\brewer

Washington Suburban Sanitary Commission

COMMISSION SUMMARY

AGENDA CATEGORY: General Counsel's Office

ITEM NUMBER:

DATE: March 22, 2000


SUBJECT	Petition for Condemnation North Village 270 Limited Partnership
SUMMARY	Acquisition of 2.7680 acres for the construction of a wastewater pumping station along the west side of Crystal Rock Drive, North of Churchill Town Sector, Germantown, Montgomery County, Maryland
SPECIAL COMMENTS	
CONTRACT NO./ REFERENCE NO.	94CP1599-A
COST	Appraisal - \$211,005.00
AMENDMENT/ CHANGE ORDER NO. AMOUNT	N/A
MBE PARTICIPATION	N/A
PRIOR STAFF/ COMMITTEE APPROVALS	General Counsel
RECOMMENDATION TO COMMISSION	Approval and authorization for General Manager to execute Petition for Condemnation and the Secretary to execute Resolution on behalf of the Commission authorizing institution of condemnation.
COMMISSION ACTION	

SECRETARY

WASHINGTON SUBURBAN SANITARY COMMISSION

Interoffice Memorandum

TO: COMMISSION

FROM: NATHAN J. GREENBAUM
GENERAL COUNSEL 

DATE: MARCH 14, 2000

SUBJECT: REQUEST FOR AUTHORIZATION FOR CONDEMNATION
NORTH VILLAGE 270 LIMITED PARTNERSHIP
WSSC CONTRACT NO. 94CP1599-A

This memorandum is to request authorization to commence condemnation proceedings to acquire a 2.7680 acre parcel in fee simple for the construction of a wastewater pumping station. The Commission has not reached an agreement with the owner.

The subject property is located on the west side of Crystal Rock Drive, North of Churchill Town Sector, in Germantown, Montgomery County, Maryland. The Commission has been negotiating with the owner of the property, North Village 270 Limited Partnership, through its attorney. The property was appraised by David N. Lamb and was determined to have a fair market value of \$211,005.

Accordingly, I am hereby requesting approval and authorization for the Secretary to execute, on behalf of the Commission, a Resolution authorizing the institution of Condemnation Procedures.

RHD/egs

PETITION FOR CONDEMNATION
SUMMARY SHEET

PROPERTY OWNER: North Village 270 Limited Partnership

PROPERTY LOCATION: West Side of Crystal Rock Drive
North of Churchill Town Sector
Germantown, Montgomery County, MD

CONTRACT NO: 94CP1599-A

RIGHTS OF WAY ACQUIRED BY MEANS OTHER THAN QUICK TAKE: N/A

IN FEE SIMPLE ACQUISITION: Square Feet: 120,574
Acreage: 2.7680

NEGOTIATION SUMMARY: Staff has been working with North Village 270 Limited Partnership through its attorney and hopes to be able to resolve this prior to trial. However, staff is requesting authorization to file so as not to hold up construction of this contract. The property owner has rejected our offer and intends to hire their own appraiser.

FORMAL OFFER: \$211,005.

APPRAISAL: 7/22/96 by David N. Lamb for \$194,396
APPRAISAL UPDATE: 4/22/99 by David N. Lamb for \$211,005

PARCEL I.D.02-01-01737747

SCHEDULE "A"

DESCRIPTION OF A PARCEL TO BE ACQUIRED IN FEE SIMPLE

NORTH VILLAGE-270 LIMITED PARTNERSHIP, OWNER

C/O THE LERNER COMPANY

11501 HUFF COURT

KENSINGTON, MARYLAND 20895

TO

WASHINGTON SUBURBAN SANITARY COMMISSION

14501 SWEITZER LANE

LAUREL, MARYLAND 20707

Being a piece, parcel or tract of land, situate, lying and being in the Clarksburg Election District No. 2 of Montgomery County, Maryland and being part of the property acquired by the owner from the Prudential Insurance Company of America, by deed dated November 12, 1987, and recorded among the Land Records of the aforesaid County in Liber 8032 at Folio 357.

Beginning for the said piece, parcel or tract of land at a point on the twenty-seventh or South 07°06'52" West, 205.66 foot deed line as described in the aforesaid deed, 100.66 feet from the beginning thereof, said twenty-seventh deed line also being the westerly or North 07°06'55" East 205.66 foot right of way line of Crystal Rock Drive as shown on a plat of road dedication entitled "Plat 154, Dedication of Road, Churchill Town Sector, Germantown Section 12," and recorded among the aforesaid Land Records in Plat Book 142 as Plat No. 16327; said point also being at the end of the twenty-first or South 76°23'05" East, 170.00 foot line, as described in a deed from said North Village-270 Limited Partnership to the Maryland-National Capital Park & Planning Commission,

EXHIBIT A

dated June 17, 1994, and recorded among the aforesaid Land Records in Liber 12755 at Folio 384, and running thence, reversely with and along said twenty-first deed line and reversely with and along the twentieth and nineteenth lines of Liber 12755 at Folio 384, in the meridian of the Maryland State Grid as defined by the North American Datum of 1983 and as adjusted in 1991 (NAD 83/91), the following three (3) courses and distances, North 76°23'20" West, 170.00 feet to a point; thence South 50°38'34" West, 329.84 feet to a point; thence North 88°15'53" West, 380.30 feet to a point; thence running reversely with and along part of the eighteenth or South 04°00'00" West, 190.12 foot deed line as described in Liber 12755 at Folio 384 North 03°59'45" East, 186.14 feet to a point thereon; thence leaving said eighteenth deed line and running to cross and divide the aforesaid land described in Liber 8032 at Folio 37, the following four (4) courses and distances, South 69°03'38" East, 194.54 feet to a point; thence North 65°03'23" East, 268.88 feet to a point of curvature; thence 338.15 feet along the arc of a tangent curve deflecting to the right, said curve having a radius of 650.00 feet and chord bearing and distance of North 81°01'20" East, 267.41 feet to a point; thence with a non-tangent line North 45°12'03" East, 31.79 feet to a point on the westerly or North 06°38'12" West, 183.14 foot right of way line of Crystal Rock Drive as shown on a plat of road dedication entitled "Plat No. 171, Dedication of Road, Churchill Town Sector, Germantown, Section 12," and recorded among the aforesaid Land Records in Plat Book 159 as Plat No. 17998; thence running reversely with and along a part of said westerly right of way line

South $06^{\circ}38'27''$ East, 24.28 feet to a point of curvature; thence running reversely with and along the westerly or 26.67 foot curved line of Crystal Rock Drive as shown on the second aforesaid plat of road dedication (P.B. 159 P.N. 17998)

26.67 feet along the arc of a tangent curve deflecting to the right having a radius of 111.10 feet and chord bearing and distance of South $00^{\circ}14'07''$ West, 26.60 feet to the point of tangency, thence running reversely with and along said westerly or North $07^{\circ}06'55''$ East, 205.66 foot right of way line of Crystal Rock Drive as shown on the first aforesaid plat of road dedication. (P.B. 142 P.N. 16327)

South $07^{\circ}06'43''$ West, 100.66 feet to the point of beginning, containing 120,574 square feet or 2.7680 acres of land.

RESOLUTION NO. 2000-1593
ADOPTED: _____

WASHINGTON SUBURBAN SANITARY COMMISSION

Subject: A RESOLUTION authorizing the institution of eminent domain (condemnation) proceedings for the acquisition of the property of North Village 270 Limited Partnership.

WHEREAS, the Washington Suburban Sanitary Commission is authorized by statute to establish, extend, maintain and operate water and sewerage systems, and portions thereof, in the Washington Suburban Sanitary District in Montgomery and Prince George's Counties; and,

WHEREAS, the Commission is authorized by statute to acquire, *inter alia*, land, structures or buildings, either in fee or as an easement, within or beyond the Sanitary District for the construction, extension and maintenance of its systems, and to acquire same by condemnation proceedings when it is unable to purchase the necessary property or interests therein upon agreement with the owner or owners thereof; and,

WHEREAS, the Commission has determined that in connection with the construction and extension of its public facilities and in particular connection with Contract No. 94CP1599-A, it is necessary to acquire from the above-referenced property owner a 2.7680 parcel in fee simple of the 101.75 acre site owned by North Village 270 LP otherwise described as Tax Parcel P460 Map EV341, 2nd Election District and recorded in Liber 8032 Folio 357 of the Land Records of Montgomery County, Maryland; and

WHEREAS, the Commission has been unable to acquire the necessary property by agreement with the owner, and accordingly condemnation proceedings will have to be instituted.

NOW, THEREFORE, BE IT RESOLVED, this _____ day of _____, 2000, that the land or interests in land above mentioned and more particularly described in said Petition for Condemnation presented to the Commission this date, be acquired by condemnation proceedings; and be it further,

RESOLVED, that the General Manager of the Commission is hereby authorized to sign and verify the Petition on behalf of the Commission; and be it further,

RESOLVED, that Counsel is authorized and directed to file the Petition in the Circuit Court for Montgomery County, Maryland, and conduct any and all proceedings necessary for the condemnation of such property.

A True Copy

Melvin G. Schwartz
Secretary/Internal Audit Manager

Exhibit B

Deed

(see attached)

LIBER FOLIO

0018932 321

File No. G-6151B

Grantor: North Village-270 Limited Partnership
c/o The Lerner Companies
11501 Huff Court
North Bethesda, Maryland 20895
Grantee: Washington Suburban Sanitary Commission
14501 Sweitzer Lane
Laurel, MD 20707
Title Insurer: Fidelity National Title Insurance Company

CONVEYANCE TO GOVERNMENT AGENCY
NOT SUBJECT TO RECORDATION
OR TRANSFER TAXES

FILED
MONTGOMERY COUNTY
RECORDS OFFICE
01 MAR 27 P 1:12:38

DEED

THIS DEED made this 28th day of February, 2001, by and among North Village-270 Limited Partnership, a Maryland limited partnership, party of the first part, and the Washington Suburban Sanitary Commission, party of the second part.

WITNESSETH that in consideration of the sum of TWO HUNDRED SEVENTY FIVE THOUSAND AND 00/100 DOLLARS (\$275,000.00), the receipt and sufficiency of which is hereby acknowledged by the party of the first part prior to the execution and delivery hereof, the said party of the first part does hereby grant and convey unto the Washington Suburban Sanitary Commission, its successors and assigns, in fee simple all that piece or parcel of land lying, being and situate in the County of Montgomery, in the Second Election District, and being more particularly described as follows, to wit:

SEE SCHEDULE "A" ATTACHED

The above described property being part of that same land and premises as was acquired by the said party of the first part by a certain deed recorded in Liber 8032 at folio 357 among the Land Records of Montgomery County.

Subject to covenants and restrictions of record.

SIGNATURE

n/a

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Montgomery County

mf 203545
3/27/01

203

mf

LIBER FOLIO
0018932 322

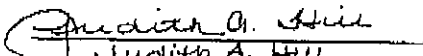
TOGETHER with the improvements thereupon made, erected or being; and all the rights, alleys, ways, waters, privileges, advantages and appurtenances to the same belonging or in anywise appertaining.

AND the said party of the first part covenants that it will warrant specially the property herein conveyed and execute such further assurances of the land as may be requisite.

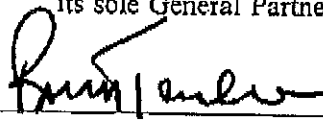
AND the said party of the first part, by the execution hereof, does hereby warrant, certify and represent that the within conveyance is not part of a transaction in which there is a sale, lease, exchange, or other transfer of all or substantially all of the property and assets of the party of the first part.

IN WITNESS WHEREOF the party of the first part has hereunto set its hand and seal the year and day first above written.

ATTEST: WITNESS:


Judith A. Hill

North Village-270 Limited Partnership,
a Maryland limited partnership
By: Lerner Enterprises Limited Partnership,
General Partner
By: Taleco Partners, L.L.C.,
its sole General Partner

 (SEAL)
By: Robert K. Tanenbaum
Vice President/Treasurer

STATE OF MARYLAND)
COUNTY OF MONTGOMERY) ss:

I HEREBY CERTIFY that on this 28th day of February, 2001, before me, the undersigned, a Notary Public for the State and County aforesaid, did personally appear Robert K. Tanenbaum, who acknowledged himself to be a Vice President/Treasurer of Taleco Partners, L.L.C., the sole General Partner of Lerner Enterprises Limited Partnership, the General Partner of North Village-270 Limited Partnership, a Maryland limited partnership, party of the first part herein, and did further acknowledge that pursuant to the duly adopted Certifications of the limited liability company and the limited partnerships authorizing him so to do, did execute the

LIBER FOLIO
0018932 323

aforegoing conveyance for and on behalf of and in the name of North Village-270 Limited Partnership by signing his name as Vice President/Treasurer the Taleco Partners, L.L.C., sole General Partner of Lerner Enterprises Limited Partnership, General Partner of North Village-270 Limited Partnership, a Maryland limited partnership, and as attorney-in-fact for said North Village-270 Limited Partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this 28th day of February, 2001.



Commission expires:
KATHLEEN M. COLSON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 2, 2001

[Signature]
NOTARY PUBLIC

AFFIDAVIT FOR RECORDING PURPOSES

I HEREBY AFFIRM under the penalties of perjury that the actual consideration paid for the foregoing conveyance is \$275,000.00. I further affirm that this conveyance is to a government agency, the Washington Suburban Sanitary Commission.

[Signature]
Robert K. Tanenbaum

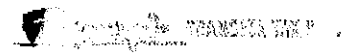
I HEREBY CERTIFY that the within instrument was prepared by an attorney or under the supervision of an attorney duly authorized to practice before the Maryland Court of Appeals.

[Signature]
Russel A. Arlotta

MADAM CLERK: After recording, please remit to:

The Washington Suburban Sanitary Commission
c/o Robert H. Drummer, Senior Counsel
Office of the General Counsel
12th Floor
14501 Sweitzer Lane
Laurel, MD 20707-5902

2-1-1737747
RECEIVED FOR TRANSFER
MONT. CO., MD
MAR 27 2001



LIBER

FOLIO

0018932 324

Maryland State Grid as defined by the North American Datum of 1983 and as adjusted in 1991 (NAD 83/91), the following three (3) courses and distances,

North 76°20'52" West, 170.00 feet to a point; thence

South 50°41'03" West, 329.84 feet to a point; thence

North 88°13'25" West, 380.30 feet to a point; thence running reversely with and along part of the eighteenth or South 04°00'00" West, 190.12 foot deed line as described in Liber 12755 at Folio 384

North 04°02'13" East, 185.41 feet to a point thereon; thence leaving said eighteenth deed line and running to cross and divide the aforesaid land described in Liber 8032 at Folio 37, the following four (4) courses and distances,

South 69°03'38" East, 194.07 feet to a point; thence

North 65°03'23" East, 268.88 feet to a point of curvature; thence

358.15 feet along the arc of a tangent curve deflecting to the right, said curve having a radius of 650.00 feet and chord bearing and distance of North 80°50'28" East, 353.63 feet to a point; thence with a non-tangent line

North 45°12'03" East, 32.52 feet to a point on the westerly or North 06°38'12" West, 183.14 foot right of way line of Crystal Rock Drive as shown on a plat of road dedication entitled "Plat No. 171, Dedication of Road, Churchill Town Sector, Germantown, Section 12," and recorded among the aforesaid Land Records in Plat Book 159 as Plat No. 17998; thence running reversely with and along a part of said westerly right of way line

South 06°35'59" East, 24.80 feet to a point of curvature; thence running reversely with and along the westerly or 26.67 foot curved line of Crystal Rock Drive as shown on the second aforesaid plat of road dedication (P.B. 159 P.N. 17998)

26.66 feet along the arc of a tangent curve deflecting to the right having a radius of 111.10 feet and chord bearing and distance of South 00°16'37" West, 26.60 feet to the point of tangency, thence running reversely with and along said westerly or North 07°

IBER

FOLIO

0018932 325

06'55" East, 205.66 foot right of way line of Crystal Rock Drive as shown on the first aforesaid plat of road dedication. (P.B.142 P.N.16327)

South 07°09'05" West, 100.66 feet to the point of beginning, containing 120,415 square feet or 2.7643 acres of land.

0018932 326

PARCEL I.D.02-01-01737747

SCHEDULE "A"

DESCRIPTION OF A PARCEL TO BE ACQUIRED IN FEE SIMPLE
NORTH VILLAGE-270 LIMITED PARTNERSHIP, OWNER
C/O THE LERNER COMPANY
11501 HUFF COURT
KENSINGTON, MARYLAND 20895

TO

WASHINGTON SUBURBAN SANITARY COMMISSION
14501 SWEITZER LANE
LAUREL, MARYLAND 20707

Being a piece, parcel or tract of land, situate, lying and being in the Clarksburg Election District No. 2 of Montgomery County, Maryland and being part of the property acquired by the owner from the Prudential Insurance Company of America, by deed dated November 12, 1987, and recorded among the Land Records of the aforesaid County in Liber 8032 at Folio 357.

Beginning for the said piece, parcel or tract of land at a point on the twenty-seventh or South 07°06'52" West, 205.66 foot deed line as described in the aforesaid deed, 100.66 feet from the beginning thereof, said twenty-seventh deed line also being the westerly or North 07°06'55" East 205.66 foot right of way line of Crystal Rock Drive as shown on a plat of road dedication entitled "Plat 154, Dedication of Road, Churchill Town Sector, Germantown Section 12," and recorded among the aforesaid Land Records in Plat Book 142 as Plat No.16327; said point also being at the end of the twenty-first or South 76°23'05" East, 170.00 foot line, as described in a deed from said North Village-270 Limited Partnership to the Maryland-National Capital Park & Planning Commission, dated June 17, 1994, and recorded among the aforesaid Land Records in Liber 12755 Folio 384, and running thence, reversely with and along said twenty-first deed line and reversely with and along the twentieth and nineteenth lines of Liber 12755 at Folio 384, in the meridian of the