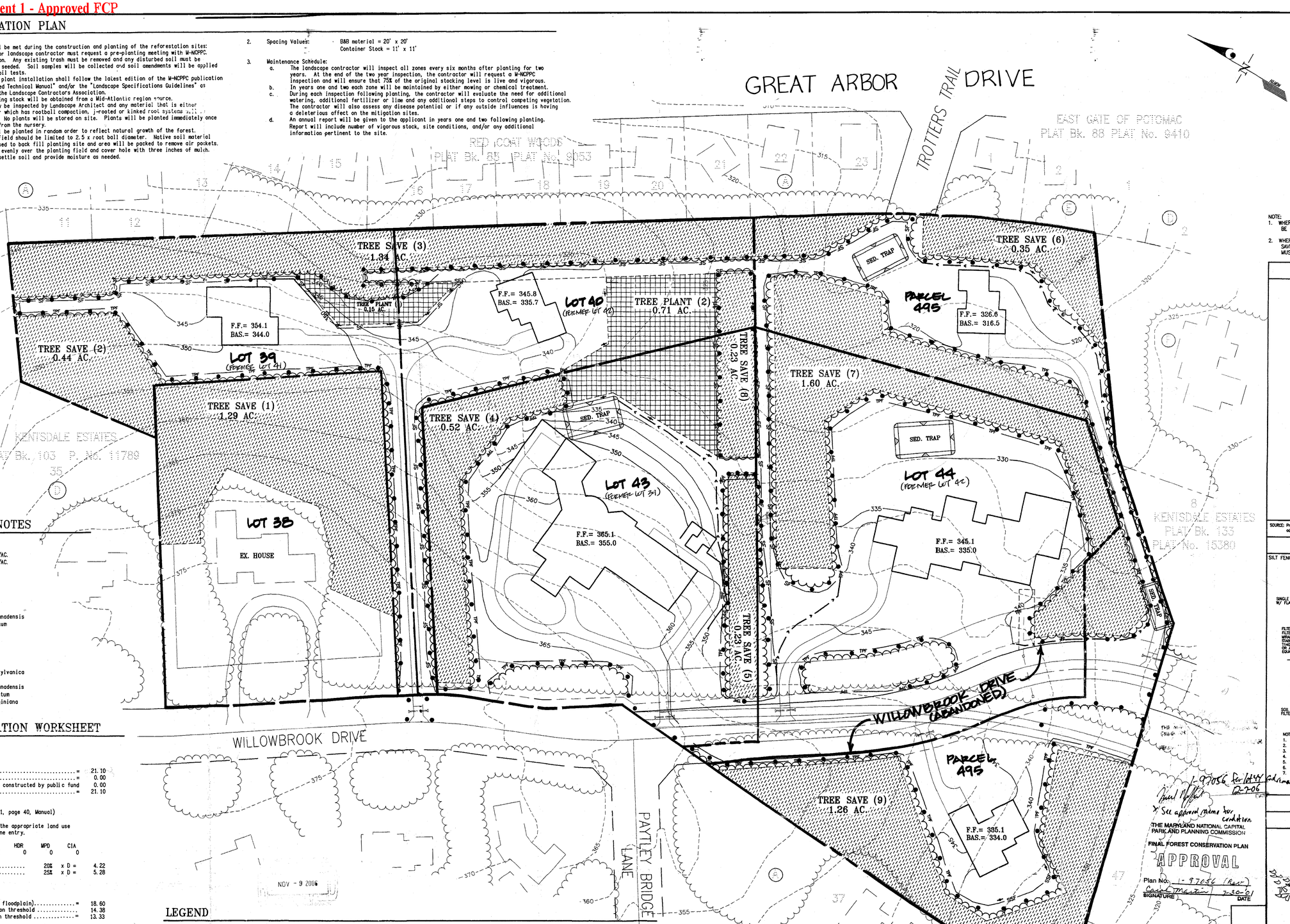
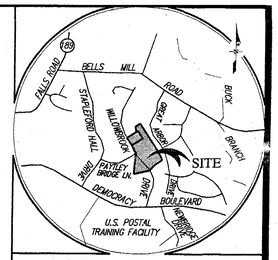
# REFORESTATION PLAN

1. Planting Schedule
   The following targets will be met during the construction and planting of the reforestation sites:
   a. The applicant or landscape contractor must request a pre-planting meeting with M-NCPPC.
   b. Site Preparation. Any existing trash must be removed and any disturbed soil must be stabilized and seeded. Soil samples will be collected and soil amendments will be applied according to soil tests.
   c. Planting. All plant installation shall follow the latest edition of the M-NCPPC publication "Trees-Approved Technical Manual" and/or the "Landscape Specifications Guidelines" as published by the Landscape Contractors Association.
      1. All planting stock will be obtained from a Mid-Atlantic region source.
      2. Plants may be inspected by Landscape Architect and any material that is either damaged or which has rootball compaction, j-rooted or kinked root systems will be rejected. No plants will be stored on site. Plants will be planted immediately once received from the nursery.
      3. Stock will be planted in random order to reflect natural growth of the forest.
      4. Planting field should be limited to 2.5 x root ball diameter. Native soil material will be used to back fill planting site and area will be packed to remove air pockets. Rake soil evenly over the planting field and cover hole with three inches of mulch. Water to settle soil and provide moisture as needed.
2. Spacing Values: B&B material = 20' x 20'
   Container Stock = 11' x 11'
3. Maintenance Schedule:
   a. The landscape contractor will inspect all zones every six months after planting for two years. At the end of the two year inspection, the contractor will request a M-NCPPC inspection and will ensure that 75% of the original stocking level is live and vigorous.
   b. In years one and two each zone will be maintained by either mowing or chemical treatment.
   c. During each inspection following planting, the contractor will evaluate the need for additional watering, additional fertilizer or lime and any additional steps to control competing vegetation. The contractor will also assess any disease potential or if any outside influences is having a deleterious effect on the mitigation sites.
   d. An annual report will be given to the applicant in years one and two following planting. Report will include number of vigorous stock, site conditions, and/or any additional information pertinent to the site.



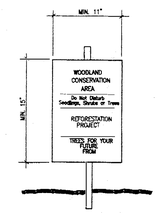




VICINITY MAP
SCALE: 1" = 2,000'

NOTE:
1. WHERE SILT FENCE ABUTS A TREE SAVE AREA THE SILT FENCE SHALL BE COMBINED WITH TREE PROTECTION FENCE. SEE DETAIL.
2. WHERE SUPER SILT FENCE OR EARTH DIKES ARE SHOWN ALONG TREE SAVE AREAS NO TREE PROTECTION FENCE IS REQUIRED. SIGNAGE MUST BE POSTED. SEE DEATIL.

## SIGNAGE

NOT TO SCALE



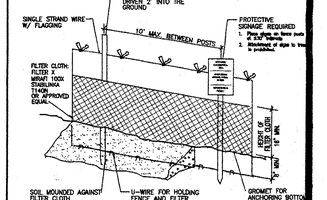

NOTE:
1. Attachment of signs to trees is prohibited.
2. Signs should be properly maintained.
3. Avoid injury to roots when placing posts for the signs.
4. Signs should be posted to be visible to all construction personnel from all directions.

SOURCE: Prince George's County, Maryland: WOODLAND CONSERVATION MANUAL adopted from the Maryland State FOREST CONSERVATION MANUAL

## TREE PROTECTION AND SEDIMENT CONTROL

NOT TO SCALE

SILT FENCE W/ SINGLE STRAND WIRE & FLAGGING




NOTE:
1. Combine sediment control and protective device.
2. Retention area will be set as part of the review process.
3. Boundaries of Retention Area should be stated prior to installing protective device.
4. Root damage should be avoided.
5. Mound soil only within the limits of disturbance.
6. Protective signage is required.
7. All standard maintenance for sediment control devices apply to these details.

1-97056 for lot 44 & remainder 495
12-7-06

* See approval prior to condition

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

FINAL FOREST CONSERVATION PLAN

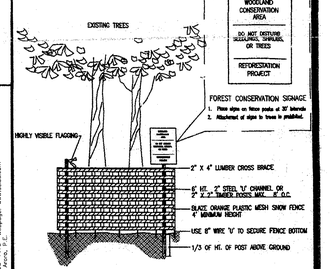
APPROVAL

Plan No. 1-97056 (Rev)

SIGNATURE — DATE 7-30-01

## TREE PROTECTION FENCE

NOT TO SCALE




TREE PROTECTION FENCING
1. Forest protection device only.
2. Avoid root damage
3. Device must be maintained throughout construction.

SOURCE: Prince George's County, Maryland: WOODLAND CONSERVATION MANUAL adopted from the Maryland State FOREST CONSERVATION MANUAL

## REFORESTATION NOTES

TREE PLANT AREAS = 0.86 ACRES

PLANTING RATE OF 200 1" CAL. TREES/AC.
AND 33 18-24" SHRUBS/AC.

PLANTING AREA 1: 0.15 ACRES
= 30 TREES
= 5 SHRUBS

| | | |
|---|---|---|
| 10 | 1" Cal. | Acer rubrum |
| 10 | 1" Cal. | Quercus rubra |
| 5 | 1" Cal. | Ilex opaca |
| 5 | 1" Cal. | Amelanchier canadensis |
| 5 | 18-24" Ht. | Viburnum dentatum |

PLANTING AREA 2: 0.71 ACRES
= 142 TREES
= 24 SHRUBS

| | | |
|---|---|---|
| 40 | 1" Cal. | Acer rubrum |
| 40 | 1" Cal. | Quercus rubra |
| 30 | 1" Cal. | Fraxinus pennsylvanica |
| 16 | 1" Cal. | Ilex opaca |
| 16 | 1" Cal. | Amelanchier canadensis |
| 12 | 18-24" Ht. | Viburnum dentatum |
| 12 | 18-24" Ht. | Hamamelis virginiana |

## FOREST CONSERVATION WORKSHEET

DECEMBER 2000

NET TRACT AREA:

| | | |
|---|---|---|
| A. Total tract area | = | 21.10 |
| B. Area within 100 year floodplain | = | 0.00 |
| C. Area within WSSC R/W or road R/W constructed by public fund | | 0.00 |
| D. Net tract area | = | 21.10 |

LAND USE CATEGORY: (from table 3.2.1, page 40, Manual)

Input the number "1" under the appropriate land use zoning, and limit to only one entry.

| ARA | MDR | IDA | HDR | MPD | CIA |
|---|---|---|---|---|---|
| 0 | 1 | 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| E. Afforestation Threshold | 20% | x D = | 4.22 |
| F. Conservation Threshold | 25% | x D = | 5.28 |

EXISTING FOREST COVER:

| | | |
|---|---|---|
| G. Existing forest cover (excluding floodplain) | = | 18.60 |
| H. Area of forest above afforestation threshold | | 14.38 |
| I. Area of forest above conservation threshold | = | 13.33 |

BREAK EVEN POINT:

| | | |
|---|---|---|
| J. Forest retention above threshold with no mitigation | = | 7.94 |
| K. Clearing permitted without mitigation | = | 10.66 |

PROPOSED FOREST CLEARING:

| | | |
|---|---|---|
| L. Total area of forest to be cleared | = | 11.34 - 0.71 = 10.63 |
| M. Total area of forest to be retained | = | 2.29 7.97 |

PLANTING REQUIREMENTS:

| | | |
|---|---|---|
| N. Reforestation for clearing above conservation threshold | = | 2.84 |
| O. Reforestation for clearing below conservation threshold | = | 0.00 |
| Q. Credit for retention above conservation threshold | = | 1.98 |
| R. Total reforestation required | = | 0.86 |
| S. Total afforestation required | = | 0.00 |
| T. Total reforestation and afforestation required | = | 0.86 |

## LEGEND

EXISTING 5' TOPOGRAPHY
EXISTING STRUCTURE
LIMIT OF DISTURBANCE
TREE PROTECTION SIGN
PROPOSED CONTOURS
PROPOSED STRUCTURE
SILT FENCE/SUPERSILT FENCE
EXISTING TREE LINE
TREE PROTECTION FENCE
EARTH DIKE
PROPOSED TREE LINE
TREE SAVE AREA
TREE PLANT AREA

## SITE DATA

EXISTING ZONING: RE-2 (POTOMAC SUBREGION PLANNING AREA)

GROSS TRACT AREA: 21.09 ACRES

NUMBER OF PROP. LOSTS: 7
(NOTE: EX. HOUSE IS TO REMAIN ON PROPOSED LOT 38. THE LOT WAS CREATED BY DEED - RECORDED L. 11282 F. 028)

MINIMUM LOT AREA: 2 ACRES (± 87,120 S.F.)

NOTE: ALL TREE SAVE AND TREE PLANT AREAS TO BE WITHIN CATEGORY I CONSERVATION EASEMENT
* SEE RECORD PLAT*

* FOR FOREST CONSERVATION USE ONLY *

I hereby certify that this Final Forest Conservation Plan has been prepared in accordance with the Maryland Forest Conservation Act, and the Montgomery County Trees Technical Manual, effective September, 1992.

Signature: 5.21.01
Kevin A. Foster
Maryland Registered Landscape Architect No. 807

STATE OF MARYLAND KEVIN A. FOSTER No. 807 LANDSCAPE ARCHITECT

DESIGN ENGINEERING INCORPORATED
FULL SERVICE CIVIL ENGINEERING & RELATED SERVICES
12000 TECHNOLOGY DRIVE, SUITE 100 GAITHERSBURG, MARYLAND 20878
PHONE: (301) 258-1713 E-MAIL: design@deiinc.com
PROFESSIONAL ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS WEBPAGE: www.deiinc.com
DEI

GLW GUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

\DRAWINGS\97143\97143FC1 | DES. | DRN. | CHK.

| DATE | REVISION | BY | APP'R. |
|---|---|---|---|
| 5/06 | MODIFY FOR LOT No. & PARCEL No. | BY DEI | |
| 5/01 | MODIFY PER REVISED TREE SAVE AREAS | LMM | |
| 2/01 | MODIFY PER REVISED TREE SAVE AREAS | LMM | |
| 12/00 | MODIFY PER REVISED TREE SAVE AREAS | KMC | |

PREPARED FOR:
MS. VERA CHAWLA
10317 HOLLY HILL PLACE
POTOMAC, MD 20854
PH: 301-469-6655

FOREST CONSERVATION PLAN

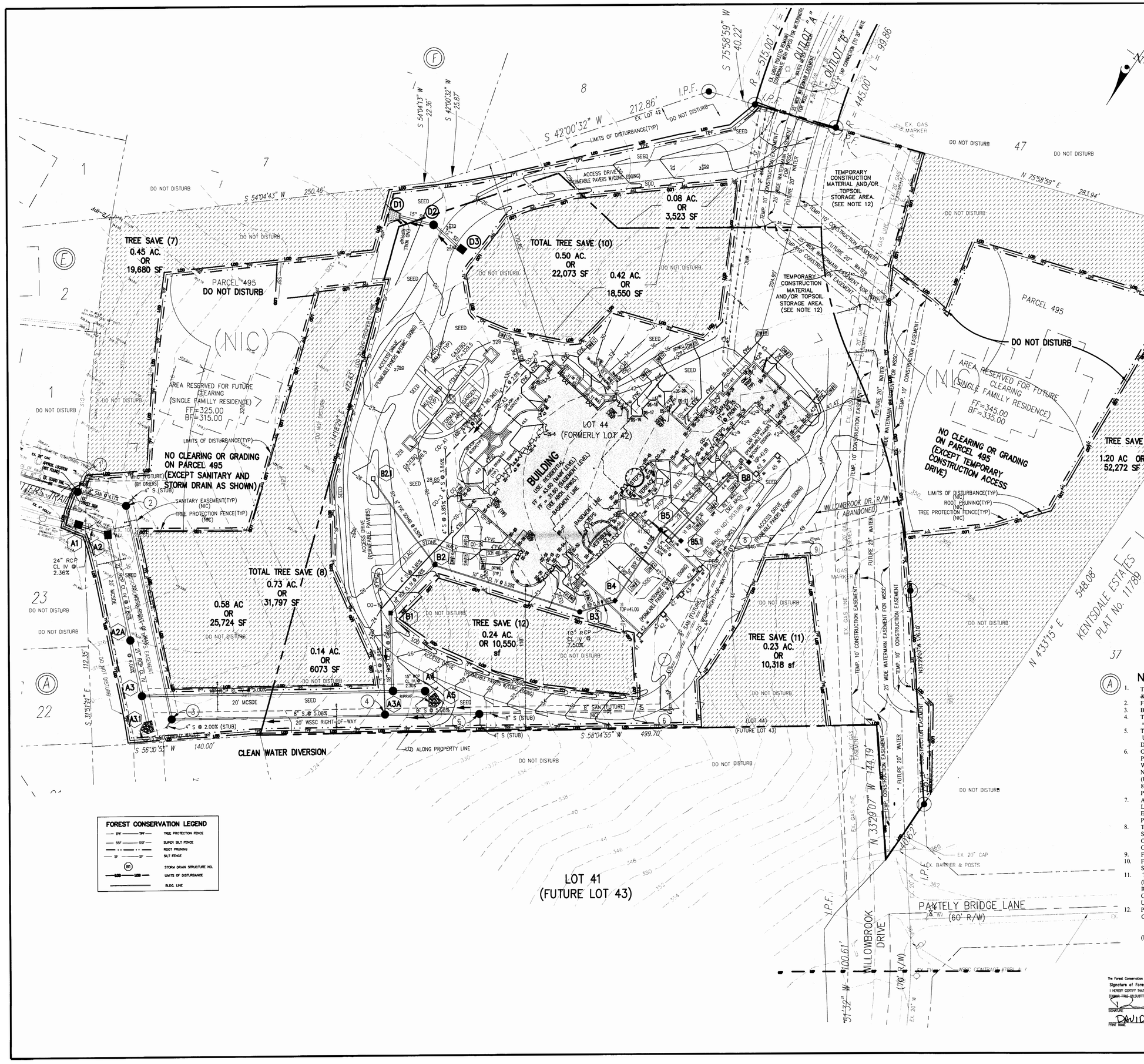
# KENTSDALE ESTATES

LOTS 38, 39, 40, 43, 44 & PARCEL 495

10TH ELECTION DISTRICT — MONTGOMERY COUNTY, MARYLAND

| SCALE | ZONING | G. L. W. FILE No. |
|---|---|---|
| 1"=50' | RE-2 | 97143 |
| DATE | TAX MAP - GRID | SHEET |
| AUG. 2000 | FP - 563 | 1 OF 3 |

97143fc1.dwg 5-8-01 8:55:22 am EST




## FOREST CONSERVATION LEGEND

| | |
|---|---|
| —TPF— | TREE PROTECTION FENCE |
| —SSF— | SUPER SILT FENCE |
| | ROOT PRUNING |
| —SF— | SILT FENCE |
| B1 | STORM DRAIN STRUCTURE NO. |
| —LOD— | LIMITS OF DISTURBANCE |
| | BLDG. LINE |

## NOTES:

1. THIS PLAN IS DESIGNED TO SHOW THE HOUSE LOCATION & GRADING ON LOT 44.
2. FIELD SURVEY INFORMATION PROVIDED BY OTHERS.
3. BUILDING LAYOUT BASED ON PLAN FURNISHED BY ARCHITECT.
4. TOTAL AREA OF FOREST TO BE RETAINED ON (LOT 44 & PARCEL 495) = 3.36 ACRES FOR ADDITIONAL NOTES SEE SHEET 3 OF 3
5. THE PROPERTY BOUNDARY OF LOTS 44 (FORMERLY LOT 42) IS BASED UPON THE PROPOSED RECORDPLAT FOR LOT 44 AND WILLOW BROOK DRIVE ABANDONMENT.
6. OUTLOTS "A" AND "B" ARE BASED ON THE PROPOSED RECORD PLAT FOR PART OF THE WILLOW BROOK DRIVE BANDONMENT. THE ABANDONMENT WAS APPROVED BY MONTGOMERY COUNTY COUNCIL RESOLUTION NO. 15-1583, ADOPTED AUGUST 1, 2006. THESE OUTLOTS "A" AND "B" (UNDER SEPARATE AGREEMENT BETWEEN PROPERTY OWNERS OF LOTS 8 AND 47 AND SONNA PROPERTIES, LLC (OWNER OF LOT 44 AND PARCEL 495) WILL BE TRANSFERED TO SONNA PROPERTIES, LLC.
7. ALL EXISTING FOREST CONSERVATION EASEMENTS ON LOT 44 (FORMERLY LOT 42 AS SHOWN ON PLAT 21790 ARE NOT SHOWN ON THIS PLAN. THESE EASEMENTS ARE BEING ABANDONED UNDER THE PROPOSED RECORD PLAT FOR LOT 44.
8. THE LOD SHOWN ON PARCEL 495 (EXCEPT FOR THE STORM AND SANITARY SEWER) IS FOR FOREST CONSERVATION PLAN REVIEW AND APPROVAL ONLY AND NOT APPLICABLE FOR DISTURBANCE UNDER SEDIMENT CONTROL PERMIT NUMBER 222132.
9. FOR ROOT PRUNING DETAIN SEE SHEET 3 OF 3
10. FOR TREE PROTECTION FENCE DETAIL AND FOREST CONSERVATION SIGNAGE SEE SHEET 1 OF 3.
11. THE FOREST CONSERVATION SHOWN FOR LOTS 38, 39, 40, AND 43 (FORMERLY LOT 41.) ARE SHOWN FOR MNCPPC REVIEW ONLY AND ARE NOT RELATED TO CONSTRUCTION FOR THE SEDIMENT CONTROL AND OR FOREST CONSERVATION REQUIREMENTS FOR THE PROPOSED RESIDENCE ON LOT 44 UNDER SEDIMENT CONTROL NUMBER 222132.
12. PROVIDE SILT FENCE AS REQUIRED IF THIS AREA IS DISTURBED DURING CONSTRUCTION.

(FOR ADDITIONAL NOTES SEE SHEET 3 OF 3)

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FINAL PLAT
APPROVED

Plat 97056 lot 44 and parcel 495 12-7-06

The Forest Conservation Planner or Qualified Preparer –Certification

Signature of Forest Conservation Planner or Qualified Preparer

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08 SUBTITLE 19 FOREST CONSERVATION) AND CHAPTER 22A FOREST CONSERVATION OF THE MONTGOMERY COUNTY CODE (COMAR 1-01AM)

SIGNATURE: David B. Ross DATE: 11/9/06

PRINT NAME: DAVID B. ROSS REGISTRATION/CERTIFICATION: 615

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

* See approved memo for condition

NOV - 9 2006


DESIGN ENGINEERING INCORPORATED
FULL SERVICE CIVIL ENGINEERING & RELATED SERVICES
18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879
PHONE: (301) 258-1173 Webpage: www.d eus.com
Contact: Pritam Arora, P.E.


# LOT 44 (formerly lot 42) KENTSDALE ESTATES

PLAT 21790, DEED REF: 20627/393

CHAWLA'S RESIDENCE

10423 WILLOWBROOK DRIVE

POTOMAC, MONTGOMERY COUNTY, MARYLAND

REVISIONS

| DATE | DESCRIPTION |
|---|---|
| 5/18/06 | MNCPC SUBMITTAL |
| 9/15/06 | MNCPC SUBMITTAL |
| 11/03/06 | MNCPC SUBMITTAL |

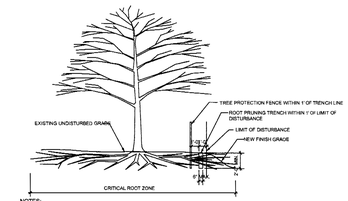
TITLE: FOREST CONSERVATION PLAN

| | |
|---|---|
| DATE: 10/27/05 | DRAWN: EMB/SA |
| SCALE: 1"=30' | DESIGNED: PLA/EMB |
| SHEET: 2 of 3 | CHECKED: PLA |

## FOREST CONSERVATION PLAN NOTES

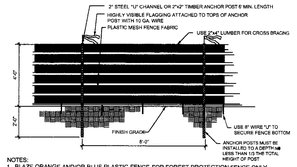
1. An on-site pre-construction meeting shall be required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The owner shall contact the Maryland National Capital Park and Planning Commission inspection staff prior to commencing construction to verify the limits of disturbance and discuss tree protection and tree care measures. The attendants at this meeting should include: developer's representative, construction superintendent, ISA certified arborist or MD license tree expert that will implement the tree protection measures, M-NCPPC inspector, and DPS sediment control inspector.
2. No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
   a. Root pruning
   b. Crown Reduction or pruning
   c. Watering
   d. Fertilizing
   e. Vertical mulching
   f. Root aeration matting

   Measures not specified on the forest conservation plan may be required as determined by the M-NCPPC inspector in coordination with the arborist.
3. A State of Maryland licensed tree expert, or an International Society of Arboriculture certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must either be observed by the MNCPPC inspector or sent to the MNCPPC inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The MNCPPC inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.
4. Temporary tree protection devices shall be installed per the Forest Conservation Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. M-NCPPC inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:
   a. Chain link fence (four feet high)
   b. Snow fence (four feet high)
   c. Super silt fence
   d. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
   e. Blaze orange fence at least 4 feet high, 2 inch anchor posts with no less than 1/3 of the anchor post below grade, maximum 8 foot spacing between anchor posts, 2 inch x 4 inch lumber cross bracing, and a 6 to 8 inch wire "U" to secure bottom of fence.
5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from MNCPPC. Tree protection devices to be coordinated with erosion and sediment control devices as indicated on the approved Erosion and Sediment Control plan approved by the Department of Permitting Services.
6. Forest retention area signs shall be installed as required by the MNCPPC inspector, or as shown approved plan.
7. Long-term protection devices will be installed per the Forest Conservation Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.
8. Periodic inspections by MNCPPC will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the MNCPPC inspector, must be made within the timeframe established by the MNCPPC inspector.
9. After construction is completed, an inspection shall be requested. Corrective measure which may be required include:
   a. Removal and replacement of dead and dying trees
   b. Pruning of dead or declining limbs
   c. Soil aeration
   d. Fertilization
   e. Watering
   f. Wound repair
   g. Clean up of retention areas
10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. No additional grading, sodding, or burial may take place.




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 O F 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




NOTES:
1. BLAZE ORANGE AND/OR BLUE PLASTIC FENCE FOR FOREST PROTECTION FENCE ONLY.
2. BOUNDARIES OF FOREST RETENTION AREAS TO BE ESTABLISHED AS PART OF THE FOREST CONSERVATION PLAN REVIEW PROCESS.
3. BOUNDARIES OF FOREST RETENTION AREAS SHALL BE STAKED PRIOR TO INSTALLING FENCE.
4. AVOID DAMAGE TO CRITICAL ROOT ZONE. DO NOT DAMAGE OR SEVER LARGE ROOTS WHILE INSTALLING POSTS.
5. FENCE SHALL BE PROPERLY MAINTAINED THROUGHOUT CONSTRUCTION.
6. PROTECTION SIGNS ARE REQUIRED.

### TREE PROTECTION FENCE DETAIL

NOTES:
FOR WOODLAND AREA SIGNAGE SEE FOREST CONSERVATION PLAN SHEET 1 OF 3

NOV - 9 2006

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PARKS AND PLANNING

PLAN NO. 4-97056R lot 44 and remainder 459
SIGNATURE 12-7-06 DATE
* See approved memo for conditions

The Forest Conservation Planner or Qualified Prepare –Certification
Signature of Forest Conservation Planner or Qualified Preparer
I HEREBY CERRTY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO MARYLAND FOREST CONSERVATION ACT (COMAR, TITLE 08,SUBTITLE 19,FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY CODE (COMAR 1–01AM)

SIGNATURE DATE 11/9/06
PRINT NAME DAVID G FOX REGISTRATION/CERTIFICATION


DESIGN ENGINEERING INCORPORATED
FULL SERVICE CIVIL ENGINEERING & RELATED SERVICES
18229–A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879
PHONE: (301) 258–1173 Webpage: www.deius.com
Contact: Pritam Arora, P.E.


LOT 44 (formerly lot 42) KENTSDALE ESTATES
PLAT 2–07034 (FORMERLY PLAT NUMBER 21790), DEED REF: 20627/393
CHAWLA'S RESIDENCE
10423 WILLOWBROOK DRIVE
POTOMAC, MONTGOMERY COUNTY, MARYLAND

REVISIONS

| DATE | DESCRIPTION |
|---|---|
| 10/17/06 | BID PRICING |
| 11/08/06 | M–NCPPC |

TITLE: FOREST CONSERVATION NOTES AND DETAILS

DATE: 09/13/06
SCALE: NOT TO SCALE
SHEET: 3 of 3
DRAWN: EMB/SA
DESIGNED: PLA/EMB
CHECKED: PLA

11997056C Attachment 2

# PLAT No. 23678

| FOREST CONSERVATION ESMT. | | |
|---|---|---|
| LINE | BEARING | DIST. |
| FC1 | N 31°00'36" W | 77.03' |
| FC2 | N 54°07'52" W | 77.50' |
| FC3 | N 38°14'16" W | 21.90' |
| FC4 | N 66°42'27" E | 76.21' |
| FC5 | N 75°28'05" E | 41.85' |
| FC6 | N 84°02'12" E | 55.13' |
| FC7 | N 84°07'44" E | 36.91' |
| FC8 | S 16°10'06" W | 27.82' |
| FC9 | S 12°30'03" W | 18.96' |
| FC10 | S 75°35'10" W | 46.79' |
| FC11 | N 66°25'32" W | 6.21' |
| FC12 | N 33°19'42" W | 44.58' |
| FC13 | S 32°48'18" E | 39.16' |
| FC14 | S 17°59'59" W | 10.20' |
| FC15 | S 03°47'57" W | 49.75' |
| FC16 | S 07°07'08" E | 55.57' |
| FC17 | S 56°44'48" W | 33.41' |
| FC18 | N 36°41'36" W | 140.23' |
| FC19 | N 47°22'07" E | 45.31' |
| FC20 | N 39°50'14" E | 22.01' |
| FC21 | N 07°30'28" E | 57.52' |
| FC22 | N 42°45'04" W | 34.45' |
| FC23 | S 84°14'11" W | 28.19' |
| FC24 | S 76°39'17" W | 25.78' |
| FC25 | S 67°13'11" W | 25.47' |
| FC26 | S 54°26'29" W | 13.67' |
| FC27 | S 14°37'35" W | 35.32' |
| FC28 | S 76°23'13" W | 79.16' |
| FC29 | S 16°00'20" W | 18.52' |
| FC30 | S 21°39'42" E | 77.48' |
| FC31 | N 59°57'30" E | 94.99' |
| FC32 | S 77°10'35" E | 37.23' |

## CURVE TABULATION

| CURVE | RADIUS | LENGTH | TANGENT | CHORD | BEARING | DELTA |
|---|---|---|---|---|---|---|
| C1 | 515.00 | 115.78 | 58.14 | 115.54 | S 07°25'23" E | 12°52'52" |
| C2 | 666.20 | 62.86 | 31.45 | 62.84 | S 89°30'47" E | 05°24'23" |
| C3 | 480.00 | 107.82 | 54.14 | 107.60 | S 07°25'04" E | 12°52'14" |
| C4 | 666.20 | 61.75 | 30.91 | 61.73 | N 85°07'43" E | 05°18'45" |
| C5 | 445.00 | 99.86 | 50.14 | 99.65 | S 07°24'41" E | 12°51'26" |
| C6 | 265.00' | 114.61' | 58.21' | 113.72' | N 42°25'53" W | 24°46'46" |
| C7 | 535.00' | 199.22' | 100.78' | 198.07' | N 44°08'11" W | 21°20'09" |

## LINE TABLE

| LINE | DISTANCE | BEARING |
|---|---|---|
| L1 | 40.85' | S 43°53'50" E |
| L2 | 39.94' | N 40°44'40" E |

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS A PLAT OF SUBDIVISION OF (1) PART OF THE LAND CONVEYED BY VASWANI PLACE CORPORATION, A MARYLAND CORPORATION, TRUSTEE OF POTOMAC HILLS TRUST 1, AND SONINA PROPERTIES LLC, A MARYLAND LIMITED LIABILITY COMPANY, TRUSTEE OF POTOMAC HILLS TRUST 2, BY DEED DATED DECEMBER 24, 2001 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 20627 AT FOLIO 393, AND (2) A PORTION OF WILLOWBROOK DRIVE ABANDONED UNDER MONTGOMERY COUNTY COUNCIL RESOLUTION NO. 15-1583 ADOPTED AUGUST 1, 2006.

I HEREBY CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DEDICATION HEREON, ALL PROPERTY MARKERS AND OTHER BOUNDARY MARKERS SHOWN THUS (O) WILL BE SET AS DELINEATED HEREON IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 50-24(e) OF THE MONTGOMERY COUNTY CODE.

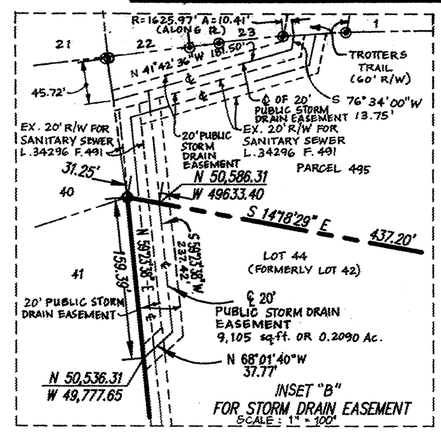
THE TOTAL AREA INCLUDED IN THIS PLAT OF SUBDIVISION IS 222,432 SQUARE FEET OR 5.1063 ACRES. THERE IS NO STREET DEDICATION BY THIS PLAT.

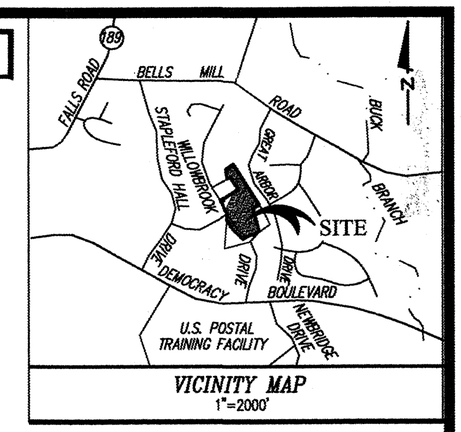
11-17-06
DATE

MOHAMMAD NAJIB ROSHAN
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION No. 11049

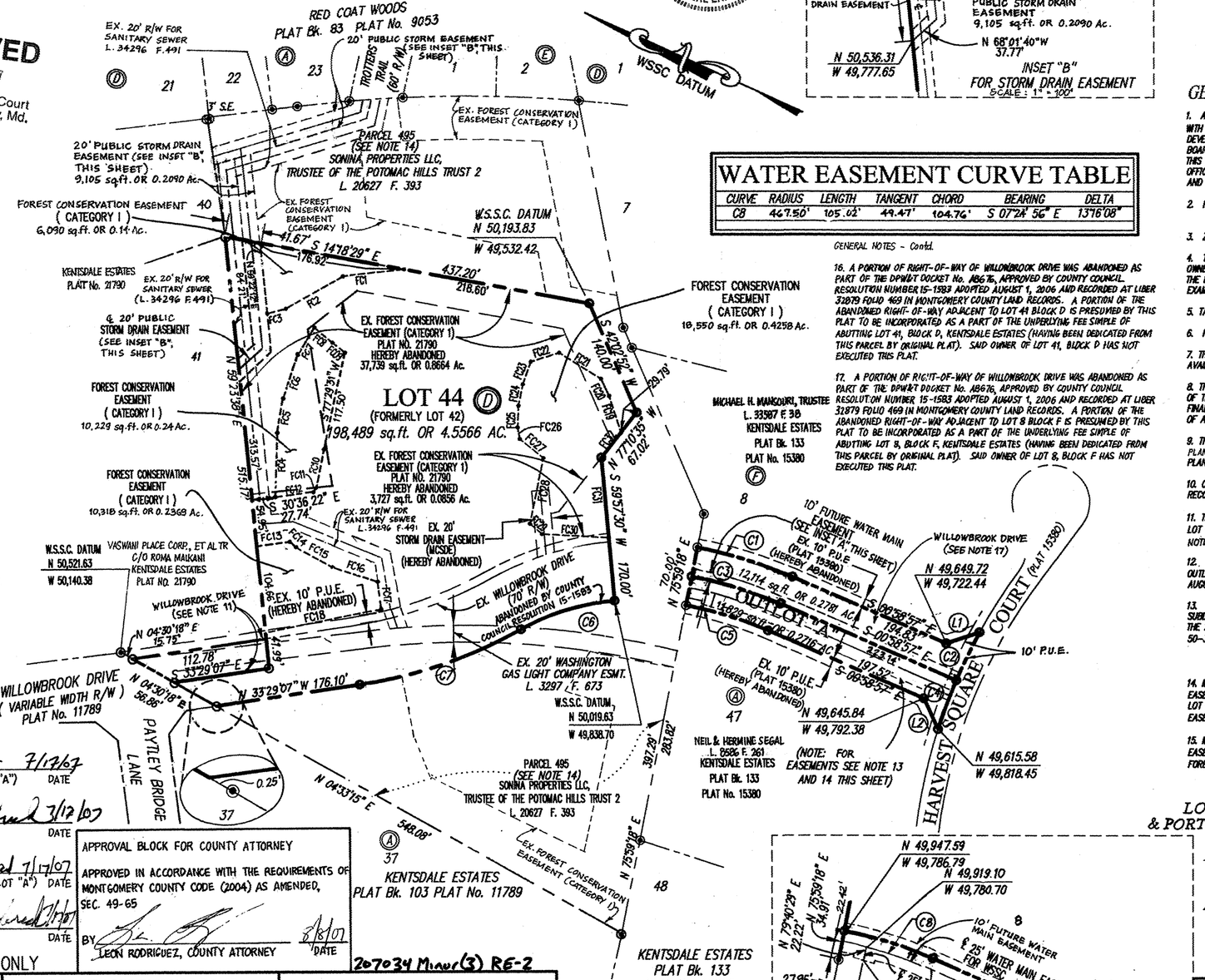
STATE OF MARYLAND
MOHAMMAD NAJIB ROSHAN
No. 11049
PROFESSIONAL LAND SURVEYOR

RECEIVED
AUG 28 2007
Clerk of the Circuit Court
Montgomery County, Md.



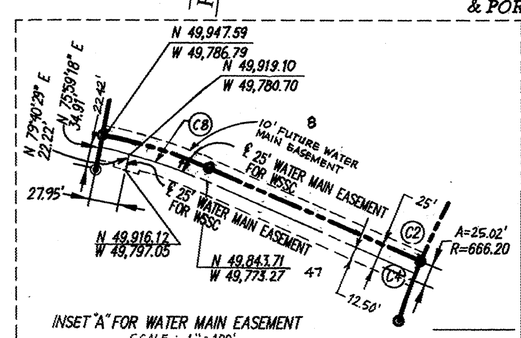




VICINITY MAP
1"=2000'




## WATER EASEMENT CURVE TABLE

| CURVE | RADIUS | LENGTH | TANGENT | CHORD | BEARING | DELTA |
|---|---|---|---|---|---|---|
| C8 | 447.50' | 105.02' | 49.47' | 104.74' | S 07°24'56" E | 13°16'08" |




## GENERAL NOTES

1. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, 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 RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.

2. PROPERTY MARKERS TO BE SET SHOWN THUS: ◉

3. ZONED: RE-2

4. THIS SUBDIVISION PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE REPORT OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.

5. TAX MAP: FP563

6. PRELIMINARY PLAN #: NONE

7. THE APPROVAL OF THIS PLAT IS PREDICATED UPON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.

8. 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 SEDIMENT CONTROL PERMIT.

9. THE LOTS SHOWN HEREON ARE LIMITED TO USES AND CONDITIONS AS REQUIRED BY PLANNING BOARD ACTION. ANY PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.

10. COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE BASED ON SUBDIVISION RECORD PLAT NO. 21790 RECORDED IN THE LAND RECORDS OF MONTGOMERY COUNTY.

11. THE ABANDONMENT OF A PORTION OF DEDICATED WILLOWBROOK DRIVE (ABUTTING LOT 41 AND LOT 47) WAS DONE BY COUNTY COUNCIL RESOLUTION NO. 15-1583. (SEE NOTES 16 & 17)

12. THE ABANDONMENT OF WILLOWBROOK DRIVE SHOWN AS A PART OF LOT 44 AND OUTLOT "A" WAS DONE BY COUNTY COUNCIL RESOLUTION 15-1583 ADOPTED AUGUST 1, 2006.

13. THIS PLAT CONFIRMS TO SECTION 50-35A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS. THIS PLAT INVOLVES A CONSOLIDATION OF A LOT PLUS THE ABANDONMENT OF A ROAD AS PROVIDED IN THE SECTION 50-35A(a)(3).

14. INGRESS/EGRESS, GRADING, PAVING, CONSTRUCTION AND GENERAL UTILITY EASEMENTS APPLY TO THE ENTIRE AREA OF OUTLOTS "A" FOR THE BENEFIT OF LOT 44 AND PARCEL 495 UNLESS OTHERWISE RESTRICTED BY FOREST CONSERVATION EASEMENTS AND/OR SEDIMENT CONTROL PERMIT.

15. INGRESS/EGRESS, GRADING, PAVING, CONSTRUCTION, AND GENERAL UTILITY EASEMENT APPLY TO THE ENTIRE PARCEL "495" UNLESS OTHERWISE RESTRICTED BY FOREST CONSERVATION EASEMENTS AND/OR SEDIMENT CONTROL PERMITS.

GENERAL NOTES - Contd.

16. A PORTION OF RIGHT-OF-WAY OF WILLOWBROOK DRIVE WAS ABANDONED AS PART OF THE DPWT DOCKET No. AB676, APPROVED BY COUNTY COUNCIL RESOLUTION NUMBER 15-1583 ADOPTED AUGUST 1, 2006 AND RECORDED AT LIBER 32879 FOLIO 469 IN MONTGOMERY COUNTY LAND RECORDS. A PORTION OF THE ABANDONED RIGHT-OF-WAY ADJACENT TO LOT 41 BLOCK D IS PRESUMED BY THIS PLAT TO BE INCORPORATED AS A PART OF THE UNDERLYING FEE SIMPLE OF ABUTTING LOT 41, BLOCK D, KENTSDALE ESTATES (HAVING BEEN DEDICATED FROM THIS PARCEL BY ORIGINAL PLAT). SAID OWNER OF LOT 41, BLOCK D HAS NOT EXECUTED THIS PLAT.

17. A PORTION OF RIGHT-OF-WAY OF WILLOWBROOK DRIVE WAS ABANDONED AS PART OF THE DPWT DOCKET No. AB676, APPROVED BY COUNTY COUNCIL RESOLUTION NUMBER 15-1583 ADOPTED AUGUST 1, 2006 AND RECORDED AT LIBER 32879 FOLIO 469 IN MONTGOMERY COUNTY LAND RECORDS. A PORTION OF THE ABANDONED RIGHT-OF-WAY ADJACENT TO LOT 8 BLOCK F IS PRESUMED BY THIS PLAT TO BE INCORPORATED AS A PART OF THE UNDERLYING FEE SIMPLE OF ABUTTING LOT 8, BLOCK F, KENTSDALE ESTATES (HAVING BEEN DEDICATED FROM THIS PARCEL BY ORIGINAL PLAT). SAID OWNER OF LOT 8, BLOCK F HAS NOT EXECUTED THIS PLAT.

## OWNER'S CERTIFICATE

WE, SONINA PROPERTIES LLC, TRUSTEE OF THE POTOMAC HILLS TRUST 2; OWNERS OF THE PROPERTY (LOT 44) SHOWN HEREON, AND NEIL & HERMINE SEGAL, OWNERS OF OUTLOT "A" HEREBY ADOPT THIS PLAT OF SUBDIVISION; AND GRANT TO THE WASHINGTON SUBURBAN SANITARY COMMISSION (W.S.S.C.) SUCH EXCLUSIVE RIGHTS AS NECESSARY FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, AND REPAIR OF WATER MAINS AND APPURTENANCES WITHIN THE WATER RIGHTS-OF-WAY/EASEMENTS, SUBJECT TO AND TOGETHER WITH THE CONDITIONS CONTAINED IN A RIGHT-OF-WAY DOCUMENT FROM THE GRANTOR, THEIR SUCCESSORS OR ASSIGNS, TO THE W.S.S.C AND TO BE RECORDED HEREAFTER.

FURTHER, SONINA PROPERTIES LLC HEREBY GRANT A CONSERVATION EASEMENT AS SHOWN HEREON TO THE PARTIES NAMED IN A DOCUMENT ENTITLED "CONSERVATION EASEMENT AGREEMENT, CATEGORY 1" AS RECORDED IN LIBER 13178 AT FOLIO 412 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE, AND LOCAL GOVERNING AGENCIES.

FURTHER, WE, OUR SUCCESSORS AND ASSIGNS WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTS, TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24(e) OF THE MONTGOMERY COUNTY CODE.

FURTHER, SONINA PROPERTIES LLC, HEREBY GRANT TO MONTGOMERY COUNTY, MARYLAND A PUBLIC STORM DRAIN EASEMENT, DESIGNATED HEREON FOR THE INSTALLATION, CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION AND RECONSTRUCTION OF PUBLIC STORM DRAIN SYSTEMS WITHIN SAID EASEMENT AND THAT WE AS OWNERS OF THE PROPERTY AND OUR SUCCESSORS AND ASSIGNS, WILL NEVER ERECT NOR PERMIT TO BE ERECTED ANY BUILDING OR STRUCTURE OF ANY NATURE WHATSOEVER, NOR FILL, EXCAVATE OR PLANT TREES WITHIN SAID EASEMENT AND RIGHT-OF-WAY WITHOUT THE WRITTEN CONSENT OF THE DEPARTMENT OF PERMITTING SERVICES.

FURTHER, SONINA PROPERTIES LLC, AND NEIL & HERMINE SEGAL GRANT INGRESS/EGRESS, GRADING, PAVING, CONSTRUCTION, & UTILITY EASEMENTS ACROSS PARCEL 495 & OUTLOT "A" FOR THE BENEFIT OF LOT 44 & PARCEL 495.

THERE ARE NO SUITS, LIENS, LEASES, AFFECTING THE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION.

DATE: Nov. 1st, 2006

NEIL SEGAL (FOR OUTLOT "A") — DATE 7/17/07

BY: Vera V. Chawla — ATTEST — DATE 7/12/07

VERA V. CHAWLA, MANAGER
SONINA PROPERTIES, LLC
TRUSTEE OF THE POTOMAC HILLS TRUST 2
(FOR LOT 44, BLOCK "D")

HERMINE SEGAL (FOR OUTLOT "A") — DATE 7/17/07

ATTEST: — DATE: 11/2/06

ATTEST — DATE 7/17/07

FOR PUBLIC WATER AND PUBLIC SEWER SYSTEMS ONLY

APPROVAL BLOCK FOR COUNTY ATTORNEY

APPROVED IN ACCORDANCE WITH THE REQUIREMENTS OF MONTGOMERY COUNTY CODE (2004) AS AMENDED, SEC. 49-65

BY: LEON RODRIGUEZ, COUNTY ATTORNEY — DATE 8/8/07

207034 Minor(3) RE-2

THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

Approved Dec. 7, 2006

CHAIRMAN — ASST. SECRETARY TREASURER

M.N.C.P.& P.C. RECORD FILE No. 628-95

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

Approved 08/09/07

BY: DIRECTOR

RECORDED:
PLAT BOOK:
PLAT NO.:

DRAWN BY: EMB
CHECKED BY: PLA/MNR
DEI FILE NO.: 297

GRAPHIC SCALE 1"=100'
50' 0' 100'

SUBDIVISION RECORD PLAT
LOT 44, BLOCK "D", OUTLOT "A", BLOCK "A"
& PORTIONS OF ABANDONED WILLOWBROOK DRIVE

# KENTSDALE ESTATES

RESUBDIVISION OF LOT 42, BLOCK "D"
KENTSDALE ESTATES &
A PORTION OF WILLOWBROOK DRIVE ABANDONMENT
AS SHOWN ON PLAT NO. 21790 AND PLAT NO. 15380
POTOMAC ELECTION DISTRICT NO. 10
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=100' — SEPTEMBER 2006 (REV. 7/31/07)


DEI
DESIGN ENGINEERING INCORPORATED
18229-A Flower Hill Way
Gaithersburg, MD 20879
301-258-1173 * FAX 301-258-0690


P142500 MSA SSU 1249 29297 628-95


MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 23678, MSA_S1249_29297. Date available 2007/08/28. Printed 06/05/2008 Maryland State Archives

LF 13178.412

# CONSERVATION EASEMENT AGREEMENT

## Category I

## DEFINITIONS

**Grantor:** Fee simple owner of real property subject to a:
(i) Plan approval conditioned on compliance with a FCP; 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").

**Planning Board:** Montgomery County Planning Board of the Maryland-National Capital Park 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:** Sediment control permit approved pursuant to Montgomery County Code Chapter 19; preliminary plan approved under Montgomery County Code Chapter 50; site plan, development plan, planned unit development or special exception application approved under Montgomery County Code Chapter 59; mandatory referral reviewed pursuant to Article 28 of Maryland State Code Annotated; approved major utility construction (as defined by Washington Suburban Sanitary Commission's regulations).

94 DEC 30 P 12: 27.1
FILED
MOLLY Q. RUHL
CLERKS OFFICE
MONTGOMERY CO.

**Forest Conservation Plan ("FCP"):** Forest Conservation Plan approved by the Planning Board or Planning Director pursuant to Chapter 22A, Montgomery County Code.

**Exhibit A:**
(i) FCP approved as a condition of receiving any of the Plan approval noted above; or
(ii) Approved and signed Plan referencing this Easement Agreement.

INC FD SURE $ 0.00
RECORDING FEE 0.00
TOTAL 0.00
RECEIPT# 9999209
MQR JBJ Blk#3
Dec 30, 1994 12:24 PM

## WITNESSETH

This Agreement reflects a grant of easement by Grantor to the Grantee.

**WHEREAS** Grantor (or Grantor's agent) has obtained authority to develop pursuant to a Plan in accordance with Montgomery County, Maryland laws; and

**WHEREAS**, the Planning Board or other approving authority approved Grantor's Plan conditioned upon a requirement that development occur in strict accordance with a FCP approved by the Planning Board after full review of the FCP pursuant to the

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) [MSA CE 63-13133] MQR 13178, p. 0412. Printed 12/03/2008. Image available as of 09/20/2005.

provisions of Montgomery County Code Chapter 22A (Forest Conservation); Chapter 50 (Subdivision Regulations); and/or Chapter 59 (Zoning Ordinance); and/or

the Planning Board approved Grantor's Plan conditioned upon Grantor subjecting the property to be developed ("Property") or a portion of the property to be developed 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 ("Easement") is as shown on Exhibit A (incorporated by reference into the terms of this Agreement); 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 Parties intend for the conditions and covenants contained in this Easement Agreement to run with the land in perpetuity and to be binding on all subsequent owners and occupants of the Property; and

WHEREAS, the Parties intend 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 agreement 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 covey unto the Planning Board, in perpetuity, an Easement on the Property of the size and location described in Exhibit A, and further described on the applicable record plat(s), of the nature and character described herein. This Easement constitutes a covenant real running with the title of the land, and is granted to preserve, protect and maintain the general topography and natural character of the land. Grantor, its heirs, successors and assigns covenant to abide by the following restrictions within the Easement:

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) [MSA CE 63-13133] MDR 13178, p. 0413. Printed 12/03/2008. Image available as of 09/20/2005.

1. The foregoing recitals are agreed to and incorporated herein and shall be binding upon the parties.

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 is undertaken pursuant to a forest management plan approved by the Planning Director or Maryland's Department of Natural Resources ("DNR").

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 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 or according to an approved management plan, but the method of removal must be consistent with the limitations contained within this Agreement. Vegetation removal shall be limited to noxious, exotic or invasive weeds only, and protective measures must be taken to protect nearby trees and shrubs.

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 Agreement precludes activities necessary to implement or maintain 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 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

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) [MSA CE 63-13133] MQR 13178, p. 0414. Printed 12/03/2008. Image available as of 09/20/2005.

(including alteration of stream channels, stream currents or stream flow).

e. Industrial or commercial activities.

f. Timber cutting, unless conducted pursuant to a forest management plan approved by DNR.

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 suit.

k. Alteration of stream.

7. Nothing in this Agreement 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.

9. Fences consistent with the purposes of the Easement may be erected within the Easement Area only after written approval from the Planning Director

10. Unpaved paths or trails consistent with the purposes of the Easement may be created within the Easement Area if shown on the FCP or with prior written approval from the Planning Director.

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 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 for any purpose. The 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. Grantor further 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 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 agreement.

15. Upon finding a violation of any of the restrictions, conditions, covenants and easements established by this Agreement, 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 Agreement shall be sent to the Planning Director, M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910.

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.

* * * * * * * *

This is to certify that the within instrument has been prepared under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Michele Rosenfeld

Michele Rosenfeld
Associate General Counsel
M-NCPPC

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) [MSA CE 63-13133] MQR 13178, p. 0416. Printed 12/03/2008. Image available as of 09/20/2005.

119970056C Attachment 4

34726 201

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

2007 AUG 15 PM 3:24

CONSERVATION EASEMENT AGREEMENT

Category I

DEFINITIONS

**Grantor**: Fee simple owner of real property subject to a: → Potomac Hills Trust 2

(i) Plan approval conditioned on compliance with a FCP; 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").

**Planning Board**: Montgomery County Planning Board of The Maryland-National Capital Park 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:** Sediment control permit approved pursuant to Montgomery County Code Chapter 19; preliminary plan approved under Montgomery County Code Chapter 50; site plan, development plan, planned unit development or special exception application approved under Montgomery County Code Chapter 59; mandatory referral reviewed pursuant to Article 28 of Maryland State Code Annotated; approved major utility construction (as defined by Washington Suburban Sanitary Commission's regulations).

**Forest Conservation Plan ("FCP")**: Forest Conservation Plan approved by the Planning Board or Planning Director pursuant to Chapter 22A, Montgomery County Code.

**Exhibit A**:

(i) FCP approved as a condition of receiving any of the Plan approvals above; or

(ii) Approved and signed Plan referencing this Easement Agreement.

| | | |
|---|---|---|
| IMP FD SURE | | 20.00 |
| RECORDING FEE | | 20.00 |
| TOTAL | | 40.00 |
| Rest MO07 | Rcpt # 42691 | |
| LEK KAQ | Blk # 4137 | |
| Aug 15, 2007 | 03:23 PM | |

WITNESSETH

This Agreement reflects a grant of easement by Grantor to the Grantee.

WHEREAS Grantor (or Grantor's agent) has obtained authority to develop pursuant to a Plan in accordance with Montgomery County, Maryland laws; and

WHEREAS, the Planning Board or other approving authority approved Grantor's Plan

MONTGOMERY COUNTY, MD

APPROVED BY ___

AUG 15 2007

$ NA RECORDATION TAX PAID

$ NA TRANSFER TAX PAID



Tax ID # 10-03330165

MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0201. Printed 03/26/2010. Online 08/20/2007.

conditioned upon a requirement that development occur in strict accordance with a 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

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 ("Easement") is as shown on Exhibit A (incorporated by reference into the terms of this Agreement); 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 Parties intend for the conditions and covenants contained in this Easement Agreement to run with the land in perpetuity and to be binding on all subsequent owners and occupants of the Property; and

WHEREAS, the Parties intend 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 agreement 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 A, and further described on the applicable record plat(s), of the nature and character described herein. This Easement constitutes a covenant real running with the title of the land, and is granted to preserve, protect and maintain the general topography and natural character of the land. 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



MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0202. Printed 03/26/2010. Online 08/20/2007.

upon the parties.

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 and Maryland's Department of Natural Resources ("DNR").

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 Agreement. Vegetation removal shall be limited to noxious weeds only, and protective measures must be taken to protect nearby trees and shrubs.

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 Agreement 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 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).



MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0203. Printed 03/26/2010. Online 08/20/2007.

e. Industrial or commercial activities.

f. Timber cutting, unless conducted pursuant to an approved forest management plan approved by the Planning Director and DNR.

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 suit.

k. Alteration of stream

7. Nothing in this Agreement 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.

9. Fences consistent with the purposes of the Easement may be erected 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.

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 Easement.

12. Grantor authorizes Planning Board representatives to enter the Property and Easement 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



MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0204. Printed 03/26/2010. Online 08/20/2007.

the general public the right to enter the Property or Easement for any purpose. The 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. Grantor further 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 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 agreement.

15. Upon finding a violation of any of the restrictions, conditions, covenants and easements established by this Agreement, 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 Agreement shall be sent to the Planning Director, M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910.

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.

WITNESS: GRANTOR:

V. Chawla

V. CHAWLA, Trustee, Sonina Properties LLC for Potomac Hills Trust 2

STATE OF MARYLAND

COUNTY OF Montgomery to wit:

I HEREBY CERTIFY that on this 5th day of January, 20 07, before me, a Notary Public in and for the State and County aforesaid, personally appeared Vera Chawla, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing and annexed instrument and acknowledged that said



MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0205. Printed 03/26/2010. Online 08/20/2007.

individual executed the same for the purposes therein contained.

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

My Commission Expires: 4/21/2009

[NOTARIAL SEAL]

WITNESS:/ATTEST

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

Patricia Barney, Secretary-Treasurer

Bruce Crawford, Acting Executive Director

STATE OF MARYLAND

COUNTY OF Baltimore to wit:

I HEREBY CERTIFY that on this 9 day of May, 2007, before me, a Notary Public in and for the State and County aforesaid, personally appeared Bruce ~~Crawford~~ Brizendine, 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.

My Commission Expires: 5/4/09

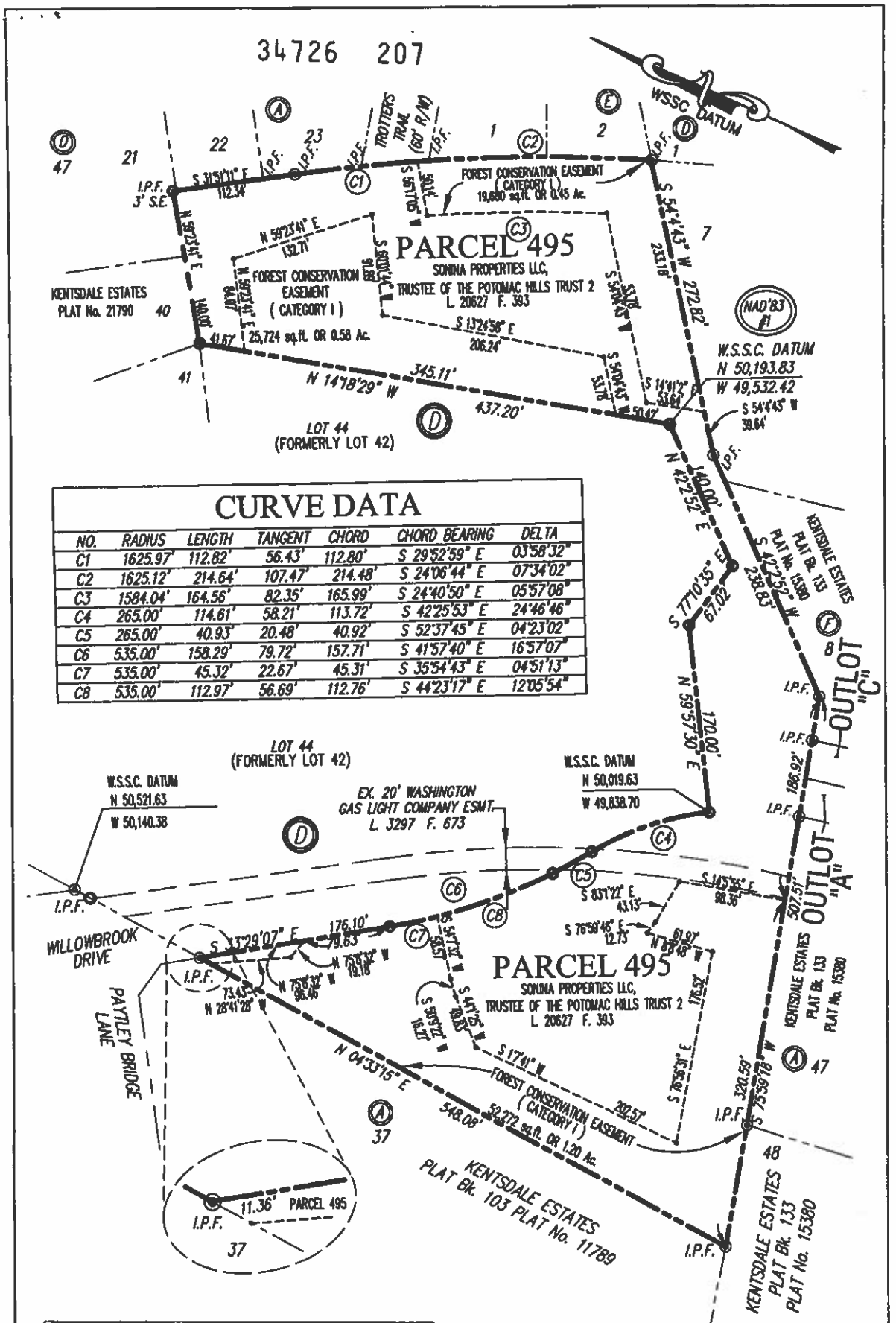
[NOTARIAL SEAL]

CYNTHIA L. SENNETT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 4, 2009



MO CIRCUIT COURT (Land Records) [MSA CE 63-34683] LEK 34726, p. 0206. Printed 03/26/2010. Online 08/20/2007.

34726 207




## CURVE DATA

| NO. | RADIUS | LENGTH | TANGENT | CHORD | CHORD BEARING | DELTA |
|---|---|---|---|---|---|---|
| C1 | 1625.97' | 112.82' | 56.43' | 112.80' | S 29°52'59" E | 03°58'32" |
| C2 | 1625.12' | 214.64' | 107.47' | 214.48' | S 24°06'44" E | 07°34'02" |
| C3 | 1584.04' | 164.56' | 82.35' | 165.99' | S 24°40'50" E | 05°57'08" |
| C4 | 265.00' | 114.61' | 58.21' | 113.72' | S 42°25'53" E | 24°46'46" |
| C5 | 265.00' | 40.93' | 20.48' | 40.92' | S 52°37'45" E | 04°23'02" |
| C6 | 535.00' | 158.29' | 79.72' | 157.71' | S 41°57'40" E | 16°57'07" |
| C7 | 535.00' | 45.32' | 22.67' | 45.31' | S 35°54'43" E | 04°51'13" |
| C8 | 535.00' | 112.97' | 56.69' | 112.76' | S 44°23'17" E | 12°05'54" |


DEI
DESIGN ENGINEERING INCORPORATED
18229-A Flower Hill Way
Gaithersburg, MD 20879
301-258-1173 • FAX 301-258-0690


EXHIBIT "A"

**FOREST CONSERVATION EASEMENT ON PARCEL 495**
**TAX MAP 563**

TAX ACCOUNT NO. 00855657
POTOMAC ELECTION DISTRICT NO. 10
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=100' DECEMBER 26, 2006

MO CIRCUIT COURT (Land Records) [MSA CE 65-4683] LEK 34726, p. 0207. Printed 03/26/2010. Online 08/20/2007.

**Date Mailed: May 28, 1997**

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*

**Action: Approved Staff Recommendation (Motion of Comm. Aron, seconded by Comm. Richardson with a vote of 5-0; Comms. Aron, Baptiste, Holmes, Hussmann and Richardson voting in favor).**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-97056
NAME OF PLAN: KENTSDALE ESTATES

On 01-21-97, MS. VERA CHAWLA , submitted an application for the approval of a preliminary plan of subdivision of property in the RE2 zone. The application proposed to create 7 lots on 20.07 ACRES of land. The application was designated Preliminary Plan 1-97056. On 05-22-97, Preliminary Plan 1-97056 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-97056 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-97056, subject to the following conditions:

STAFF RECOMMENDATION: Approval, subject to the following:

(1) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permit, as appropriate

(2) Submit a revised plan depicting a minimum of 30 feet of side yard area between the proposed dwelling units on lot 5 and 6 and their common boundary line with proposed lots 2 and 3

(3) Prior to MCPB release of building permits, submit for technical staff approval a clearing/grading and house location plan

(4) Record plat to reference all conservation easement areas including the 50 foot forested buffer located along the eastern property line (excluding the public utility easement)

(5) Dedication for Willowbrook Drive (70 feet) as shown on Master Plan

(6) Access and improvements as required and approved by MCDPW&T memo dated March 13, 1997

(7) Record plat to reference all common ingress/egress easements

(8) Other necessary easements

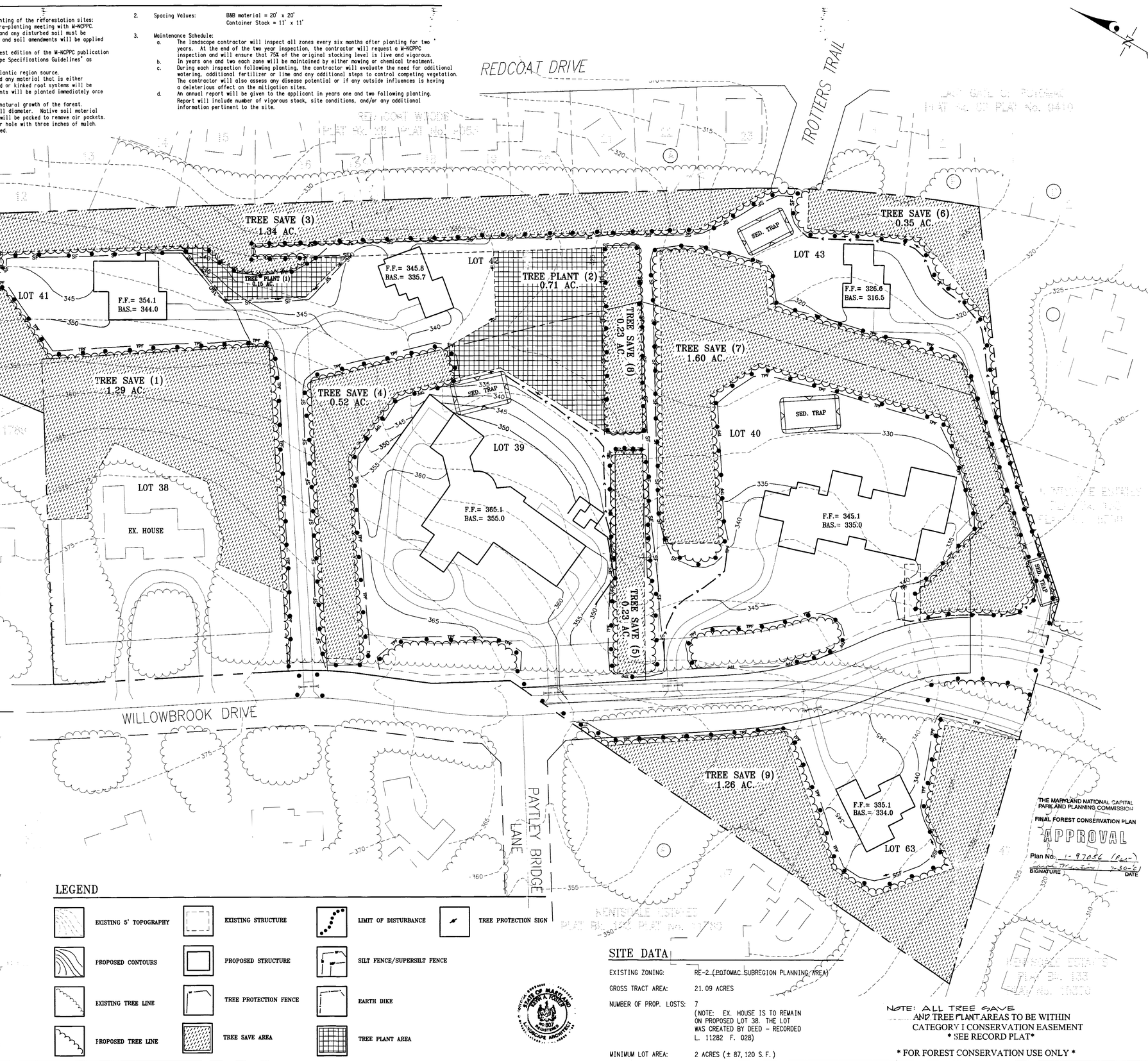
(9) This preliminary plan will remain valid until June 28, 2000 (37 months from the date of mailing, which is May 28, 1997). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.

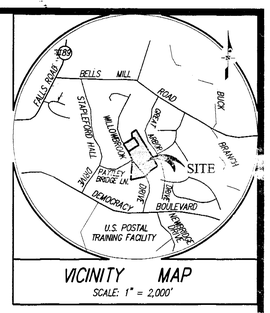
NO SCALE PLAN
SCALE 1"=50'
GREAT ARBOR DRIVE
PLAT 2
RED COAT WOODS (CLUSTER)
L. 86 F. 9053
TROTTERS TRAIL
QUIETT
EAST GATE OF POTOMAC (CLUSTER
L. 88 F. 9410
R-200
RE-2
STAND F
STAND E
STAND D
STAND C
STAND B
STAND A
STAND G
STAND H
#131
#128
#130
#129
#127
#126
#132
#133
#134
#135
#125
#124
#123
#122
20" QUAD TULIP POPLAR
28" OAK
24" TULIP POPLAR
32" OAK
25" TULIP POPLAR
33" TULIP POPLAR (DAMAGED)
24" OAK
28" OAK
24" TULIP POPLAR
27" OAK
24" DOUBLE TULIP POPLAR
31" OAK
32" TULIP POPLAR
FOUNDATION RUBBLE
24" OAK
DOGWOOD UNDERSTORY
24" TULIP POPLAR
24" OAK
26" OAK
28" TULIP POPLAR
24" OAK
26" TULIP POPLAR
MISCELLANEOUS ORNAMENTAL PLANT MATERIAL SURROUNDING RESIDENCE
2"-22" OAK AND TULIP POPLAR, MISCELLANEOUS UNDERSTORY AND LOW GROWING PLANT SPECIES
26" OAK
27" OAK
24" OAK
22" DOUBLE TULIP POPLAR
24" TULIP POPLAR
WILLOWBROOK DRIVE
HARVEST SQUARE
KENTSDALE ESTATES
L. 103 F. 11789
KENTSDALE ESTATES
L. 83 F. 15780
JOGE LANE
N536450
E1289200
N33°12'59"W 277.32'
R=928.29' A=21.97'
R=500.00' A=97.56'
N22°02'14"W 85.77'
N31°51'37"W 100.04'
S31°51'10.01"E 165.27'
R=1596.97' A=70.49'
S09°08'46"E 202.74'
S09°08'46"E 202.74'
S09°08'46"E 202.74

11997056C Attachment 7

## REFORESTATION PLAN

1. Planting Schedule
   The following targets will be met during the construction and planting of the reforestation sites:
   a. The applicant or landscape contractor must request a pre-planting meeting with M-NCPPC.
   b. Site Preparation. Any existing trash must be removed and any disturbed soil must be stabilized and seeded. Soil samples will be collected and soil amendments will be applied according to soil tests.
   c. Planting. All plant installation shall follow the latest edition of the M-NCPPC publication "Trees-Approved Technical Manual" and/or the "Landscape Specifications Guidelines" as published by the Landscape Contractors Association.
      1. All planting stock will be obtained from a Mid-Atlantic region source.
      2. Plants may be inspected by Landscape Architect and any material that is either damaged or which has rootball compaction, j-rooted or kinked root systems will be rejected. No plants will be stored on site. Plants will be planted immediately once received from the nursery.
      3. Stock will be planted in random order to reflect natural growth of the forest.
      4. Planting field should be limited to 2.5 x root ball diameter. Native soil material will be used to back fill planting site and area will be packed to remove air pockets. Rake soil evenly over the planting field and cover hole with three inches of mulch. Water to settle soil and provide moisture as needed.
2. Spacing Values: B&B material = 20' x 20'
   Container Stock = 11' x 11'
3. Maintenance Schedule:
   a. The landscape contractor will inspect all zones every six months after planting for two years. At the end of the two year inspection, the contractor will request a M-NCPPC inspection and will ensure that 75% of the original stocking level is live and vigorous.
   b. In years one and two each zone will be maintained by either mowing or chemical treatment.
   c. During each inspection following planting, the contractor will evaluate the need for additional watering, additional fertilizer or lime and any additional steps to control competing vegetation. The contractor will also assess any disease potential or if any outside influences is having a deleterious affect on the mitigation sites.
   d. An annual report will be given to the applicant in years one and two following planting. Report will include number of vigorous stock, site conditions, and/or any additional information pertinent to the site.



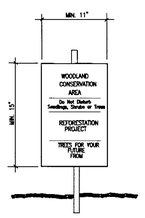




VICINITY MAP
SCALE: 1" = 2,000'

NOTE:
1. WHERE SILT FENCE ABUTS A TREE SAVE AREA THE SILT FENCE SHALL BE COMBINED WITH TREE PROTECTION FENCE. SEE DETAIL.
2. WHERE SUPER SILT FENCE OR EARTH DIKES ARE SHOWN ALONG TREE SAVE AREAS NO TREE PROTECTION FENCE IS REQUIRED. SIGNAGE MUST BE POSTED. SEE DEATIL.

### SIGNAGE

NOT TO SCALE



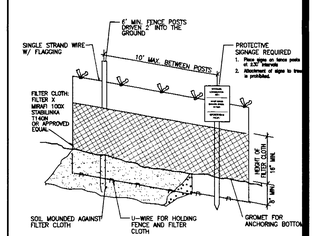

NOTE:
1. Attachment of signs to trees is prohibited.
2. Signs should be properly maintained.
3. Avoid injury to roots when placing posts for the signs.
4. Signs should be posted to be visible to all construction personnel from all directions.

SOURCE: Prince George's County, Maryland: WOODLAND CONSERVATION MANUAL adopted from the Maryland State FOREST CONSERVATION MANUAL

### TREE PROTECTION AND SEDIMENT CONTROL

NOT TO SCALE

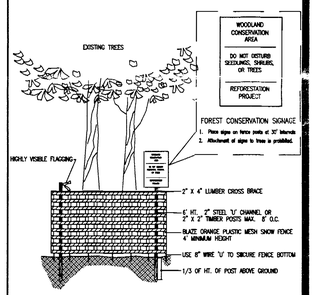
SILT FENCE W/ SINGLE STRAND WIRE & FLAGGING




NOTE:
1. Combine sediment control and protective device.
2. Retention area will be set as part of the review process.
3. Boundaries of Retention Area should be staked prior to installing protective device.
4. Root damage should be avoided.
5. Mound soil only within the limits of disturbance.
6. Protective signage is required.
7. All standard maintenance for sediment control devices apply to these details.

### TREE PROTECTION FENCE

NOT TO SCALE




TREE PROTECTION FENCING
1. Forest protection device only.
2. Avoid root damage
3. Device must be main tain tallthroughout construction.

SOURCE: Prince George's County, Maryland: WOODLAND CONSERVATION MANUAL adopted from the Maryland State FOREST CONSERVATION MANUAL

## REFORESTATION NOTES

TREE PLANT AREAS = 0.86 ACRES

PLANTING RATE OF 200 1" CAL. TREES/AC.
AND 33 18-24" SHRUBS/AC.

PLANTING AREA 1: 0.15 ACRES
= 30 TREES
= 5 SHRUBS

| | | |
|---|---|---|
| 10 | 1" Cal. | Acer rubrum |
| 10 | 1" Cal. | Quercus rubra |
| 5 | 1" Cal. | Ilex opaca |
| 5 | 1" Cal. | Amelanchier canadensis |
| 5 | 18-24" Ht. | Viburnum dentatum |

PLANTING AREA 2: 0.71 ACRES
= 142 TREES
= 24 SHRUBS

| | | |
|---|---|---|
| 40 | 1" Cal. | Acer rubrum |
| 40 | 1" Cal. | Quercus rubra |
| 30 | 1" Cal. | Fraxinus pennsylvanica |
| 16 | 1" Cal. | Ilex opaca |
| 16 | 1" Cal. | Amelanchier canadensis |
| 12 | 18-24" Ht. | Viburnum dentatum |
| 12 | 18-24" Ht. | Hamamelis virginiana |

## FOREST CONSERVATION WORKSHEET

DECEMBER 2000

NET TRACT AREA:

| | |
|---|---|
| A. Total tract area | = 21.10 |
| B. Area within 100 year floodplain | = 0.00 |
| C. Area within WSSC R/W or road R/W constructed by public fund | 0.00 |
| D. Net tract area | = 21.10 |

LAND USE CATEGORY: (from table 3.2.1, page 40, Manual)

Input the number "1" under the appropriate land use zoning, and limit to only one entry.

| ARA | MDR | IDA | HDR | MPD | CIA |
|---|---|---|---|---|---|
| 0 | 1 | 0 | 0 | 0 | 0 |

| | | |
|---|---|---|
| E. Afforestation Threshold | 20% x D = | 4.22 |
| F. Conservation Threshold | 25% x D = | 5.28 |

EXISTING FOREST COVER:

| | |
|---|---|
| G. Existing forest cover (excluding floodplain) | = 18.60 |
| H. Area of forest above afforestation threshold | 14.38 |
| I. Area of forest above conservation threshold | = 13.33 |

BREAK EVEN POINT:

| | |
|---|---|
| J. Forest retention above threshold with no mitigation | = 7.94 |
| K. Clearing permitted without mitigation | = 10.66 |

PROPOSED FOREST CLEARING:

| | |
|---|---|
| L. Total area of forest to be cleared | = 11.34 |
| M. Total area of forest to be retained | = 7.26 |

PLANTING REQUIREMENTS:

| | |
|---|---|
| N. Reforestation for clearing above conservation threshold | = 2.84 |
| P. Reforestation for clearing below conservation threshold | = 0.00 |
| Q. Credit for retention above conservation threshold | = 1.98 |
| R. Total reforestation required | = 0.86 |
| S. Total afforestation required | = 0.00 |
| T. Total reforestation and afforestation required | = 0.86 |

## LEGEND

| | | | |
|---|---|---|---|
| EXISTING 5' TOPOGRAPHY | EXISTING STRUCTURE | LIMIT OF DISTURBANCE | TREE PROTECTION SIGN |
| PROPOSED CONTOURS | PROPOSED STRUCTURE | SILT FENCE/SUPERSILT FENCE | |
| EXISTING TREE LINE | TREE PROTECTION FENCE | EARTH DIKE | |
| PROPOSED TREE LINE | TREE SAVE AREA | TREE PLANT AREA | |

## SITE DATA

EXISTING ZONING: RE-2 (POTOMAC SUBREGION PLANNING AREA)

GROSS TRACT AREA: 21.09 ACRES

NUMBER OF PROP. LOSTS: 7
(NOTE: EX. HOUSE IS TO REMAIN ON PROPOSED LOT 38. THE LOT WAS CREATED BY DEED - RECORDED L. 11282 F. 028)

MINIMUM LOT AREA: 2 ACRES (± 87,120 S.F.)

NOTE: ALL TREE SAVE AND TREE PLANT AREAS TO BE WITHIN CATEGORY I CONSERVATION EASEMENT
* SEE RECORD PLAT*

* FOR FOREST CONSERVATION USE ONLY *

STATE OF MARYLAND KEVIN A. FOSTER No. 807 REGISTERED LANDSCAPE ARCHITECT

I hereby certify that this Final Forest Conservation Plan has been prepared in accordance with the Maryland Forest Conservation Act, and the Montgomery County Trees Technical Manual, effective September, 1992.

Signature: 5.21.01
Kevin A. Foster
Maryland Registered Landscape Architect No. 807

GLW GUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL.: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

| DATE | REVISION | BY | APPR. |
|---|---|---|---|
| 5/01 | MODIFY PER REVISED TREE SAVE AREAS | LMM | |
| 2/01 | MODIFY PER REVISED TREE SAVE AREAS | LMM | |
| 12/00 | MODIFY PER REVISED TREE SAVE AREAS | KMD | |

| \DRAWINGS\97143\97143FC1 | DES. | DRN. | CHK. |
|---|---|---|---|

PREPARED FOR:
MS. VERA CHAWLA
10317 HOLLY HILL PLACE
POTOMAC, MD 20854
PH: 301-469-6655

FOREST CONSERVATION PLAN

KENTSDALE ESTATES

10TH ELECTION DISTRICT — MONTGOMERY COUNTY, MARYLAND

| SCALE | ZONING | G. L. W. FILE No. |
|---|---|---|
| 1"=50' | RE-2 | 97143 |
| DATE | TAX MAP - GRID | SHEET |
| AUG. 2000 | FP - 563 | 1 OF 1 |

97143fc1.dwg 5-8-01 8:55:22 am EST

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 57505, p. 0396, MSA_CE63_57462. Date available 05/08/2019. Printed 10/31/2022.

**IN THE RECORDS OF THE CIRCUIT COURT**
**FOR MONTGOMERY COUNTY, STATE OF MARYLAND,**
**AMONG OTHER PROCEEDINGS**
**IS THE FOLLOWING, TO WIT:**

10
40
AV

CIV00002 20091208

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 57505, p. 0397, MSA_CE63_57462 Date available 05/08/2019 Printed 10/31/2022

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

| | | |
|---|---|---|
| JOEL S. MEISEL, *et al.* | : | |
| Plaintiff | : | |
| v. | : | Civil No. 450708-V |
| POTOMAC HILLS TRUST 2, *et al.* | : | |
| Defendant | : | |

**ORDER**

Upon consideration of the evidence and testimony presented at the hearings on January 30, 2019 and March 26, 2019 on the Motion for Declaratory Judgment and the Motion to Quiet Title as filed herein by Plaintiffs Meisel, and the Opposition by Defendants thereto, it is this 9th day of April, 2019, by the Circuit Court for Montgomery County, Maryland

**ORDERED**, that the Plaintiff's Motion for Declaratory Judgment is **GRANTED**; and it is further

**ORDERED**, that the Plaintiff's Motion to Quiet Title is **GRANTED**; and it is further

**ORDERED**, that the Plaintiffs acquired by adverse possession title to the area of land as defined in Plaintiff's Exhibit 2 (attached), which is further defined in the Charles P. Johnson April 2, 2019 two-page survey and description attached hereto; and it is further

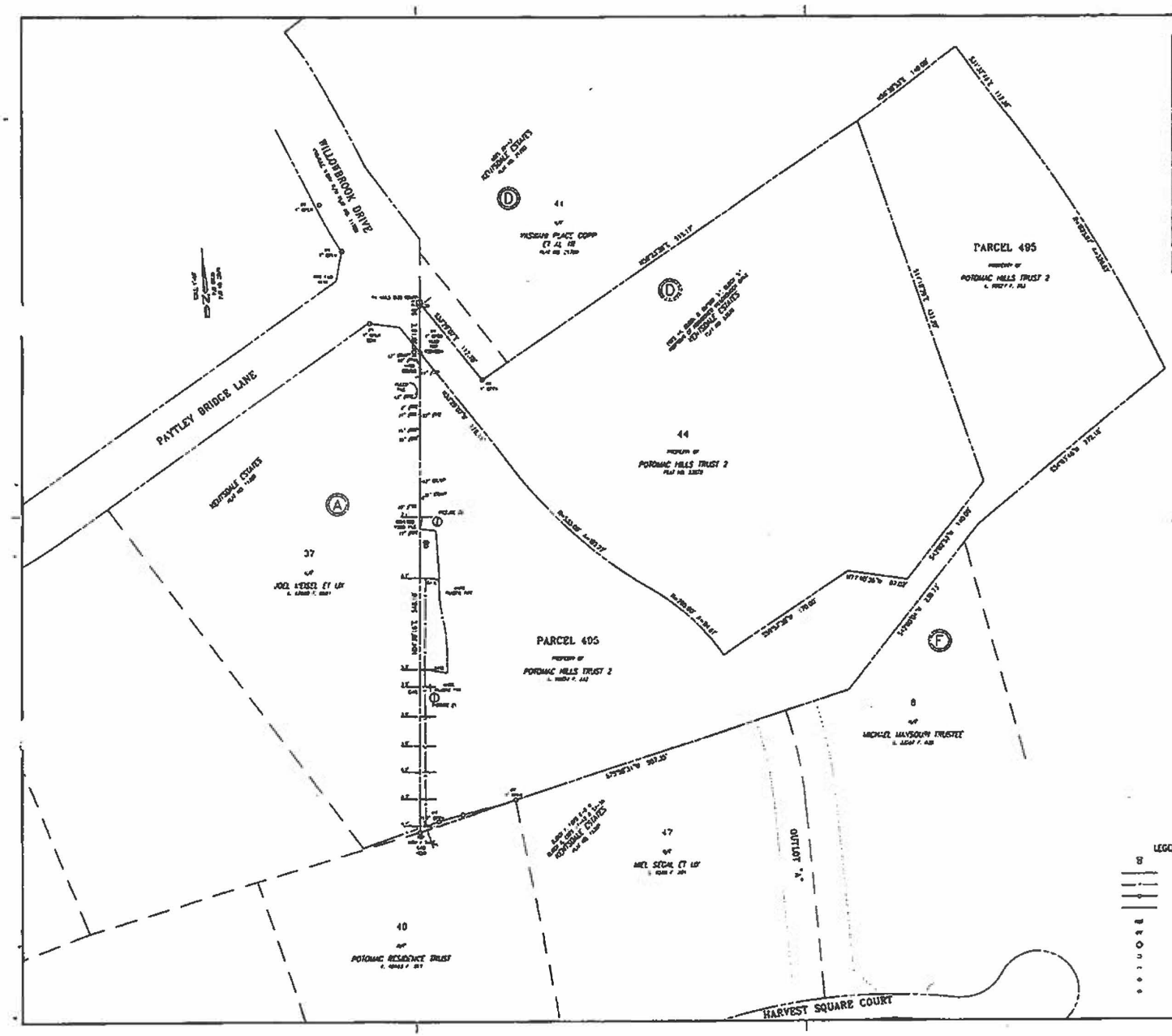
**ORDERED**, that the Defendant's counterclaims are **DENIED**.

ENTERED

APR 15 2019

Clerk of the Circuit Court
Montgomery County, Md.

Judge Nelson W. Rupp Jr.
Circuit Court for
Montgomery County, Maryland



PICTURE #1

PICTURE #2

NOTES:

UTILITY STATEMENT:

SURVEYOR'S CERTIFICATE:

GRAPHIC SCALE

SCALE: 1" = 50'

PROPERTY LINE EXHIBIT
10423 WILLOWBROOK DRIVE
LOT 44 & PARCEL 495, BLOCK D

KENTSDALE ESTATES
POTOMAC (10th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPJ Associates — Charles P. Johnson & Associates, Inc.

BOOK: 57505 PAGE: 398

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 57505, p. 0398, MSA_CE63_57462. Date available 05/08/2019. Printed 10/31/2022.

CPJ Associates
Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • College Park, MD • Frederick, MD • Fairfax, VA

April 2, 2019

Tax Id No. 10-00855657

DESCRIPTION OF
4,852 SQUARE FEET OF LAND
PART OF PARCEL 495
PART OF PROPOSED LOT 63
KENTSDALE ESTATES
POTOMAC 7th ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

BEING a piece or parcel of land, hereinafter described, that was acquired by Potomac Hills Trust 2 by virtue of a deed dated December 24, 2001 and recorded among the Land Records of Montgomery County Maryland in Liber 20627 at Folio 393, and being a part of parcel 495 as shown on Tax Map FP63 among the Tax Assessors Records for Montgomery County, Maryland and also being a part of Proposed Lot 63 as shown on a subdivision record plat entitled Lots 39 thru 42, Block D, Kentsdale Estates and recorded among the aforesaid Land Records as Plat Number 21790. and being more particularly described as follows

BEGINNING for the same at a point on the first or North 04°30'18" East 548.18 feet line as described in proposed lot 63 as attached to the aforementioned deed, distant 5.01 feet northerly from an iron pipe found at the southerly end thereof, and running thence with and binding on the said first line, the following course and distance

1. North 04° 30' 18" East, 339.91 feet to a point, thence leaving the aforementioned first line and running in through over and across the said Parcel 495, and with the outline of a mulched area, the following two courses and distances
2. South 80°11'00" East, 17.23 feet to a point, thence
3. South 00°43'14" West, 54.59 feet to the northeast corner of a fence, thence running with the outline of a fence, the following eight courses and distances
4. South 01°19'09" West, 26.97 feet to a point, thence
5. South 05°44'48" East, 34.72 feet to a point, thence
6. South 00°12'27" East, 19.12 feet to a point, thence
7. South 03°28'33" West, 27.09 feet to a point, thence
8. North 77°09'11" West, 25.44 feet to a point, thence
9. South 04°07'08" West, 86.92 feet to a point, thence
10. South 04°15'27" West, 91.11 feet to a point, thence
11. South 74°38'44" West, 6.70 feet to the point of beginning, containing 4,852 square feet or 0.11139 of an acre of land.

This description, and the survey on which it is based, were performed under my responsible charge and are compliant with COMAR 9.13.06.12.

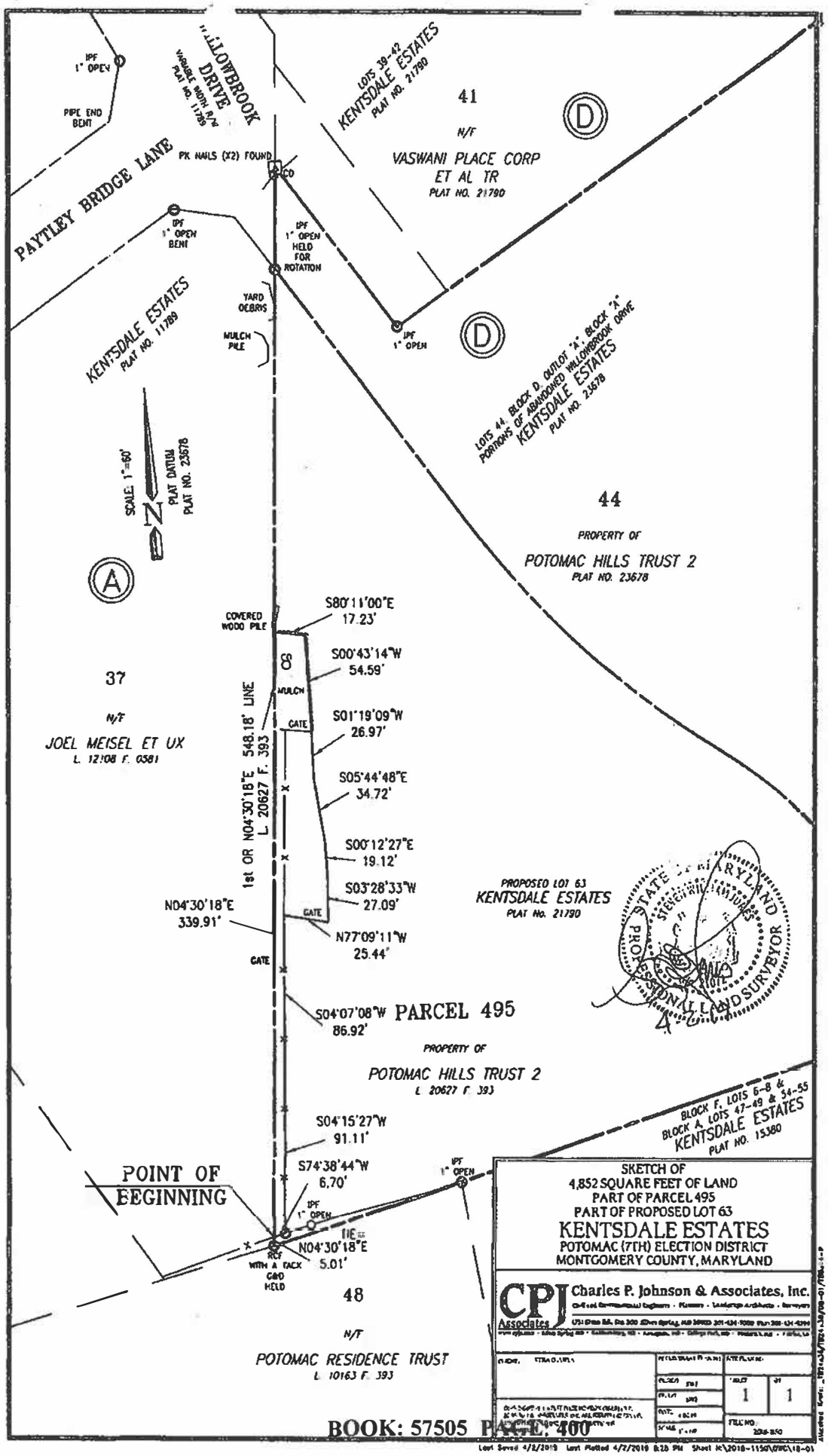
Steven W. Jones
Professional Land Surveyor
Maryland License No. 21072
Expires 02-08-2021

STATE OF MARYLAND
STEVEN WILLIAM JONES
No. 21072
PROFESSIONAL LAND SURVEYOR



MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 57505, p. 0399, MSA_CE63_57462. Date available 05/08/2019. Printed 10/31/2022.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 57505, p. 0400, MSA_CE63_57462. Date available 05/08/2019. Printed 10/31/2022.



11997056C - Attachment 9

Issued with FAQs

Citation No. EPD 000382

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

Name: Vera (First) V (Middle) Chawla (Last) & Dr. Chawla

Company/Position: property owner / Potomac Hills Trust 2 manager

Address: 10423 Willowbrook Drive (also known as Kentsdale Estates Lot 44, Block D)

Phone Number: 301-983-6347 Fax Number: Email: verachawla@gmail.com

**Location and Description of Violation:**

Address/location of site: Category I Conservation Easements on 10423 Willowbrook Drive

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 6/1/2020 (date) at the stated site location did commit the following: Violations of Category I Conservation Easement Agreement Cut down and removed trees, shrubs and plant material from Conservation Easement area of Approximately 29,000 Square feet of Conservation Easement and cleared Mowed grass within an area of conservation easement totalling 10,000 Square feet

In violation of:

☒ Montgomery County Code, Chapter 22A ☐ Other:

☒ Approval of Forest Conservation Plan No. 119970560 approved on 12-7-2006

**Civil Fine and Compliance:**

1. (a) ☐ You shall pay a fine of $ $1,000.00 by 7/2/2020 (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 cutting within conservation easements and implement after approval a

☒ ☐ Submit to the Planning Department a Restoration Plan for the affected areas of Conservation Easement, Plan to show how unauthorized improvements are to be removed from within Conservation Easement. Show restoration of natural grades and Include the planting of 67 (1 inch to 2 inch caliper size) trees and 22 shrubs and maintenance of this planting pursuant to a signed Maintenance and Management Agreement

(2) Submit by 7/15/2020 (date)

If remedial action is not completed by 11/30/ (date), you shall pay a daily fine of $ a day until work is completed.

(3) Implement plan and achieve Inspector acceptance of planting by 11/30/2021

☒ 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.

Sent certified mail return receipt

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.

Stephen Peck 6/3/2020

Inspector's Signature Date

Print Name: Stephen Peck Phone Number: 301-495-4564

11997056C - Attachment 10

Issued with FAQs

Citation No. EPD 000383

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

Name: Vera (First) V (Middle) Chawla (Last) & Dr. Chawla

Company/Position: property owner / Potomac Hills Trust 2 manager

Address: 10423 Willowbrook Drive and parts of Parcel 495

Phone Number: 301-983-6347 Fax Number: Email: verachawla@gmail.com

**Location and Description of Violation:**

Address/location of site: Two areas of Category 1 Conservation Easement on 10423 Willowbrook Dr that are between the house and the driveway and parts of Conservation Easement adjacent to driveway and on Parcel 495

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 6/1/2020 (date) at the stated site location did commit the following: Violations of Category 1 Conservation Easement Agreement — built and maintaining a rock and water feature in conservation easement consisting of water pipes, drainage pipes, electric wire, conduit and fill dirt. Also installed electric wires and boxes damaging tree roots. Installed and maintained portions of a driveway and paved parking area in conservation easement

In violation of:

- [x] Montgomery County Code, Chapter 22A
- [x] Approval of Forest Conservation Plan No. 119970560 approved on 12-7-2006
- [ ] Other:

**Civil Fine and Compliance:**

1. (a) [ ] You shall pay a fine of $1,000.00 by 7-2-2020 (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. [x] (1) Submit for approval and implement after approval a Restoration Plan that Removes rock and water feature from Category 1 Conservation Easement. All water and drainage pipes, all electric boxes, wire and conduit and river rock and lighting are to be removed from conservation easement. ~~acco~~ Restores affected area with clean fill dirt, top soil and native herbaceous plant stabilization. Plan to also show removal of pavement and stabilization by: _____ (date)

If remedial action is not completed by 9/30/2020 (date), you shall pay a daily fine of $50.00 a day until work is completed.

2. [x] 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.

Sent certified mail return receipt

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.

Stephen Peck 6/3/2020

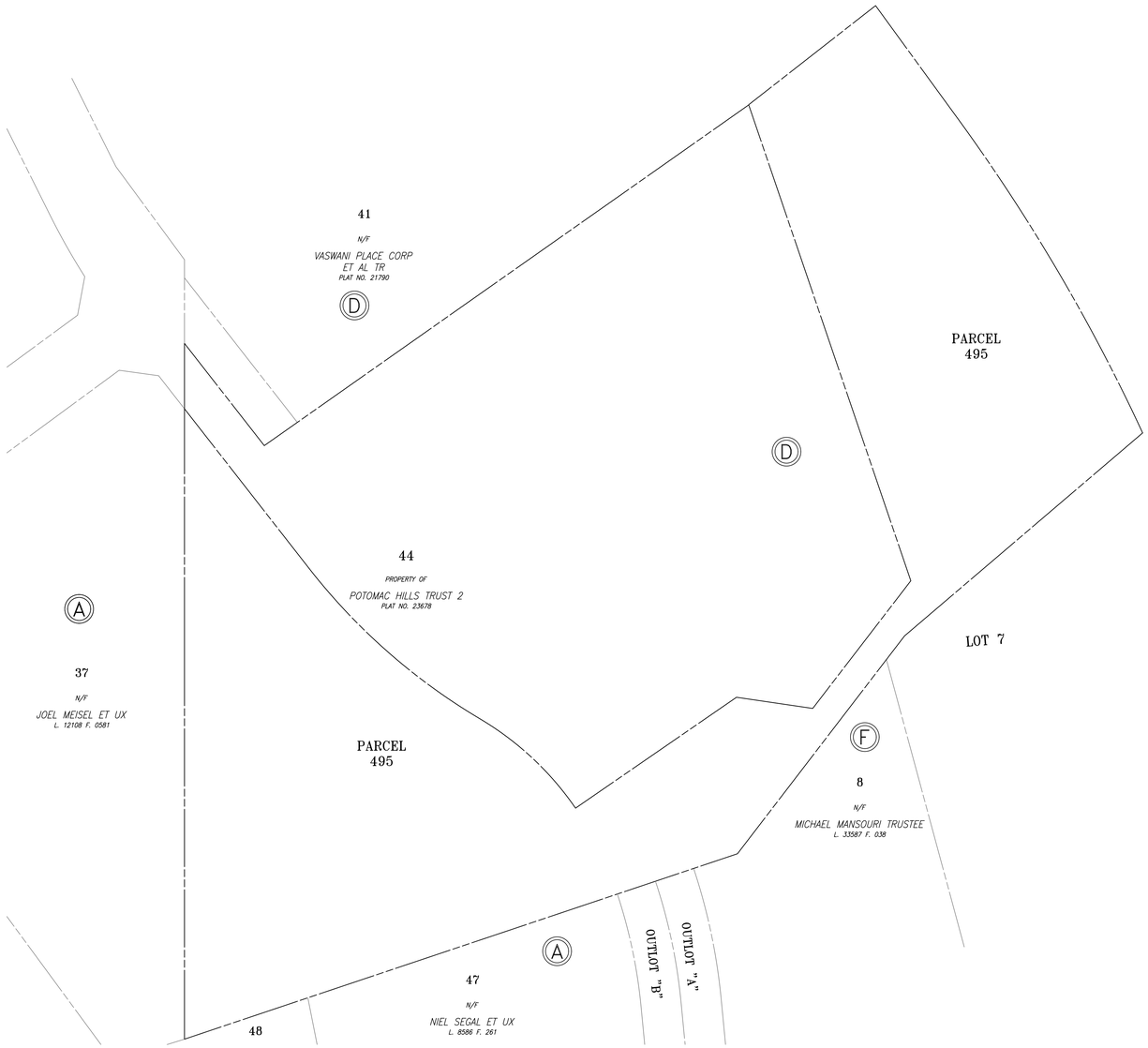
Inspector's Signature Date

Print Name: Stephen Peck Phone Number: 301-495-4564

11997056C Attachment 11

# KENTSDALE ESTATES

## M-NCPPC FILE NUMBER 11997056C




## SHEET INDEX


| | | |
|---|---|---|
| ** | CS | COVER SHEET |
| ** | AS | PLANNING BOARD RESOLUTION |
| ** | FFCP-1 | FINAL FOREST CONSERVATION PLAN 1"=30' |
| ** | FFCP-2 | NOTES & DETAILS |


** sheets revised under this amendment

LIST OF AMENDMENT ITEMS

1 The Plan was revised to show areas removed from easement.

2 The Plan was revised to show new areas of easement.

3 The Plan was revised to show restoration plantings.

DEVELOPER'S CERTIFICATE - LOT 44 & P495

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 11997056C including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: Potomac Hills Trust 2
Print Company Name

Contact Person or Owner: Dr. Inder Chawla & Vera Chawla
Print Name

Address: 10423 Willowbrook Drive, Potomac, MD 20859

Phone # and Email: 301-928-1484 / inderchawla1@gmail.com / verachawla@gmail.com

Signature:

**Professional Certification:**
**I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.**

Signature 11-15-2022 Date 10-21-2024 Exp. Date

BOARD OF ENGINEERS OF LANDSCAPE ARCHITECTS
2001
DAVID WILLIAM MERCER
STATE OF MARYLAND

Sheet 1 of 4

Revisions

| |
|---|
| Rev. 07-01-22 |
| Rev. 11-15-22 |

date: 07/19/2021

scale: 1" = 30'


Benning & Associates, Inc.
Land Planning Consultants
14520 Avalon Boulevard
Gaithersburg, MD 20877
(301)948-0240


PRELIMINARY / FINAL FOREST CONSERVATION PLAN

**KENTSDALE ESTATES (Lot 44, Block D & P495)**

**10423 Willowbrook Drive**

**Montgomery County, Maryland**

CS

AS

APPROVAL LETTERS & PLANNING BOARD RESOLUTION

**KENTSDALE ESTATES (Lot 44, Block D & P495)**

**10423 Willowbrook Drive**

**Montgomery County, Maryland**

Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240

**date:** 07/19/2021

**scale:**

Rev. 02-24-22
Revisions

## ORIGINAL FCP WORKSHEET

FOREST CONSERVATION WORKSHEET
Kentsdale Estates 119970560

**NET TRACT AREA:**

| | |
|---|---|
| A. Total tract area ... | 21.10 |
| B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)... | 0.00 |
| C. Land dedication acres (parks, county facility, etc.) ... | 0.00 |
| D. Land dedication for roads or utilities (construction not required by this plan) ... | 0.00 |
| E. Area to remain in commercial agricultural production/use ... | 0.00 |
| F. Other deductions (specify) ..... | 0.00 |
| G. Net Tract Area .....= | 21.10 |

**LAND USE CATEGORY:** (from Chapter 22A-3. Definitions)
Input the number "1" under the appropriate land use, limit to only one entry.

| ARA | MDR | IDA | HDR | MPD | CIA |
|---|---|---|---|---|---|
| 0 | 1 | 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| G. Afforestation Threshold ... | 20% | x G = | 4.22 |
| H. Conservation Threshold ... | 25% | x G = | 5.28 |

**EXISTING FOREST COVER:**

| | |
|---|---|
| I. Existing forest cover .....= | 18.60 |
| J. Area of forest above afforestation threshold .....= | 14.38 |
| K. Area of forest above conservation threshold .....= | 13.33 |

**BREAK EVEN POINT:**

| | |
|---|---|
| L. Forest retention above threshold with no mitigation ....= | 7.94 |
| M. Clearing permitted without mitigation .....= | 10.66 |

**PROPOSED FOREST CLEARING:**

| | |
|---|---|
| N. Total area of forest to be cleared .....= | 11.34 |
| O. Total area of forest to be retained .....= | 7.26 |

**PLANTING REQUIREMENTS:**

| | |
|---|---|
| P. Reforestation for clearing above conservation threshold ....= | 2.84 |
| Q. Reforestation for clearing below conservation threshold ....= | 0.00 |
| R. Credit for retention above conservation threshold .....= | 1.98 |
| S. Total reforestation required .....= | 0.86 |
| T. Total afforestation required .....= | 0.00 |
| U. Credit for landscaping (may not exceed 20% of "S") .....= | 0.00 |
| V. Total reforestation and afforestation required .....= | **0.86** * |

## AMENDED FCP WORKSHEET

FOREST CONSERVATION WORKSHEET
Kentsdale Estates 11997056C

**NET TRACT AREA:**

| | |
|---|---|
| A. Total tract area ... | 21.10 |
| B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)... | 0.00 |
| C. Land dedication acres (parks, county facility, etc.) ... | 0.00 |
| D. Land dedication for roads or utilities (construction not required by this plan) ... | 0.00 |
| E. Area to remain in commercial agricultural production/use ... | 0.00 |
| F. Other deductions (adverse possession area) | 0.11 |
| G. Net Tract Area .....= | 20.99 |

**LAND USE CATEGORY:** (from Chapter 22A-3. Definitions)
Input the number "1" under the appropriate land use, limit to only one entry.

| ARA | MDR | IDA | HDR | MPD | CIA |
|---|---|---|---|---|---|
| 0 | 1 | 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| G. Afforestation Threshold ... | 20% | x G = | 4.20 |
| H. Conservation Threshold ... | 25% | x G = | 5.25 |

**EXISTING FOREST COVER:**

| | |
|---|---|
| I. Existing forest cover .....= | 18.49 |
| J. Area of forest above afforestation threshold .....= | 14.29 |
| K. Area of forest above conservation threshold .....= | 13.24 |

**BREAK EVEN POINT:**

| | |
|---|---|
| L. Forest retention above threshold with no mitigation ....= | 7.90 |
| M. Clearing permitted without mitigation .....= | 10.59 |

**PROPOSED FOREST CLEARING:**

| | |
|---|---|
| N. Total area of forest to be cleared .....= | 11.34 |
| O. Total area of forest to be retained .....= | 7.15 |

**PLANTING REQUIREMENTS:**

| | |
|---|---|
| P. Reforestation for clearing above conservation threshold ....= | 2.84 |
| Q. Reforestation for clearing below conservation threshold ....= | 0.00 |
| R. Credit for retention above conservation threshold .....= | 1.90 |
| S. Total reforestation required .....= | 0.93 |
| T. Total afforestation required .....= | 0.00 |
| U. Credit for landscaping (may not exceed 20% of "S") .....= | 0.00 |
| V. Total reforestation and afforestation required .....= | **0.93** * |

SOURCE OF TWO-FOOT CONTOUR INTERVAL TOPOGRAPHY:
M-NCPPC

DEVELOPER'S CERTIFICATE - LOT 44 & P495

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No.__ 11997056C __ including, financial bonding, forest planting, maintenance and all other application agreements.

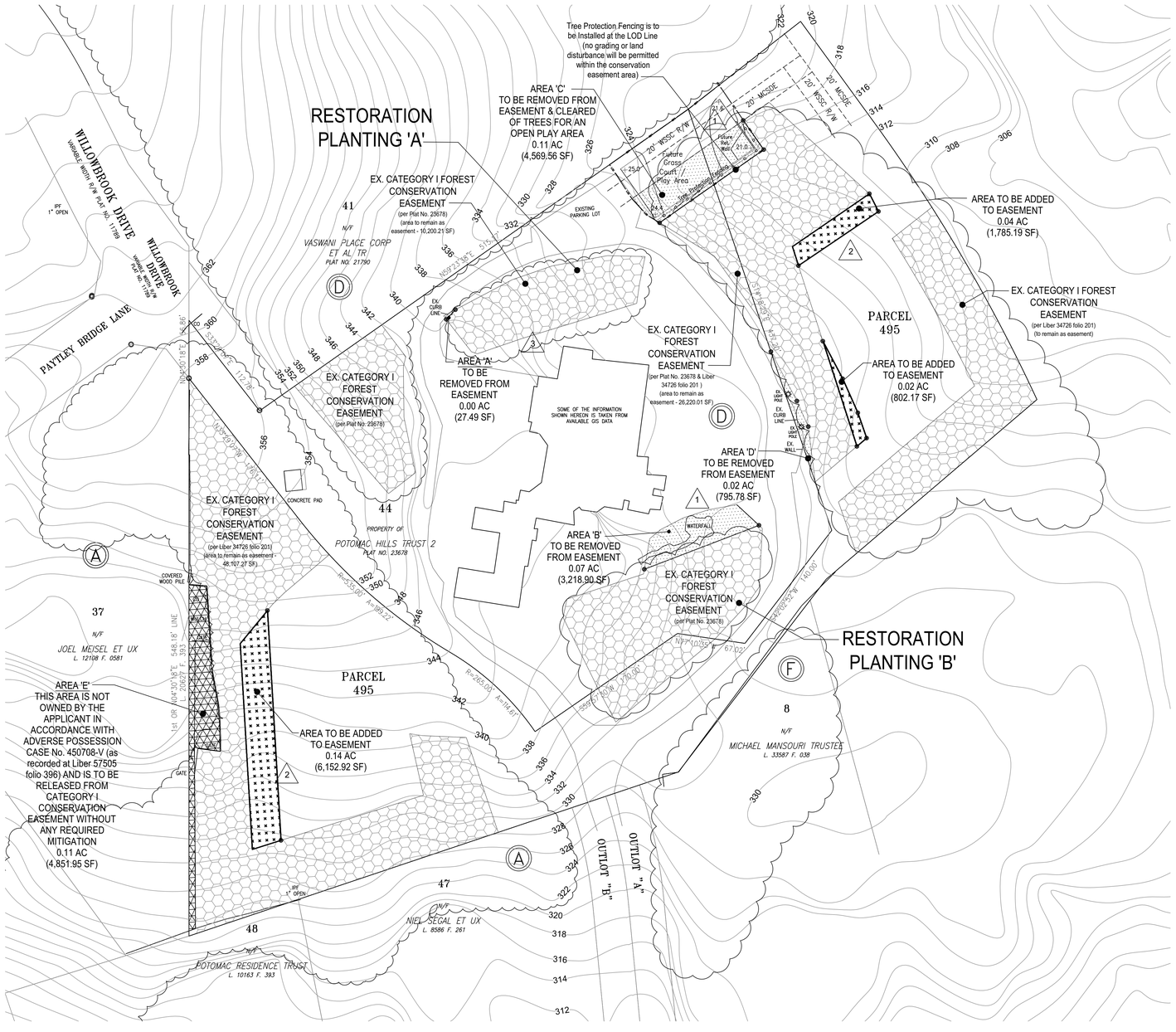
Developer's Name: Potomac Hills Trust 2
Print Company Name

Contact Person or Owner: Dr. Inder Chawla & Vera Chawla
Print Name

Address: 10423 Willowbrook Drive, Potomac, MD 20859

Phone # and Email: 301-928-1484 / inderchawla1@gmail.com / verachawla@gmail.com

Signature: _____




* THE DIFFERENCE IN NET TRACT AREA OF 0.11 AC (DUE TO THE ADVERSE POSSESSION AREA) RESULTS IN A 0.07 AC INCREASE IN THE TOTAL AREA OF REFORESTATION REQUIRED FOR THE PROJECT. THE APPLICANT WILL SATISFY THE ADDITIONAL 0.07 ACRE REFORESTATION REQUIREMENT BY FEE-IN-LIEU PAYMENT.

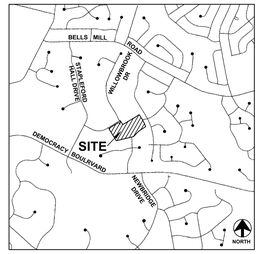
| Table of Proposed Easement Amendments | |
|---|---|
| | Easement Removed (square feet) |
| Area 'A' | 27.49 |
| Area 'B' | 3,218.90 |
| Area 'C' | 4,569.56 |
| Area 'D' | 795.78 |
| Area 'E' * | 4,851.95 |
| | |
| | |
| Total Easement Removed (excluding Area 'E') | 8,611.73 (0.20 Ac) |
| Total Easement Added (on P495) | 8,740.28 (0.20 Ac) |

* area 'E' is not owned by the applicant and is not to be mitigated by this plan

**MISS UTILITY**

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

Scale: 1" = 50'
0' 50' 100' 200'




**VICINITY MAP**
**SCALE: 1" = 2,000'**

**Prepared for:**
**Potomac Hills Trust 2**
**Dr. Inder Chawla & Vera Chawla**
**10423 Willowbrook Drive**
**Potomac, MD 20859**
**(301)928-1484**

LEGEND:

- AREA TO BE ADDED TO CATEGORY I CONSERVATION EASEMENT
- AREA TO BE REMOVED FROM CATEGORY I CONSERVATION EASEMENT
- AREA NOT PART OF PROPERTY / NOT PART OF FOREST CONSERVATION PLAN
- EXISTING BUILDING
- EXISTING / RETAINED CATEGORY I CONSERVATION EASEMENT
- INDEX CONTOUR (2' INTERVAL) — 510
- INTERMEDIATE CONTOUR — 508
- NEW LIMIT-OF-DISTURBANCE — LOD
- PROPERTY LINE (SUBJECT) — N 67°04'00" W
- PROPERTY LINE
- TREE CANOPY
- TREE PROTECTION FENCE
- NEW CONSERVATION EASEMENT MARKERS

LIST OF AMENDMENT ITEMS

1. The Plan was revised to show areas removed from easement.
2. The Plan was revised to show new areas of easement.
3. The Plan was revised to show restoration plantings.

**Professional Certification:**
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature 11-15-2022 Date 10-21-2024 Exp. Date

BOARD OF LANDSCAPE ARCHITECTS 2001 DAVID WILLIAM MEEKS 3200 STATE OF MARYLAND

Sheet 3 of 4
Revisions

| |
|---|
| Rev. 07-01-22 |
| Rev. 11-15-22 |

date: 07/30/2021
scale: 1" = 50'


Benning & Associates, Inc.
Land Planning Consultants
14735 Main Street, Unit 324
Gaithersburg, MD 20877
(301)948-0240


PRELIMINARY / FINAL FOREST CONSERVATION PLAN
**KENTSDALE ESTATES (Lot 44, Block D & P495)**
**10423 Willowbrook Drive**
**Montgomery County, Maryland**

FFCP-1

## Sequence of Events for Properties Required to Comply with Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved Final Forest Conservation Plan or Tree Save Plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American Nation Standards Institute (ANSI A300).

**Pre-Construction**

1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.

2. The property owner must arrange for the meeting and the following people must participate at the pre-construction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist / Maryland licensed tree expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector,and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection and tree care measures show on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.

a. Typical Tree Protection devices include:
I. Chain link fence (four feet high)
II. Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
III. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
b. Typical stress reduction measures may include, but are not limited to:
I. Root Pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector.
II. Crown reduction or pruning
III. Watering
IV. Fertilizing
V. Vertical mulching
VI. Root aeration matting
Measures not specified on the plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.

3. A Maryland licensed tree expert must perform, or directly supervise the implementation of all stress reduction measures. Documentation of the process (including photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.

4. Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of the trees and forest as saved on the approved plan.

5. Tree protection fencing must be installed and maintained by the property owner for the duration of the of the construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest area is prohibited. This includes the following activities:
a. Parking or driving of equipment, machinery or vehicles of any type.
b. Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
c. Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainders, trash, garbage, or debris of any kind.
d. Felling of trees into a protected area.
e. Trenching or grading for utilities, irrigation, drainage, ect.

6. Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

**During Construction**

7. Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector.

8. The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative time frames to to restore these areas will be determined by the Forest Conservation Inspector.

**Post-Construction**

9. After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
a. Removal, and possible replacement of dead, dying, or hazard trees
b. Pruning of dead or declining limbs
c. Soil aeration
d. Fertilization
e. Watering
f. Wound repair
g. Clean up of retention areas including trash removal

10. After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

11. Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

**INSPECTIONS**

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

**Plans without Planting Requirements**

1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

**Additional Requirements for Plans with Planting Requirements**

4. Before the start of any required reforestation and afforestation planting.
5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
6. 2 years after reforestation and afforestation have been completed, to determine survival and assess necessary maintenance activities for the remaining duration of the maintenance and management period.
7. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

**MISS UTILITY**

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

**ANALYSIS OF SUITABILITY FOR THE SUITABILITY FOR THE PLANTING SITE AND PRE-PLANTING MEASURES:**

Analysis of suitability for the suitability for the planting site
1. The entire property is located in the Cabin JohnCreek Watershed.
2. The soils existing on the property are 2B and 2C. Both soil types are suited to cultivate crops.

Pre-planting measures

1. Afforestation / Reforestation tree planting to be planted pursuant to the ANSI planting standards.
2. Protection from deer damage is required to be installed on each tree and shrub before M-NCPPC acceptance of tree planting. Shrubs may be placed in groupings of 3 to 5 with deer protection around the group planting.
3. Prior to any planting on the site, a pre-planting meeting with the M-NCPPC Inspector must be arranged.
4. The contractor shall locate and verify the existence of all utilities prior to any excavation work.
5. All plants shall bear the same relationship to finished grade as the plant's original grade.
6. All plants shall be balled & burlapped or container grown as specified. Container grown stock that is root bound will not be acceptable.
7. With container grown stock, the container shall be removed and the ball shall be cut through the surface in two vertical locations.
8. All plants shall be installed as per details.
9. Prior to planting, inspect planting stock. Plants not conforming to the American Standard for Nursery Stock specifications for size, form, vigor or roots, or due to trunk wounds, insects and disease should be replaced.
10. Soil tests are to be performed by contractor in all areas proposed for planting to determine deficiencies.
11. Soil amendments, if necessary, should be applied before planting.
12. All existing trash must be removed prior to planting.
13. Plants shall be inspected by the contractor and any material that is either damaged or which has root ball compaction, j-rooted or kinked root systems will be replaced. No plants will be stored on site. Plants will be planted immediately once received from the nursery.
14. The area will be mowed before planting and invasive species should be treated with herbicide at this time to inhibit their comeback.

**LONG-TERM MAINTENANCE PLAN:**

1. The owner's Maintenance Period shall last for two years after completion of planting as directed by the approval authority (M-NCPPC).
2. The owner's maintenance of new planting shall consist of watering, cultivating, weeding, mulching, installing tree shelters, replacement of tree shelters, resetting plants to proper grades or upright position, and furnishing and applying such pesticide sprays and invigorants as are necessary to keep the plants free of insects and disease and in thriving condition.
3. Protect planting areas and plants at all times against damage of all kinds for the duration of maintenance period. Maintenance includes temporary protection barriers and signs as required for protection.
4. Continuing maintenance will be needed to control competing vegetation until the new plantings become established. This may include repeat mowing, mulching and/or touch treatment of exotics with herbicide. Mowing will be required at least once during each growing season of the two-year maintenance period. In years one and two each forest planting area will be maintained by either mowing or chemical treatment. Control of exotic and invasive species is to be done without the use of herbicides as much as possible. If use of chemicals is unavoidable, contact M-NCPPC for approval prior to application of chemicals. If herbicides are to be used, contact the M-NCPPC Forest Conservation Inspector for approval prior to application of chemicals.
5. All plants shall be watered thoroughly twice during the first 24-hour period after planting. All plants shall be watered weekly or more often during the first growing season depending on conditions and species tolerance. All plants shall be watered periodically during subsequent spring, Summer & Fall seasons of the two-year maintenance period as conditions require and as per maintenance agreement.
6. Forest planting areas to be covered by a two-year maintenance program, with a two-year bond. The landscape contractor will inspect all planted areas every six months after for two years. At the end of the two year inspection, the contractor will request M-NCPPC inspection and will ensure that the appropriate survival requirements of the original stock level is alive and vigorous.
7. During each inspection following planting, the contractor will evaluate the need for additional watering, additional fertilizer or lime and any additional steps to control competing vegetation. The contractor will also assess any disease potential of if any outside influences is having a deleterious affect on the mitigation sites.

LIST OF AMENDMENT ITEMS

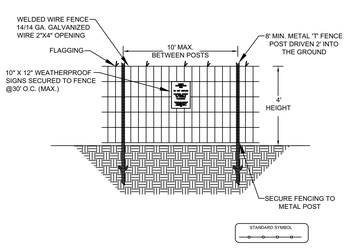
1 The Plan was revised to show areas removed from easement.

2 The Plan was revised to show new areas of easement.

3 The Plan was revised to show restoration plantings.

## TREE PROTECTION FENCE DETAIL

NOT TO SCALE

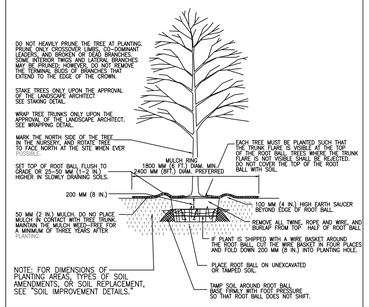



NOTE:
1. PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING.
2. LOCATION AND LIMITS OF FENCING SHOULD BE COORDINATED IN FIELD WITH ARBORIST.
3. BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEVICE.
4. ROOT DAMAGE SHOULD BE AVOIDED.
5. PROTECTION SIGNAGE IS REQUIRED.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

MONTGOMERY COUNTY PLANNING DEPARTMENT - M-NCPPC
MONTGOMERYPLANNING.ORG

INTERNATIONAL SOCIETY OF ARBORICULTURE

INTERNATIONAL SOCIETY OF ARBORICULTURE
1400 WEST ANTHONY DRIVE
CHAMPAIGN, IL 61821
(217) 355-9411
(217) 355-9516 FAX




TREE PLANTING DETAIL - B&B TREES IN ALL SOIL TYPES

NOTE: THIS DETAIL ASSUMES THAT THE PLANTING SPACE IS LARGER THAN 2400 MM (8 FT.) SQUARE, OPEN TO THE SKY, AND NOT COVERED BY ANY PAVING OR GRATING.

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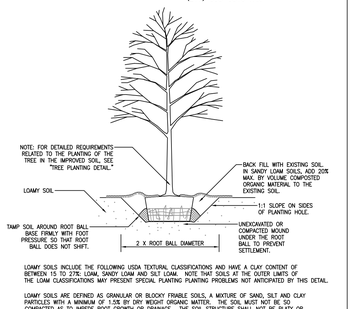
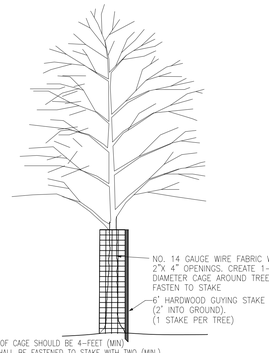



LOAMY SOILS INCLUDE THE FOLLOWING USDA TEXTURAL CLASSIFICATIONS AND HAVE A CLAY CONTENT OF BETWEEN 15 TO 27%: LOAM, SANDY LOAM AND SILT LOAM. NOTE THAT SOILS AT THE OUTER LIMITS OF THE LOAM CLASSIFICATIONS MAY PRESENT SPECIAL PLANTING PLANTING PROBLEMS NOT ANTICIPATED BY THIS DETAIL.

LOAMY SOILS ARE DEFINED AS GRANULAR OR BLOCKY FRIABLE SOILS, A MIXTURE OF SAND, SILT AND CLAY PARTICLES WITH A MINIMUM OF 1.5% BY DRY WEIGHT ORGANIC MATTER. THE SOIL MUST NOT BE SO COMPACTED AS TO IMPEDE ROOT GROWTH OR DRAINAGE. THE SOIL STRUCTURE SHALL NOT BE PLATY OR MASSIVE. THE SOIL MUST BE TESTED FOR TEXTURE, DRAINAGE CAPABILITY, PH, AND NUTRIENT VALUES PRIOR TO DETERMINING PLANT SELECTIONS AND ANY ADDITIONAL SOIL IMPROVEMENTS.

SOIL IMPROVEMENT DETAIL - TREES PLANTED IN NON RESTRICTED SOIL CONDITIONS

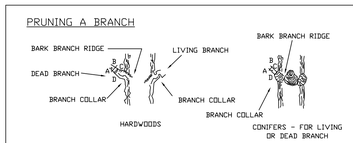
NOTE: THIS DETAIL ASSUMES THAT THE AREA OF LOAMY SOIL AVAILABLE TO EACH TREE IS A MINIMUM OF 45 SQ. M (500 SQ. FT)




1. HEIGHT OF CAGE SHOULD BE 4-FEET (MIN.)
2. CAGE SHALL BE FASTENED TO STAKE WITH TWO (MIN.) 11-INCH RELEASABLE CABLE TIES (ONE AT TOP AND ONE 6" (MIN.) ABOVE THE GROUND.)
3. DO NOT DAMAGE TREE DURING INSTALLATION.
4. SUBSTITUTIONS MUST BE APPROVED BY FOREST CONSERVATION INSPECTOR.
5. CAGES TO BE REMOVED AT DIRECTION OF FOREST CONSERVATION INSPECTOR.

DEER PROTECTION FENCING

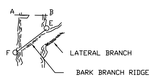
PRUNING A BRANCH




NOTES:

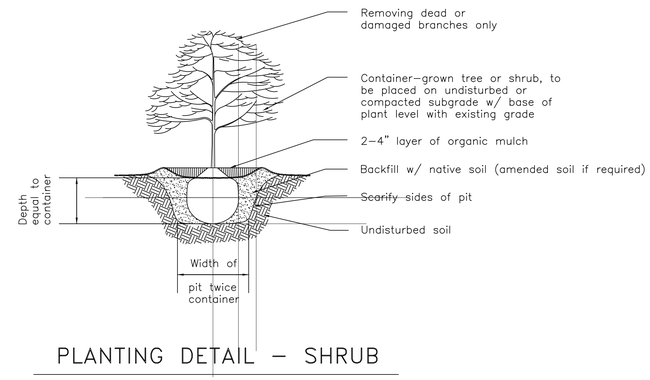
1. REMOVE BRANCH WEIGHT BY UNDERCUTTING AT 'A' AND REMOVE LIMB BY CUTTING THROUGH AT 'AB'.
2. REMOVE STUB AT 'CD' (LINE BETWEEN BRANCH BARK RIDGE AND OUTER EDGE OF BRANCH COLLAR).
3. IF 'D' IS DIFFICULT TO FIND ON HARDWOODS, ANGLE OF 'CD' TO TRUNK SHOULD BE THE REFLECTIVE ANGLE OF THE BARK BRANCH RIDGE TO THE TRUNK.
5. ONLY PRUNE AT SPECIFIED TIMES.
REMOVE NO MORE THAN 30% OF CROWN AT ONE TIME.

PRUNING A LEADER TO REDUCE SIZE




1. REMOVE TOP WEIGHT BY UNDERCUTTING AT 'A' AND REMOVE LIMB BY CUTTING THROUGH 'AB'.
2. REMOVE STUB AT 'EF' PARALLEL TO THE BARK BRANCH RIDGE.
3. ONLY PRUNE AT SPECIFIED TIMES.
4. NO MORE THAN 30% OF CROWN TO BE REMOVED AT ONE TIME.
5. DIAMETER OF LATERAL BRANCH SHOULD BE NO LESS THAN 30% OF THE DIAMETER OF THE LEADER.

TREE PRUNING




PLANTING DETAIL - SHRUB

Container Grown

3

RESTORATION AREA 'A' PLANT SCHEDULE

8 TREES & 16 SHRUBS

TREES: 8 *

| QUANTITY | SIZE | SCIENTIFIC NAME | COMMON NAME | SPACING | COMMENTS |
|---|---|---|---|---|---|
| 3 | 1.5"-2" Cal. | *Cercis canadensis* | Eastern Redbud | To be marked in the field | B&B |
| 3 | 5-6' Height | *Ilex americana* | American Holly | To be marked in the field | B&B |
| 2 | 1.5"-2" Cal. | *Carpinus caroliniana* | Musclewood | To be marked in the field | B&B |

SHRUBS: 16

| QUANTITY | SIZE | SCIENTIFIC NAME | COMMON NAME | SPACING | COMMENTS |
|---|---|---|---|---|---|
| 8 | 18-24" | *Viburnum acerifolium* | Maple-leaf Viburnum | To be marked in the field | Cont. |
| 8 | 18-24" | *Viburnum prunifolium* | Blackhaw Viburnum | To be marked in the field | Cont. |

* 5 trees were planted in restoration area 'A' in November 2021 per agreement with the Forest Conservation inspector

RESTORATION AREA 'B' PLANT SCHEDULE

20 TREES & 7 SHRUBS *

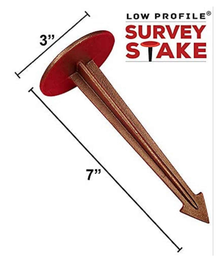
TREES: 20

| QUANTITY | SIZE | SCIENTIFIC NAME | COMMON NAME | SPACING | COMMENTS |
|---|---|---|---|---|---|
| 10 | 1.5"-2" Cal. | *Cercis canadensis* | Eastern Redbud | To be marked in the field | B&B |
| 5 | 5-6' Height | *Ilex americana* | American Holly | To be marked in the field | B&B |
| 5 | 1.5"-2" Cal. | *Carpinus caroliniana* | Musclewood | To be marked in the field | B&B |

SHRUBS: 7

| QUANTITY | SIZE | SCIENTIFIC NAME | COMMON NAME | SPACING | COMMENTS |
|---|---|---|---|---|---|
| 4 | 18-24" | *Viburnum acerifolium* | Maple-leaf Viburnum | To be marked in the field | Cont. |
| 3 | 18-24" | *Viburnum prunifolium* | Blackhaw Viburnum | To be marked in the field | Cont. |

* 10 trees were planted in restoration area 'B' in November 2021 per agreement with the Forest Conservation inspector




**New Metal At-Ground Conservation Easement Markers (or similar)**

**RESTORATION AREA NOTES:**

1. Prior to restoration planting, any areas of existing lawn within the areas are to be removed and restored to a natural condition.
2. Disturbed areas including areas of new lawn removal are to be mulched with shredded hardwood mulch.
3. Restoration planting locations to be determined in the field with the forest conservation inspector prior to planting of trees and shrubs.

**Professional Certification:**
**I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.**

11-15-2022 10-21-2024
Signature Date Exp. Date

BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS 2001 DAVID WILLIAM MOSER LICENSED LANDSCAPE ARCHITECT STATE OF MARYLAND

DEVELOPER'S CERTIFICATE - LOT 44 & P495

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 119970586C including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: Potomac Hills Trust 2
Print Company Name

Contact Person or Owner: Dr. Inder Chawla & Vera Chawla
Print Name

Address: 10423 Willowbrook Drive, Potomac, MD 20859

Phone # and Email: 301-928-1484 / inderchawla1@gmail.com / verachawla@gmail.com

Signature:

Sheet 4 of 4

Revisions

| |
|---|
| Rev. 07-01-22 |
| Rev. 11-15-22 |

date: 07/30/2021

scale:


Benning & Associates, Inc.
Land Planning Consultants
19847 Century Blvd., Suite 200
Gaithersburg, MD 20877
(301)948-0240


PRELIMINARY / FINAL FOREST CONSERVATION PLAN

**KENTSDALE ESTATES (Lot 44, Block D & P495)**
**10423 Willowbrook Drive**
**Montgomery County, Maryland**

FFCP-2