EXPEDITED MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: End of Dewitt Dr., Silver Spring **Meeting Date:** 6/28/2023

Resource: Parking Garage **Report Date:** 6/21/2023

National Park Seminary Historic District

Applicant: Eddie Baron, **Public Notice:** 6/14/2023

National Park Seminary Association President

(Lois Todhunter, Association Rep.)

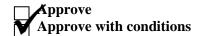
Review: HAWP **Tax Credit:** n/a

Case No.: 1033513 Staff: Dan Bruechert

Proposal: Safety railing installation and other improvements in the landscaped area of the Associate

commons

STAFF RECOMMENDATION



1. The text of the easement letter from MHT states the approval is, "valid for period of six months from the date of this letter." The applicant needs to provide documentation from MHT that the approval is either a) still valid or b) has been reissued before Staff is authorized to issue the approval documents.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Parking Garage/HOA Common Area within the Historic District

STYLE: Eclectic DATE: c.1890-1916



Figure 1: The proposed alterations are to the non-historic parking garage.

PROPOSAL

The applicant proposes to construct a concrete walkway with a simply detailed wrought iron safety railing on the rear of the non-historic parking deck (see below). The Maryland Historical Trust (MHT) Director reviewed the proposal at their October 26, 2021 meeting and issued the approval letter on November 15, 2021. The text of the approval letter states the approval is valid for six months (April 21, 2022). Because the approval expired more than 12 months ago, Staff recommends the HPC add a condition to the approval that the applicant provide verification from MHT that the approval is still valid before Staff issues approval documents.

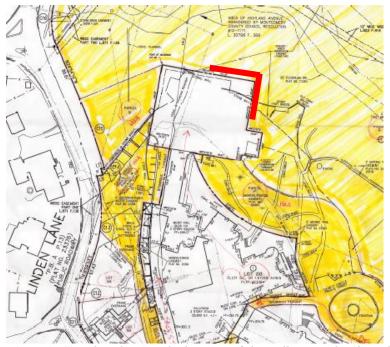


Figure 2: Site plan showing the location of the walkway and railing shown in red.

APPLICABLE GUIDELINES

Policy On Use of Expedited Staff Reports for Simple HAWP Cases

IV. The Expedited Staff Report format may be used on the following type of cases:

- 1. Alterations to properties on which the Maryland Historical Trust (MHT) holds an easement and which have been reviewed and approved by the MHT Easement Committee.
- 11. Construction or replacement of walkways, parking areas, patios, driveways or other paved areas that are not readily visible from a public right-of-way and/or are compatible in material, location, and design with the visual character of the historic site or district.

Montgomery County Code; Chapter 24A-8

- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to ensure conformity with the purposes and requirements of this chapter, if it finds that:
 - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

Secretary of Interior's Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values." The relevant *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.
- 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF RECOMMENDATION

Staff recommends that the Commission approve with one condition the HAWP application:

1. The text of the easement letter from MHT states the approval is, "valid for period of six months from the date of this letter." The applicant needs to provide documentation from MHT that the approval is either a) still valid or b) has been reissued before Staff is authorized to issue the approval documents;

under the Criteria for Issuance in Chapter 24A-8(b)(1) and (2), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation #2, #9, and #10;

and with the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit. visit.



APPLICATION FOR HISTORIC AREA WORK PERMIT HISTORIC PRESERVATION COMMISSION 301.563.3400

HAWP#__ DATE ASSIGNED____

FOR STAFF ONLY:

APPLICANT:

Name:			E-mail:				
Address:			City:	Z	<u>'ip:</u>		
Daytime Phone:			Tax Account No.:				
AGENT/CONT	ACT (if applicable	e):					
Name:			E-mail:				
Address:			City:	Z	'ip:		
Daytime Phon	ne:		Contractor Registration No.:				
LOCATION OF	BUILDING/PREM	MISE: MIHP # of Histori	c Property				
map of the ea Are other Plan (Conditional U supplemental Building Numl	nning and/or Hearing Sensent, and documning and/or Hearings, Variance, Recomplishing information.		sement Hold Reviews Reclude inform	er supporting this equired as part of ation on these rev	application. this Application? views as		
		Nearest Cros					
		Subdivision:			orting items		
for proposed be accepted New Co Addition Demoli Grading I hereby certi and accurate agencies and	d work are submitor review. Check enstruction n tion g/Excavation ify that I have the a	tted with this applica	ecape oregoing app th plans revieus	Shed/Garage/A Solar Tree removal/p Window/Door Other: lication, that the a	Accessory Structure clanting application is correct by all necessary of this permit.		

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFING [Owner, Owner's Agent, Adjacent and Confronting Property Owners] Owner's mailing address Owner's Agent's mailing address Adjacent and confronting Property Owners mailing addresses

Description of Property: Please describe the building and surrounding environment. Include information on significant structure landscape features, or other significant features of the property:
Description of Work Proposed: Please give an overview of the work to be undertaken:

National Park Seminary HAWP Application 1033513 for the Installation of Concrete Steps and Wrought Iron Safety Railing by Parking Garage

<u>Description of Property</u>

The National Park Seminary Master Association (NPSMA) plans to construct steps and a pathway and install a safety railing by a parking garage located at the end of Dewitt Drive. The concrete steps and pathway at the rear of the garage would be constructed in place of an informal footpath on the slope leading from an existing pedestrian opening and landing by the parking deck to the covered parking level below, and extending along an informal pathway at the rear of the garage to a second existing pedestrian opening. A wrought-iron safety railing with balusters, matching similar railings on the NPS campus, would be installed on the garage side of the steps.

The slope is used as an informal path by residents to access their cars in the garage, or by those who are strolling the campus. There is a low curb alongside the parking structure between the levels, but it is open to the garage floor and parked cars below. The footpath is uneven, and can be slippery when wet, snowy, icy, or leaf-covered. Without secure footing and a safety railing, there is a risk of someone slipping on the path or falling into the garage and being injured. In addition to potential personal injury, the lack of secure footing and a safety railing creates a liability for the NPSMA.

The Garage Steps and Safety Railing Project was approved by the Maryland Historical Trust (MHT) in the fall of 2021. While we were unable to complete the project at that time, the NPSMA is now ready to proceed with the project, and MHT has extended their approval (see Attachments 1 and 2).

We have met with Stephen Peck, Montgomery Planning Forest Conservation Inspector. He has confirmed that the project area does not impinge on the forest conservation easement.

<u>Description of Work Proposed</u>

The NPSMA is seeking to formalize and make safer the informal pathway alongside and behind the parking garage. The proposed work is to construct concrete stairs and install a wrought-iron safety railing with balusters from the pedestrian opening and landing by the upper-level deck, along the slope leading to the covered garage below, and to continue the walkway along the back of the lower garage to another existing pedestrian opening, providing access into the lower garage.

Constructing the steps, safety railing, and walkway will create a safe access along the slope and into the garage. This construction aligns well with the existing pedestrian openings and landing, which seem incomplete without the steps and walkway. In addition, the project will convert what is now an unsightly, dangerous, rugged dirt path into more formal steps, railing, and walkway consistent with similar features elsewhere on the campus, and add to the beauty of NPS.

Work Items

	1				
	Current Condition				
Item	Description	Proposed Work			
1. CONCRETE	Rugged, unsightly	Excavate as needed and install a walkway 45 feet by 3			
STEPS (see	slope with	feet (eighteen risers at 6 inches beginning at the			
Attachment 3)	informal footpath	existing landing and extending to the lower-level			
		garage); new concrete at 6-inch depth on compacted			
		stone base; apply broom finish.			
2. WROUGHT	Currently no	Fabricate an approximately 35-foot wrought-iron			
IRON SAFETY	safety railing	safety railing with balusters to match existing railings			
RAILING (see	exists along slope,	found on campus; install the railing into the concrete			
Attachment 3)	risking a fall along	steps along the garage-side opening between the			
	the informal path	parking levels.			
	or into the lower-				
	level garage				
3. CONCRETE	Rugged, informal	Excavate as needed and install 3-foot by 3-foot			
WALKWAY (see	footpath at the	concrete pavers on compacted CR6 subbase along the			
Attachment 3)	back of the	30-foot length to the pedestrian opening; apply			
,	garage	broom finish. The pavers are spaced to provide some			
		permeability to the walkway.			
		' '			



Maryland DEPARTMENT OF PLANNING MARYLAND HISTORICAL TRUST

November 15, 2021

Robert Biersner President, NPSMA 2747 Linden Lane, #103 Silver Spring, MD 20910

Re: National Park Seminary, Montgomery County – Change/Alteration

Maryland Historical Trust Preservation Easement

Dear Mr. Biersner:

The Maryland Historical Trust (MHT) is in receipt of your application, received on October 17, 2021, requesting approval to construct a new stepped walkway with an associated handrail on the side of the parking garage and construct a new walkway on the back of the parking garage. MHT's Easement Committee (Committee) reviewed the information on October 26, 2021.

Based on the review and recommendation of the Committee, I approve the request to construct a new stepped walkway with an associated handrail on the side of the parking garage and construct a new walkway on the back of the parking garage.

This work is consistent with the Secretary of the *Interior's Standards for Rehabilitation, General Rehabilitation Standards*, in particular *Standards 2, 8, and 10*.

This approval is valid for period of six months from the date of this letter. Should you require additional time to complete the project, make any changes to the scope of work as approved, or have any questions regarding this letter, please contact Casey DeHaven, Easement Administrator at (410) 697-9545 or by email at casey.dehaven@maryland.gov.

Sincerely,

Elizabeth Hughes

Director

Maryland Historical Trust

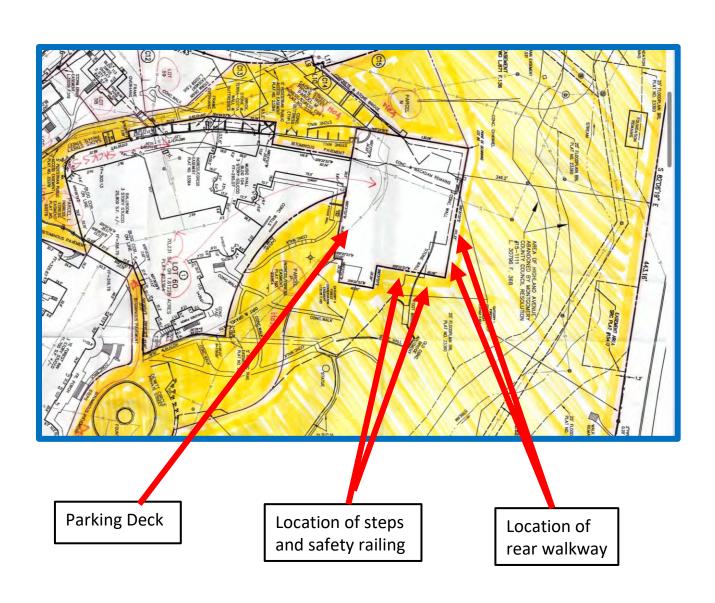
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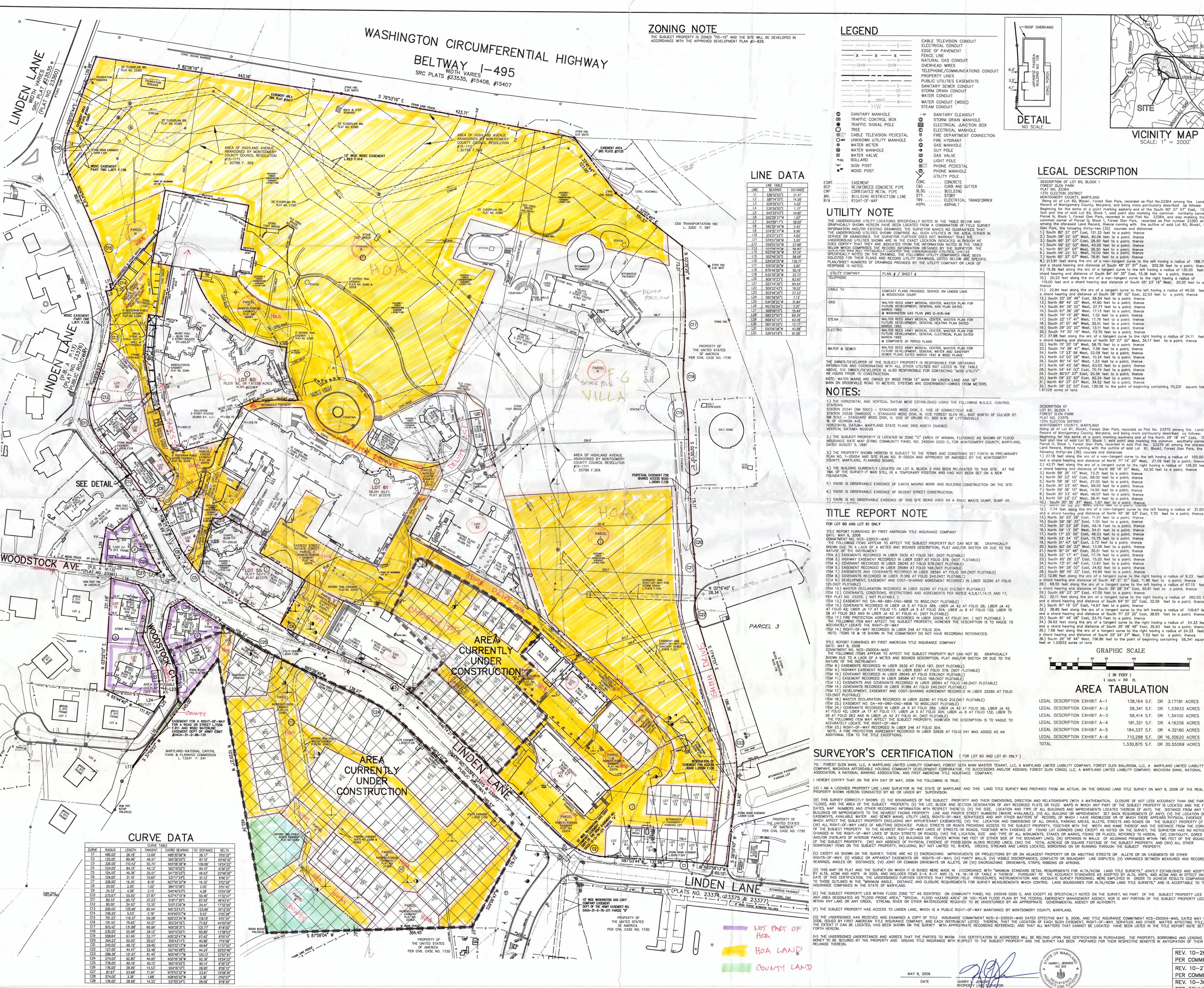
EH/CD

National Park Seminary HAWP Application 1033513 for the Construction of Concrete Steps and Installation of a Wrought Iron Safety Railing by the Parking Garage

Attachment 4

<u>Location of the Concrete Steps, Walkway and Safety Railing Project</u> <u>Plat Detail</u>





CABLE TELEVISION CONDUIT TELEPHONE/COMMUNICATIONS CONDUIT PROPERTY LINES

STEAM CONDUIT SANITARY CLEANOUT STORM DRAIN MANHOLE

> UTILITY POLE CONCRETE

> > CURB AND GUTTER

ELECTRICAL TRANSFORMER

BUILDING

STORY

ELECTRICAL JUNCTION BOX ELECTRICAL MANHOLE FIRE DEPARTMENT CONNECTION FIRE HYDRANT GAS MANHOLE GUY POLE GAS VALVE LIGHT POLE PHONE PEDESTA PHONE MANHOLE

BLDG.

THE UNDERGROUND UTILITY LOCATIONS SPECIFICALLY NOTED IN THE TABLE BELOW AND GRAPHICALLY SHOWN HEREON HAVE BEEN LOCATED FROM A COMBINATION OF FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT HE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT T JNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE INDICATED FROM THE INFORMATION NOTED IN THE TABLE BELOW WHICH COMPRISES THE RECORD INFORMATION OBTAINED BY THE SURVEYOR. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, UNLESS SPECIFICALLY NOTED ON THE DRAWING. THE FOLLOWING UTILITY COMPANIES HAVE BEEN SOLICITED FOR THEIR PLANS AND RECORD UTILITY DRAWINGS, LISTED BELOW ARE SPECIFIC PLAN/SHEET NUMBERS OF DRAWINGS PROVIDED BY THE UTILITY COMPANY OR LACK OF

COMCAST PLANS PROVIDED, SERVICE ON LINDEN LANE WALTER REED ARMY MEDICAL CENTER, MASTER PLAN FOR FUTURE DEVELOPMENT, GENERAL GAS PLAN DATED & WASHINGTON GAS PLAN #WG G-018-NW WALTER REED ARMY MEDICAL CENTER, MASTER PLAN FOR UTURE DEVELOPMENT, GENERAL HEATING PLAN DATED WALTER REED ARMY MEDICAL CENTER, MASTER PLAN FOR FUTURE DEVELOPMENT, GENERAL ELECTRICAL PLAN DATED & COMPOSITE OF PEPCO PLANS WALTER REED ARMY MEDICAL CENTER, MASTER PLAN FOR FUTURE DEVELOPMENT, GENERAL WATER AND SANITARY SEWER PLANS DATED MARCH 1992 & WSSC PLANS

INFORMATION AND COORDINATING WITH ALL OTHER UTILITIES NOT LISTED IN THE TABLE ABOVE. THE OWNER/DEVELOPER IS ALSO RESPONSIBLE FOR CONTACTING "MIS\$ UTILITY" NOTE: WATER MAINS ARE OWNED BY WSSC FROM 12" MAIN ON LINDEN LANE AND 16" MAIN ON BROOKVILLE ROAD TO METERS. SYSTEMS ARE GOVERNMENT-OWNED FROM METERS.

STATION 20341 (BM 5921) - STANDARD WSSC DISK, E. SIDE OF CONNECTICUT AVE. STATION 20526 (BM6020) - STANDARD WSSC DISK, N. SIDE FOREST GLEN RD., 600' NORTH OF CULVER ST. BM 5093 - STANDARD WSSC DISK, N. SIDE OF GRUBB RD. 950 N.W. OF LYTTONSVILLE HORIZONTAL DATUM= MARYLAND STATE PLANE GRID NORTH (NAD83)

2.) THE SUBJECT PROPERTY IS LOCATED IN ZONE "C" (AREA OF MINIMAL FLOODING) AS SHOWN OF FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 240049 0200 C, FOR MONTGOMERY COUNTY, MARYLAND, 3.) THE PROPERTY SHOWN HEREON IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN PRELIMINARY PLAN NO. 1-05054 AND SITE PLAN NO. 8-05024 AND APPROVED OR AMENDED BY THE MONTGOMERY

4.) THE BUILDING CURRENTLY LOCATED ON LOT 6, BLOCK 2 HAS BEEN RELOCATED TO THIS SITE. AT THE TIME OF THE SURVEY IT WAS STILL IN A TEMPORARY POSITION AND HAD NOT BEEN SET ON A NEW

5.) THERE IS OBSERVABLE EVIDENCE OF EARTH MOVING WORK AND BUILDING CONSTRUCTION ON THE SITE. 6.) THERE IS OBSERVABLE EVIDENCE OF RECENT STREET CONSTRUCTION. 7.) THERE IS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR

TITLE REPORT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY

THE FOLLOWING ITEMS APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CAN NOT BE GRAPHICALLY SHOWN DUE TO A LACK OF A METES AND BOUNDS DESCRIPTION, PLAT AND/OR SKETCH OR DUE TO THE ITEM 2.) EASEMENTS RECORDED IN LIBER 2932 AT FOLIO 197. (NOT PLOTABLE) ITEM 3.) HIGHWAY EASEMENT RECORDED IN LIBER 5297 AT FOLIO 379. (NOT PLOTABLE)

ITEM 4.) COVENANT RECORDED IN LIBER 28045 AT FOLIO 578.(NOT PLOTABLE) ITEM 5.) EASEMENT RECORDED IN LIBER 28584 AT FOLIO 168. (NOT PLOTABLE ITEM 7.) EASEMENTS AND COVENANTS RECORDED IN LIBER 28584 AT FOLIO 196.(NOT PLOTABLE) ITEM 8.) COVENANTS RECORDED IN LIBER 31389 AT FOLIO 240.(NOT PLOTABLE) 17EM 9.) DEVELOPMENT, EASEMENT AND COST-SHARING AGREEMENT RECORDED IN LIBER 32290 AT FOLIO

ITEM 13.) EASEMENT NO. DA-49-080-ENG-4806 TO WSSC.(NOT PLOTABLE) ITEM 15.) COVENANTS RECORDED IN LIBER JA 5 AT FOLIO 389; LIBER JA 42 AT FOLIO 26; LIBER JA 42 AT FOLIO 42: LIBER JA 17 AT FOLIO 17; LIBER JA 5 AT FOLIO 304; LIBER JA 6 AT FOLIO 132; LIBER TD 26 AT FOLIO 263 AND IN LIBER JA 42 AT FOLIO 41. (NOT PLOTABLE) TEM 17.) FIRE PROTECTION AGREEMENT RECORDED IN LIBER 32926 AT FOLIO 041. (NOT PLOTABLE) HE FOLLOWING ITEM MAY AFFECT THE SUBJECT PROPERTY; HOWEVER THE DESCRIPTION IS TO VAGUE TO

ITEM 14.) RIGHT-OF-WAY RECORDED IN LIBER 246 AT FOLIO 304. NOTE: ITEMS 16 & 18 SHOWN IN THE COMMITMENT DO NOT HAVE RECORDING REFERNECES.

THE FOLLOWING ITEMS APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CAN NOT BE GRAPHICALLY

ITEM 8.) EASEMENTS RECORDED IN LIBER 2932 AT FOLIO 197. (NOT PLOTABLE ITEM 9.) HIGHWAY EASEMENT RECORDED IN LIBER 5297 AT FOLIO 379. (NOT PLOTABLE) ITEM 10.) COVENANT RECORDED IN LIBER 28045 AT FOLIO 578.(NOT PLOTABLE) ITEM 11.) EASEMENT RECORDED IN LIBER 28584 AT FOLIO 168.(NOT PLOTABLE) ITEM 13.) EASEMENTS AND COVENANTS RECORDED IN LIBER 28584 AT FOLIO 196. (NOT PLOTABLE) ITEM 14.) COVENANTS RECORDED IN LIBER 31389 AT FOLIO 240.(NOT PLOTABLE)

ITEM 18.) MASTER DECLARATION RECORDED IN LIBER 32290 AT FOLIO 212.(NOT PLOTABLE) ITEM 22.) EASEMENT NO. DA-49-080-ENG-4806 TO WSSC.(NOT PLOTABLE) ITEM 24.) COVENANTS RECORDED IN LIBER JA 5 AT FOLIO 389; LIBER JA 42 AT FOLIO 26; LIBER JA 4 AT FOLIO 42; LIBER JA 17 AT FOLIO 17; LIBER JA 5 AT FOLIO 304; LIBER JA 6 AT FOLIO 132; LIBER T 26 AT FOLIO 263 AND IN LIBER JA 42 AT FOLIO 41. (NOT PLOTABLE) THE FOLLOWING ITEM MAY AFFECT THE SUBJECT PROPERTY; HOWEVER THE DESCRIPTION IS TO VAGUE T

TO: FOREST GLEN MAIN, LLC, A MARYLAND LIMITED LIABILITY COMPANY, FOREST GLEN MAIN MASTER TENANT, LLC, A MARYLAND LIMITED LIABILITY COMPANY, WACHOVIA AFFORDABLE HOUSING COMMUNITY DEVELOPMENT CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS; FOREST GLEN CONDO, LLC, A MARYLAND LIMITED LIABILITY COMPANY; WACHOVIA BANK, NATIONAL ASSOCIATION, A NATIONAL BANKING ASSOCIATION, AND FIRST AMERICAN TITLE INSURANCE COMPANY;

(A) I AM A LICENSED PROPERTY LINE LAND SURVEYOR IN THE STATE OF MARYLAND AND THIS LAND TITLE SURVEY WAS PREPARED FROM AN ACTUAL ON THE GROUND LAND TITLE SURVEY ON MAY 9, 2006 OF THE REAL PROPERTY SHOWN HEREON CONDUCTED BY ME OR UNDER MY SUPERVISION. (B) THIS SURVEY CORRECTLY SHOWS: (I) THE BOUNDARIES OF THE SUBJECT PROPERTY AND THEIR DIMENSIONS, DIRECTION AND RELATIONSHIPS (WITH A MATHEMATICAL CLOSURE OF NOT LESS ACCURACY THAN ONE PART IN

10,000), AND THE AREA OF THE SUBJECT PROPERTY; (II) THE LOT, BLOCK AND SECTION DESIGNATION OF ANY RECORDED PLATS OR FILED MAPS IN WHICH ANY PART OF THE SUBJECT PROPERTY IS LOCATED AND THE FILING DATES, MAP NUMBERS AND OTHER RECORDING INFORMATION WITH RESPECT THERETO: (III) THE SIZE. LOCATION AND TYPE OF ALL BUILDINGS AND IMPROVEMENTS LOCATED THEREON (IF ANY), THE DISTANCE FROM ANY SUCH BUILDINGS OR IMPROVEMENTS TO THE NEAREST FACING PROPERTY LINE AND PROPER STREET NUMBERS (WHERE AVAILABLE); (IV) ALL BUILDING OR IMPROVEMENT SET BACK REQUIREMENTS (IF ANY); (V) THE LOCATION OF ALL EASEMENTS, AVAILABLE WATER AND SEWER MAINS, UTILITY LINES, RIGHTS-OF-WAY, SERVITUDES AND ANY OTHER MATTERS OF RECORD, OF WHICH I HAVE KNOWLEDGE OR OF WHICH THERE APPEARS PHYSICAL EVIDENCE WHICH AFFECT THE SUBJECT PROPERTY (INCLUDING ANY APPURTENANT EASEMENTS); (VI) THE LOCATION AND DIMENSIONS OF ALL DRIVES, PARKING AREAS, ALLEYS, STREETS AND ROADS ON THE SUBJECT PROPERTY (IF ANY): (VII) ALL RIGHT-OF-WAY LINES OF ABUTTING DEDICATED PUBLIC STREETS OR ROADS PROVIDING ACCESS TO THE SUBJECT PROPERTY, TOGETHER WITH THE WIDTH AND NAME THEREOF AND THE DISTANCE FROM THE CORNERS OF THE SUBJECT PROPERTY TO THE NEAREST RIGHT-OF-WAY LINES OF STREETS OR ROADS, TOGETHER WITH EVIDENCE OF FOUND LOT CORNERS (AND EXCEPT AS NOTED ON THE SURVEY, THE SURVEYOR HAS NO NOTICE OF CHANGES IN THE RIGHT-OF-WAY LINES OF SUCH STREETS OR ROADS); (VIII) THE LOCATION, SIZE AND TYPE OF ALL MONUMENTS, STAKES OR MARKS, FOUND OR PLACED, REFERRED TO HEREIN; (IX) CONTIGUITY, GORES AND/OR OVERLAPS OF INTERIOR PARCEL LINES; (X) BUILDINGS OR FENCES WITHIN TWO FEET OF EITHER SIDE OF THE BOUNDARY LINES; (XI) OPENINGS IN WALLS OF ADJOINING PREMISES WITHIN TWO FEET OF THE BOUNDARIES OF THE SUBJECT PROPERTY; (XII) ANY ABSENCE OF PHYSICAL EVIDENCE OF POSSESSION ALONG RECORD LINES; (XIII) THE TOTAL ACREAGE OR SQUARE FOOTAGE OF THE SUBJECT PROPERTY; AND (XIV) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY, INCLUDING, BUT NOT LIMITED TO, RIVERS, CREEKS, STREAMS AND LAKES LOCATED, BORDERING ON OR RUNNING THROUGH THE SUBJECT PROPERTY.

(C) EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO (I) ENCROACHING IMPROVEMENTS OR PROJECTIONS BY OR ON ADJACENT PROPERTY OR ON ABUTTING STREETS OR ALLEYS OR ON EASEMENTS OR OTHER RIGHTS-OF-WAY; (II) VISIBLE OR APPARENT EASEMENTS OR RIGHTS-OF-WAY; (III) PARTY WALLS; (IV) VISIBLE DISCREPANCIES, CONFLICTS OR BOUNDARY LINE DISPUTES; (V) VARIANCES BETWEEN MEASURED AND RECORD

BEARINGS, ANGLES OR DISTANCES; (VI) JOINT OR COMMON DRIVEWAYS OR ALLEYS; OR (VII) ENCROACHING DRIVEWAYS, STRIPS, RIBBONS OR APRONS. (D) THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 2005, AND INCLUDES ITEMS 2-4, 6-11 AND 13, 14, 16-18 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT PROPER FIELD PROCEDURES, INSTRUMENTATION AND ADEQUATE SURVEY PERSONNEL WERE EMPLOYED IN ORDER TO ACHIEVE RESULTS COMPARABLE TO THOSE OUTLINED IN THE "MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS," AND IS ACCEPTABLE TO TITLE

(E) THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "C" AS IDENTIFIED ON COMMUNITY PANEL NO. 240049 0200 C, AND EXCEPT AS SPECIFICALLY NOTED ON THE SURVEY, NO PART OF THE SUBJECT PROPERTY LIES WITHIN ANY AREA DESIGNATED AS "FLOOD PRONE AREA," "SPECIAL FLOOD HAZARD AREA" OR 100-YEAR FLOOD PLAIN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NOR IS ANY PORTION OF THE SUBJECT PROPERTY LOCATED WITHIN ANY LAKE OR ANY CREEK, STREAM, RIVER OR OTHER WATERCOURSE REQUIRED TO BE UNDISTURBED BY AN APPROPRIATE GOVERNMENTAL AGENCY OR AUTHORITY. F) THE SUBJECT PROPERTY HAS ACCESS TO LINDEN LANE, WHICH IS A PUBLIC RIGHT-OF-WAY MAINTAINED BY MONTGOMERY COUNTY, MARYLAND.

(G) THE UNDERSIGNED HAS RECEIVED AND EXAMINED A COPY OF TITLE INSURANCE COMMITMENT NCS-2-230531-MAD DATED EFFECTIVE MAY 9, 2006, AND TITLE INSURANCE COMMITMENT NCS-250004-MAD, DATED MAY 9, 2006, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, AND EACH INSTRUMENT LISTED THEREIN; THAT THE LOCATION OF EACH SUCH EASEMENT, RIGHT-OF-WAY, SERVITUDE AND OTHER MATTER AFFECTING TITLE, 1 THE EXTENT IT CAN BE LOCATED, HAS BEEN SHOWN ON THE SURVEY WITH APPROPRIATE RECORDING REFERENCE; AND THAT ALL MATTERS THAT CANNOT BE LOCATED HAVE BEEN LISTED IN THE TITLE REPORT NOTE SET (H) THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THE PARTIES TO WHOM THIS CERTIFICATION IS ADDRESSED WILL BE RELYING UPON THIS CERTIFICATION IN PURCHASING THE PROPERTY, BORROWING AND LENDING

HLJ REV. 10-26-06 PER COMMENT REV. 10-27-0 PER COMMENT REV. 10-30-06 SHEET NO. PER COMMENTS

LEGAL DESCRIPTION

) South 80° 37' 07" East, 26.50 feet to a point; thence

DESCRIPTION OF LOT 60, BLOCK FOREST GLEN PARK

ROOF OVERHANG

NO SCALE

PLAT NO. 23364 13TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND Being all of Lot 60, Block1, Forest Glen Park, recorded as Plat No.23364 among the Land Record of Montgomery County, Maryland, and being more particularly described as follows: Beginning for the same at a point marking easterly end of the South 80° 37' 07" East, 151.33 foot plat line of said Lot 60, Block 1, said point also marking the common northerly corner with Parcel N, Block 1, Forest Glen Park, recorded in said Plat No. 23364, and also marking the common corner of Parcel Q, Block 1, Forest Glen Park, recorded as Plat number 23360 all among the aforesaid Land Record, thence running with the outline of said Lot 60, Block1, Forest Glen Park, the following thirty—two (32) courses and distances 1.) South 80° 37' 07" East, 151.33 feet to a point; thence South 09° 22' 53" West, 80.06 feet to a point; thence

4.) South 09° 22' 53" West, 40.00 feet to a point; thence 5.) North 80° 37' 07" West, 26.50 feet to a point; thence 6.) South 09° 22° 53" West, 10.00 feet to a point; thence 7.) North 80° 37' 07" West, 76.81 feet to a point; thence 8.) 213.81 feet along the arc of a non-tangent curve to the left having a radius of 188.75 feet and a chord hearing and distance of South 48° 21' 51" East, 202.56 feet to a point; thence 9.) 15.36 feet along the arc of a tangent curve to the left having a radius of 135.00 feet and a

chord hearing and distance of South 84° 04' 35" East, 15.36 feet to a point; thence 10.) 20.23 feet along the arc of a non-tangent curve to the right having a radius of 119.00 feet and a chord hearing and distance of South 05° 23′ 16″ West, 20.20 feet to a point; 11.) 22.84 feet along the arc of a tangent curve to the left having a radius of 40.00 feet and a chord hearing and distance of South 06' 06' 02" East, 22.53 feet to a point; thence 12.) South 22' 26' 46" East, 56.54 feet to a point; thence

13.) North 88° 49' 32" West, 41.60 feet to a point; thence 14.) South 84° 28' 02" West, 37.77 feet to a point; thence 5.) South 67° 36' 28" West, 17.13 feet to a point; thence 16.) South 70° 15' 26" West, 7.52 feet to a point; thence 17.) South 22° 17' 41" West, 17.79 feet to a point; thence 18.) South 31' 01' 46" West, 35.51 feet to a point; thence 9.) South 29° 20' 20" West, 13.11 feet to a point; thence

20.) South 74° 25' 19" West, 73.70 feet to a point; thence 21.) 37.98 feet along the arc of a tangent curve to the right having a radius of 24.11 feet and a chord hearing and distance of North 60° 27' 30" West, 34.17 feet to a point; thence 2.) North 15' 20' 19" West, 58.75 feet to a point; thence 23.) South 74° 39' 41" West, 7.59 feet to a point; thence 24.) North 13' 23' 56 West, 22.08 feet to a point; thence 25.) North 03' 03' 28" West, 10.24 feet to a point; thence

26.) South 80° 14′ 54" West, 1.23 feet to a point; thence 27.) North 09° 45' 09" West, 63.02 feet to a point; thence 28.) North 04° 44′ 03" East, 75.74 feet to a point; thence 29.) South 80°37' 07" East, 25.56 feet to a point; thence .) North 09° 22' 53" East, 92.24 feet to a point; thence 51.) North 80° 37' 07" West, 34.52 feet to a point; thence

52.) North 09° 22' 53" East, 130.56 to the point of beginning containing 70,231 square feet or

LOT 61, BLOCK 1 FOREST GLEN PARK PLAT NO. 23375 13TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND Being all of Lot 61, Block1, Forest Glen Park, recorded as Plat No. 23375 among the Land Record of Montgomery County, Maryland, and being more particularly described as follows:

Beginning for the same at a point marking southerly end of the North 29° 18′ 44" East, 156.86 foot plat line of said Lot 61, Block 1, said point also marking the common southerly corner with Parcel H. Block 1, Forest Glen Park, recorded in said Plat No. 23375 all among the aforesaid Land Record, thence running with the outline of said Lot 61, Block1, Forest Glen Park, the following thirty-six (36) courses and distances 1.) 27.18 feet along the arc of a non-tangent curve to the left having a radius of 100.00 feet and a chord hearing and distance of North 71° 14' 20" West, 27.09 feet to a point; thence 2.) 42.71 feet along the arc of a tangent curve to the right having a radius of 126.00 feet and a chord hearing and distance of North 69° 18' 51" West, 42.50 feet to a point; thence 3.) North 59° 36' 15" West, 73.31 feet to a point; thence 4.) North 30° 23' 45" East, 68.00 feet to a point; thence 5.) North 59° 36' 15" West, 37.00 feet to a point; thence

6.) South 30° 23' 45" West, 68.00 feet to a point; thence 7.) North 59° 36' 15" West, 14.50 feet to a point; thence 8.) South 30° 23' 45" West, 46.07 feet to a point; thence 9.) North 59° 23' 23" West, 56.41 feet to a point; thence 2.) 7.74 feet along the arc of a non-tangent curve to the left having a radius of 21.00 feet and a chord hearing and distance of North 40° 36' 53" East, 7.70 feet to a point; thence 13.) North 30° 03′ 28" East, 11.27 feet to a point; thence 14.) South 59° 56' 32" East, 7.00 feet to a point; thence

15.) North 30° 03' 28" East, 49.19 Feet to a point; thence 16.) North 59° 13' 28" West, 54.01 feet to a point; thence 7.) North 17° 25' 50" East, 46.03 feet to a point; thence 18.) North 23° 34' 15" East, 15.75 feet to a point; thence 19.) North 01° 47' 56" East, 2.72 feet to a point; thence 20.) North 60° 04' 33" West, 13.58 feet to a point; thence 21.) North 31° 01' 46" East, 35.51 feet to a point; thence 22.) North 22" 17' 41" East, 17.79 feet to a point; thence 3.) South 60° 26' 23" East, 15.20 feet to a point; thence 4.) North 73° 41' 48" East, 13.67 feet to a point; thence 25.) North 84° 28' 02" East, 34.82 feet to a point; thence

5.) South 88° 49' 32" East, 44.69 feet to a point; thence

27.) 12.86 feet along the arc of a tangent curve to the right having a radius of 9.33 feet and a chord hearing and distance of South 49° 21' 51" East, 11.86 feet to a point; thence 28.) 68.55 feet along the arc of a tangent curve to the left having a radius of 67.15 feet and a chord hearing and distance of South 39° 08' 54" East, 65.61 feet to a point; thence 29.) South 68° 23' 37" East, 47.05 feet to a point; thence 30.) 32.11 feet along the arc of a tangent curve to the right having a radius of 260.00 feet and a chord hearing and distance of South 64° 51' 20" East, 32.09 feet to a point; thence

31.) South 61° 19' 03" East, 14.67 feet to a point; thence 32.) 38.85 feet along the arc of a tangent curve to the left having a radius of 108.67 feet and a chord hearing and distance of South 71° 33' 35" East, 38.65 feet to a point; thence .) South 81° 48' 08" East, 23.75 Feet to a point; thence 34.) 39.62 feet along the arc of a tangent curve to the right having a radius of 24.33 feet and a chord hearing and distance of South 35° 08' 48" East, 35.93 feet to a point; thence 35.) 7.56 feet along the arc of a tangent curve to the right having a radius of 24.33 feet and a chord hearing and distance of South 20° 24' 37" West, 7.53 feet to a point; thence

36.) South 29° 18' 44" West, 156.86 feet to the point of beginning containing 58,341 square feet or 1.33933 acres of land

AREA TABULATION LEGAL DESCRIPTION EXHIBIT A-1

AL	DESCRIPTION	EXHIBIT	A-6	710,298			16.30620		
AL	DESCRIPTION	EXHIBIT	A-5	184,337	S.F.	OR	4.32180	ACRES	
AL	DESCRIPTION	EXHIBIT	A-4	181,321	S.F.	OR	4.16256	ACRES	
AL	DESCRIPTION	EXHIBIT	A-3	58,414	S.F.	OR	1.34100	ACRES	
AL	DESCRIPTION	EXHIBIT	A-2	58,341	S.F.	OR	1.33933	ACRES	
AL	DESCRIPTION	EXHIBIT	A-1	138,164	S.F.	OR	3.17181	ACRES	

REV. 03-03-06 BASED ON REVISED TITLE COMMITMENT

SIL

& NEW RECORD PLATS REV. 05-03-06 BASED ON RECORDED REV. 05-10-06

BASED ON WACHOVIA REQUIREMENTS REV. 10-13-06 PER COMMENTS REV. 10-19-06 PER COMMENTS

DATE: OCTOBER, 2005 DWN.

1"=50" PROJECT/FILE NO.