

July 16, 1954

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
JOHN F. ZINK, et al. VS. BOARD OF ZONING APPEALSJune 15, 1954- Decision of Board affirmed
(Judge Kintner)

(Time for appeal passed)

George J. Rynally
Clerk of Court

No. 439

OFFICE OF CLERK OF COURT
CIRCUIT COURT FOR BALTIMORE COUNTY
BALTIMORE, MARYLAND
(400)OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by Kinlock Z. Yellott, Talbot T. Spear, and John F. Zink from an Order of the Zoning Commissioner of Baltimore County dated November 25, 1953, granting the reclassification from an "A" Residence Zone to an "P" Light Industrial Zone in regard to the property described in the petition.

The case came on for hearing before the Board, testimony was taken, and counsel heard.

The property which is the subject of this petition is a tract of land containing 63.36 acres, more or less, on the northeast side of the Baltimore-Harrisburg Expressway and south of the Padonia Road and west of the Northern Central Railroad right of way, the whole tract being a distance of about 1500 feet west of York Road in an area sometimes designated as Timonium Heights. The Expressway (construction which was begun in 1948) has a right of way of 200 feet wide on the west side of the land and is a limited access road with its nearest entrances to the south being the Timonium Road and to the north, the Shawan Road.

The Padonia Road is narrow and irregular in width, with structures built up close to the right of way in such a manner as to make a proper widening of it very costly, difficult, and impractical, with the most logical conclusion being the re-routing of a portion of the road so as to carry increased traffic for years to come. The protestants were apprehensive of the increased traffic on Padonia Road should the subject property be reclassified for a light industrial use. While this, of course, is a matter to be taken into consideration, it is not by far the most important consideration to be given as to whether or not this tract should be reclassified.

JOHN F. ZINK,
KINLOCK Z. YELLOTT,
TALBOT T. SPEAR
VS.
CHAS. H. DOUGLASS
AND
CARL F. WILSON, Comptroller
of the Board of Zoning Appeals
of Baltimore County

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

This is an appeal from the Board of Zoning Appeals of Baltimore County. The Zoning Commissioner changed the classification of the property involved from Residential "A" to Light Industrial "P". On appeal from that ruling the Board of Zoning Appeals affirmed the finding of the Zoning Commissioner. The Zoning Commissioner made his decision on the ground that the property was wrongly classified in the first instance. The Board of Zoning Appeals decided the case on the ground that there had been a substantial change in the character of the neighborhood since the original classification and that such change warranted re-zoning to Light Industrial Zone.

In passing upon this question the Court is not required to determine the wisdom of the Board of Zoning Appeals in making this change. What we are required to do is to determine whether there were sufficient facts in the evidence then before that Board, from which it would appear there is a debatable issue.

The principal change in the character of the neighborhood was the fact that between 1945 and the present time, that is to say, starting about 1948, the State of Maryland began the construction of an express and non-access highway between Baltimore and Harrisburg. This highway runs in the north and south direction and immediately borders the 62 acre tract of land with which we are here concerned, on the westerly side. The tract in question is bordered on the east side by the main line of the Northern Central Railroad. The distance between the through highway and the railroad is about 1500 feet and the land fronts some 2300 feet along the railroad.

The matters just recited are substantial evidence of change from which

The land lays well and presents good appearance; and while the Board cannot deny that pieces of this property could not be used for residential purposes, it is of the opinion that the entire tract is not adapted for such, in view of the fact that it is surrounded on three sides by boundaries or lines of demarcation which are not conducive to residential development, namely, the quarry to the north, the railroad to the east, and the expressway to the west. The Board does not go so far, however, as to say that any tract of land which may be bordered by a railroad, or quarry, or expressway should bear a classification lower than an "A" Residential Zone; but certainly in this case the presence of these three things in such close proximity and of such permanent nature can lead to no other conclusion than that this tract of land is not adapted for residential purposes.

It is to be noted further that there is a transmission station located in the general area to the north of the petitioners' land, and in a southerly direction are the grounds of the Timonium State Fair; and across from the said Fair grounds a large tract was recently reclassified for a shopping center, and near to that another large tract was reclassified recently for a light industrial use. There is no extensive residential development that would be affected by this reclassification; and, indeed, should any individual properties be adversely affected, the same could not be attributed to the reclassification as such, but rather to the changes that have taken place in this community since January 1, 1945, which are the grounds for the change in zoning of petitioners' land. These changes have been so extensive and pertinent that it is not necessary to determine whether or not the original zoning of this land was erroneous.

the Board of Zoning Appeals would be warranted in re-classifying the property.

There is also evidence in the case that a large quarry operates just north of the tract in question but not immediately adjoining it. This operation is a non-conforming use and has therefore not been affected by the zoning law; however, such an operation does affect the character of the neighborhood and is a circumstance which the Board of Zoning Appeals had the right to take into consideration. There is also some evidence of re-zoning for light industrial use to the south of the land in question. This was a circumstance properly to be considered by the Board of Zoning Appeals.

The Court has heard extended arguments by able and distinguished counsel in this case in which each side has elaborated on the facts and has presented to the Court a very detailed picture of all of the evidence.

From the consideration of the exhibits, the record and the arguments of counsel the Court has come to the conclusion that there is at least a debatable issue of fact presented by the record and that the decision of the Board of Zoning Appeals must under the law be affirmed.

Flora J. Kintner, Judge

RE: PETITION OF GEORGE F. SARGENT FOR RECLASSIFICATION OF 62.773 ACRES of land in the Eighth Election District of Baltimore County from "A" Residence Zone to an "P" Light Industrial Zone.

The appeal in the above entitled matter coming on for hearing on the 7th day of January, 1954, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated November 25, 1953, granting the reclassification from an "A" Residence Zone to an "P" Light Industrial Zone in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the said reclassification would not be detrimental to the health, safety, and general welfare of the community and for reasons set forth in the opinion; therefore,

It is this 4th day of February, 1954, Ordered by the Board of Zoning Appeals of Baltimore County that this property be reclassified from an "A" Residence Zone to an "P" Light Industrial Zone.

Carl F. Wilton
Chairman
Samuel W. Phillips
Board of Zoning Appeals of
Baltimore County

APPROVED:
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

Samuel W. Phillips
Commissioner
Date: July 2, 1954

FILED DEC 4 1953

APPLICATION OF GEORGE F. SARGENT
FOR RECLASSIFICATION OF 62.773
ACRES OF LAND IN THE EIGHTH ELEC-
TION DISTRICT OF BALTIMORE COUNTY
FROM "A" RESIDENCE ZONE TO AN "P"
LIGHT INDUSTRIAL ZONE

HON. CHARLES H. DOUGLASS,
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

NOTICE OF APPEAL

Please note an appeal in the above entitled case to the Board of Zoning Appeals of Baltimore County, on behalf of Talbot T. Spear and John F. Zink.

Samuel W. Phillips
Samuel W. Phillips
Attorney for Talbot T. Spear and
John F. Zink.

DRIVE

IN RE: APPLICATION OF GEORGE F. SARGENT FOR RE-CLASSIFICATION OF 62.773 ACRES OF LAND IN THE EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY FROM "A" RESIDENCE ZONE TO AN "F" LIGHT INDUSTRIAL ZONE.

Public hearing was had on the above application on August 10, 1953.

The tract of land sought to be changed or reclassified from an "A" Residence Zone to an "F" Light Industrial Zone contains 62.773 acres. A description of said land, prepared by S. J. Marten & Co., Surveyors and Civil Engineers, and a plat of said land, prepared by the same surveyors and engineers, were filed.

This land is that part of the farm of the petitioner which lies between the Baltimore and Harrisburg Expressway on the west, Padonia Road on the north, the Northern Central Railroad on the east and the property of Mr. John H. Sink on the south. The only improvement on the property is a hay barn. In addition to access to Padonia Road on which it borders for 1715.2 feet, the subject property has a right-of-way from its southern outline to the York Road, crossing the railroad tracks at grade and thence about 1500 feet east to the York Road.

The Expressway crosses Padonia Road by an overpass or bridge and at present there is no connection between Padonia Road and the Expressway.

Either one of the two following facts must be found to exist before rezoning or reclassification is justified in any case, namely, (1) that the original zoning was a mistake or (2) that conditions in the immediate neighborhood have changed materially since the original zoning.

I find as a fact that the zoning of this entire tract as an "A" Residence Zone was in the first instance a mistake.

Petition for Zoning Re-Classification

I, George F. Sargent, legal owner... of the property situated in the Eighth Election District of Baltimore County, containing 62.773 acres of land, more or less, fronting on the south side of Padonia Road on the west side of the Northern Central Railroad, and which is particularly described as follows:

(see Surveyors' description attached)

I hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence Zone to an "F" Light Industrial Zone.

Reasons for Re-Classification: The property which has a large barnage on the Northern Central Railroad was originally classified in "A" Residence Zone in the first instance and since the building of the first section of the Baltimore-Harrisburg Expressway, which is a non-access road, conditions have materially changed in that said property now lies between said non-access road and the said railroad and is now particularly suitable for light industrial use.

The only improvement on the property is a hay barn.

All this parcel of land in the Eighth District of Baltimore County on the southeast corner of Padonia Road and Baltimore-Harrisburg Expressway, thence running southeasterly and binding on the northeast side of Baltimore-Harrisburg Expressway 2715.2 feet thence north 86 degrees 51 minutes 45 seconds East 111.4 feet to the northeast right-of-way of Northern Central Railroad, thence northeasterly and binding on said right-of-way 594.12 feet thence leaving said right-of-way and running to the following courses and distances north 76 degrees 13 minutes west 111.4 feet, north 12 degrees 31 minutes east 317.21 feet returning to said right-of-way thence binding thereon and running northeasterly 116.44 feet thence south 68 degrees 53 minutes west 150 feet and north 21 degrees 03 minutes east 306.40 feet to the south side of Padonia Road thence running westerly and binding on the south side of Padonia Road 1715.2 feet to place of beginning. The property of George F. Sargent as shown on plat plan filed with the Zoning Department.

Address: Alburt H. Johnson, Towson, Md.

ORDERED BY The Zoning Commissioner of Baltimore County, this... day of... 1953, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held in the office of the Zoning Commissioner of Baltimore County, in the Rockwell Bldg., in Towson, Baltimore County, on the... day of August, 1953, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County

Edward H. Bunkert
909...
0622
597-0950

Petition for Zoning Re-Classification

I, George F. Sargent, legal owner... of the property situated in the Eighth Election District of Baltimore County, containing 62.773 acres of land, more or less, fronting on the south side of Padonia Road on the west side of the Northern Central Railroad, and which is particularly described as follows:

(see Surveyors' description attached)

Reasons for Re-Classification: The property which has a large barnage on the Northern Central Railroad was originally classified in "A" Residence Zone in the first instance and since the building of the first section of the Baltimore-Harrisburg Expressway, which is a non-access road, conditions have materially changed in that said property now lies between said non-access road and the said railroad and is now particularly suitable for light industrial use.

The only improvement on the property is a hay barn.

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Address: Alburt H. Johnson, Towson, Md.

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Zoning Commissioner of Baltimore County

Edward H. Bunkert
909...
0622
597-0950

vides good plant sites, and factories pay taxes and provide "the life blood of wages and salaries".

Mr. Malcolm Dill, Director of the Planning Commission, has furnished me with a sketch showing the subject property and its proper land use. That use is light industrial.

By reason of its location and topography the use of the subject property will not depreciate the value of contiguous property and property in the neighborhood.

The protestants' main objection is that the proposed reclassification of the subject property will not reduce, but will the contrary promote, congestion in the public roads. They claim that Padonia Road from the railroad tracks eastwardly to the York Road, a distance of approximately 1500 feet, is narrow, is solidly built up, and that it would be dangerous to increase traffic on this stretch of public road, which would be the case if the subject property was rezoned for light industrial use and developed as such. The evidence indicated that the Hedwin Corporation which has purchased the property, subject to zoning, proposes to establish its offices and plant on this property, if rezoned light industrial, and that it will employ between 200 and 300 persons. The Hedwin Corporation is in the plastic manufacturing business, its principal product being table mats. Its supplies come by railroad. Its finished products will be shipped by truck. It was testified that not more than two truck loads will leave the plant per day.

Padonia Road is an important east-west county road connecting Falls Road and other north-south roads, with the York Road. For many residents of the county, living west of the Expressway, it is the shortest and most convenient way to the County seat and to the industrial areas lying to the east. Recognizing this fact, the County authorities, I am advised, insisted that the bridge carrying the Expressway over this road should be long enough to permit four lanes of traffic under it and it was so constructed.

CENTENARY YEARS
1849 - 1949

HOWARD D. TUSTIN
HOWARD CAUTION

S. J. MARTEN & CO.
SURVEYORS AND CIVIL ENGINEERS
8 E. LEXINGTON STREET
BALTIMORE - 2, MD.

REGISTERED
PROFESSIONAL ENGINEERS
LAND SURVEYORS

DESCRIPTION OF THE PORTION OF THE LAND OF DR. GEORGE F. SARGENT LYING NORTHEAST OF THE BALTIMORE TO YORK EXPRESSWAY.

All that parcel of land situated in the Eighth Election District of Baltimore County bounded and described as follows:

BEGINNING for the same at a point distant 50 feet Southwesterly, measured at right angles, from a point in the center line of the Northern Central Railway 300 feet Southeasterly from the intersection of said center line with the middle of a stone arch bridge over a small stream near Padonia Station known as Bridge No. 12 said point being in the last line of the parcel of land described in a deed from Michael Padian, et al., to Northern Central Railway Company dated January 8, 1903 and recorded among the Land Records of Baltimore County in Liber N.B.M. No. 254 folio 335 etc. at the end of the first line of the parcel of land firstly described in a deed from Michael Padian, et al., to Northern Central Railway Company dated June 30, 1903 and recorded among said Land Records in Liber N.B.M. No. 254 folio 497 etc. and the beginning of the land described in a deed from Bruce S. Campbell and wife to George F. Sargent dated April 29, 1937 and recorded among said Land Records in Liber G.W.B.Jr. No. 1001 folio 88 etc. and running thence, with and binding on the outlines of the land described in said last mentioned deed and reversely on the outlines of the land described in the deed from Michael Padian, et al., to Northern Central Railway Company first herein referred to, as now surveyed, parallel with and distant 50 feet Southwesterly, measured at right angles and/or radially, from the center line of said Railway, the three following courses and distances, to wit: South 21 degrees and 03 minutes East 130.95 feet; Southeasterly by a line curving toward the South (right) with a radius of 7922.00 feet and a chord

Padonia Road runs in a straight line eastwardly from the underpass to a point about 200 feet from the railroad. It then turns north at a right angle, and parallels the railroad for about 400 feet. It then turns east at a right angle, and crosses the railroad at grade and continues about 1200 feet to the York Road. It is common knowledge that the improvement of Padonia Road is inevitable in the near future. The plan is to do away with the two right angle turns above mentioned and to carry the road in a straight line from the underpass to the York Road, crossing the railroad by an overpass bridge. No buildings or houses would be affected by this improvement.

If the property is not reclassified as light industrial, it may of course be developed for residential use. People seldom go into a naturally industrial zone such as the subject property, and build substantial houses. In such areas small and cheap houses are erected, which in a short time deteriorate and blight the whole area. Such development of the subject property would cause, as much, if not more, congestion in the public roads, as its development for light industrial use.

Moreover, the true function of zoning deals with the use of land. By its very nature it looks to the future. Jurisdiction over roads rests here with the County Commissioners. They have the power and duty to widen and improve existing roads, and to construct new ones, as the needs and safety of the public require, and the presumption is that they will perform their duty in this respect.

For the reasons above stated it is hereby Ordered by the Zoning Commissioner of Baltimore County this 26th day of November, 1953, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from an "A" Residence Zone to an "F" Light Industrial Zone.

Howard D. Tustin
Zoning Commissioner
of Baltimore County

CENTENARY YEARS
1849 - 1949

HOWARD D. TUSTIN
HOWARD CAUTION

S. J. MARTEN & CO.
SURVEYORS AND CIVIL ENGINEERS
8 E. LEXINGTON STREET
BALTIMORE - 2, MD.

REGISTERED
PROFESSIONAL ENGINEERS
LAND SURVEYORS

Descr. Land of Dr. George F. Sargent, Cont'd.

which bears South 18 degrees and 32 minutes East 695.71 feet the distance of 695.93 feet and South 16 degrees and 01 minute East 258.78 feet to a point in the last line of the land described in a deed from Benjamin T. Ridgely, Executor, et al., to J. Leland Hanna and wife dated January 3, 1911 and recorded among said Land Records in Liber W.P.C. No. 374 folio 162 etc.; thence, binding reversely on the outlines thereof, as now surveyed, the two following courses and distances, to wit: South 12 degrees and 13 minutes West 317.11 feet to a large stone heretofore planted and South 76 degrees and 33 minutes East 192.84 feet to a point distant 31 feet Southwesterly, measured at right angles, from the center line of Northern Central Railway; thence, parallel with said center line, South 16 degrees and 01 minute East 594.12 feet to a point in the fourth line of the land described in a deed from the Board of Public Works of Maryland to George F. Sargent and wife dated September 18, 1935 and recorded among said Land Records in Liber G.W.B.Jr. No. 999 folio 501 etc.; thence, binding reversely on part of said fourth line, as now surveyed, North 86 degrees and 53 minutes West 671.45 feet to the Northeasternmost right of way line of "Relocation of York Road" as shown on Plat No. 7030 Contract No. B-5762-2417 of State Roads Commission of Maryland issued October 5, 1948; thence, binding on the Northeasternmost right of way line of said Road as shown on said Plat and also on Plat No. 7409 of said Contract issued March 3, 1949, the five following courses and distances, to wit: Northwesterly by a line curving toward the West (left) with a radius of 3537.71 feet and a chord which bears North 43 degrees, 16 minutes and 38 seconds West 445.30 feet the distance of 445.595 feet to a concrete monument heretofore planted; Northwesterly by a line 100 feet Northwesterly from the spiraled center line of said right of way and a chord which bears North 45 degrees, 59 minutes and 53 seconds West

Descr. land of Dr. George F. Sargent, Cont'd.

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202.91 feet the distance of 202.917 feet to a concrete monument heretofore planted; North 46 degrees, 33 minutes and 08 seconds West 2055.55 feet to a point distant 100.00 feet Northeastly, measured at right angles from station 95 plus 60 on the center line of said right of way; North 43 degrees, 26 minutes and 52 seconds East 23.00 feet and North 46 degrees, 33 minutes and 08 seconds West 44.16 feet to a point in the Southeasternmost right of way line of the relocation of Padonia Road as shown on Plat No. 7032 Contract No. B-578-2-415 of State Roads Commission of Maryland issued October 5, 1948; thence, binding on said right of way line, the three following courses and distances, to wit: Northeastly by a line curving toward the East (right) with a radius of 1120.92 feet and a chord which bears North 78 degrees, 03 minutes and 40 seconds East 335.12 feet the distance of 336.38 feet; North 86 degrees, 39 minutes and 30 seconds East 531.07 feet and North 75 degrees, 20 minutes and 54 seconds East 50.99 feet to the Southeast side of Padonia Road, 30 feet wide; thence, crossing said Road, North 3 degrees, 20 minutes and 30 seconds West 30.00 feet to the Northwest side of said Road and to a point in the twenty-seventh line of the land described in the deed from Bruce S. Campbell and wife to George F. Sargent heretofore referred to; thence, running with and binding on the remainder of said twenty-seventh line and the twenty-eighth line thereof, along the Northwest side of Padonia Road, as now surveyed, North 86 degrees, 53 minutes and 47 seconds East 784.24 feet and North 62 degrees and 23 minutes East 64.52 feet to a stone heretofore planted at the end of the third line of the parcel of land firstly described in the deed from Michael Padian, et al., to Northern Central Railway Company secondly herein referred to and thence, binding reversely on the third and second lines thereof and with and binding on the twenty-ninth and thirtieth lines of the land described in said deed from Bruce S. Campbell and wife

Descr. land of Dr. George F. Sargent, Cont'd.

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to George F. Sargent, South 21 degrees and 03 minutes East 306.60 feet to a stone heretofore planted and North 68 degrees and 57 minutes East 150.00 feet to the place of beginning.

Containing 63.360 acres of land, more or less, of which 0.587 of an acre is in the bed of Padonia Road, 30 feet wide, and 62.773 acres are clear of said Road.

The courses in the above description are referred to the Magnetic Meridian of 1934.

Subject to the rights of the State Roads Commission of Maryland in and to the easement areas shown on Plats Nos. 7030, 7409 and 7032 Contract No. B-578-2-415 heretofore referred to.

Together with the use and privilege of a right of way or road thirty feet wide, over land of Northern Central Railway Company from the end of the sixth line of the land heretofore described Southeastly to the center line of the private road leading from the dwelling of the late Penelope D. Goodwin now John Zink, to York Turnpike Road, the Northeast side of said right of way being parallel with and distant 33 feet Southwestly, measured at right angles, from the center line of the Northern Central Railway.

Also all right, title and interest of the grantors in and to a right of way or Road twenty feet wide from the center line of the Northern Central Railway to the York Road, along the Southernmost outlines of the land described in a deed from W. McCulloh Brown to J. Leland Hanna and wife dated November 11, 1913 and recorded among said Land Records in Liber W.P.C. No. 417 folio 353 etc., the Southernmost side of said right of way or road being coincident with the sixth, seventh and eighth lines of the land described in said last mentioned deed.

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Descr. land of Dr. George F. Sargent, Cont'd.

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202.91 feet the distance of 202.917 feet to a concrete monument heretofore planted; North 46 degrees, 33 minutes and 08 seconds West 2055.55 feet to a point distant 100.00 feet Northeastly, measured at right angles from station 95 plus 60 on the center line of said right of way; North 43 degrees, 26 minutes and 52 seconds East 23.00 feet and North 46 degrees, 33 minutes and 08 seconds West 44.16 feet to a point in the Southeasternmost right of way line of the relocation of Padonia Road as shown on Plat No. 7032 Contract No. B-578-2-415 of State Roads Commission of Maryland issued October 5, 1948; thence, binding on said right of way line, the three following courses and distances, to wit: Northeastly by a line curving toward the East (right) with a radius of 1120.92 feet and a chord which bears North 78 degrees, 03 minutes and 40 seconds East 335.12 feet the distance of 336.38 feet; North 86 degrees, 39 minutes and 30 seconds East 531.07 feet and North 75 degrees, 20 minutes and 54 seconds East 50.99 feet to the Southeast side of Padonia Road, 30 feet wide; thence, crossing said Road, North 3 degrees, 20 minutes and 30 seconds West 30.00 feet to the Northwest side of said Road and to a point in the twenty-seventh line of the land described in the deed from Bruce S. Campbell and wife to George F. Sargent heretofore referred to; thence, running with and binding on the remainder of said twenty-seventh line and the twenty-eighth line thereof, along the Northwest side of Padonia Road, as now surveyed, North 86 degrees, 53 minutes and 47 seconds East 784.24 feet and North 62 degrees and 23 minutes East 64.52 feet to a stone heretofore planted at the end of the third line of the parcel of land firstly described in the deed from Michael Padian, et al., to Northern Central Railway Company secondly herein referred to and thence, binding reversely on the third and second lines thereof and with and binding on the twenty-ninth and thirtieth lines of the land described in said deed from Bruce S. Campbell and wife

Descr. land of Dr. George F. Sargent, Cont'd.

Page 4

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Containing 63.360 acres of land, more or less, of which 0.587 of an acre is in the bed of Padonia Road, 30 feet wide, and 62.773 acres are clear of said Road.

The courses in the above description are referred to the Magnetic Meridian of 1934.

Subject to the rights of the State Roads Commission of Maryland in and to the easement areas shown on Plats Nos. 7030, 7409 and 7032 Contract No. B-578-2-415 heretofore referred to.

Together with the use and privilege of a right of way or road thirty feet wide, over land of Northern Central Railway Company from the end of the sixth line of the land heretofore described Southeastly to the center line of the private road leading from the dwelling of the late Penelope D. Goodwin now John Zink, to York Turnpike Road, the Northeast side of said right of way being parallel with and distant 33 feet Southwestly, measured at right angles, from the center line of the Northern Central Railway.

Also all right, title and interest of the grantors in and to a right of way or Road twenty feet wide from the center line of the Northern Central Railway to the York Road, along the Southernmost outlines of the land described in a deed from W. McCulloh Brown to J. Leland Hanna and wife dated November 11, 1913 and recorded among said Land Records in Liber W.P.C. No. 417 folio 353 etc., the Southernmost side of said right of way or road being coincident with the sixth, seventh and eighth lines of the land described in said last mentioned deed.

July 17, 1953

DESCRIPTION OF THE PORTION OF THE LAND OF
DR. GEORGE F. SARGENT LYING NORTHEAST OF THE
BALTIMORE TO YORK EXPRESSWAY.

All that parcel of land situate in the Eighth Election District of Baltimore County bounded and described as follows:

BEGINNING for the same at a point distant 50 feet Southwestly, measured at right angles, from a point in the center line of the Northern Central Railway 300 feet Southeastly from the intersection of said center line with the middle of a stone arch bridge over a small stream near Padonia Station known as Bridge No. 12 said point being in the last line of the parcel of land described in a deed from Michael Padian, et al., to Northern Central Railway Company dated January 8, 1903 and recorded among the Land Records of Baltimore County in Liber N.B.M. No. 254 folio 335 etc. at the end of the first line of the parcel of land firstly described in a deed from Michael Padian, et al., to Northern Central Railway Company dated June 30, 1903 and recorded among said Land Records in Liber N.B.M. No. 254 folio 497 etc. and the beginning of the land described in a deed from Bruce S. Campbell and wife to George F. Sargent dated April 29, 1937 and recorded among said Land Records in Liber C.W.B.J.R. No. 1001 folio 88 etc. and running thence, with and binding on the outlines of the land described in said last mentioned deed and reversely on the outlines of the land described in the deed from Michael Padian, et al., to Northern Central Railway Company first herein referred to, as now surveyed, parallel with and distant 50 feet Southwestly, measured at right angles and/or radially, from the center line of said Railway, the three following courses and distances, to wit: South 21 degrees and 03 minutes East 130.95 feet; Southeastly by a line curving toward the South (right) with a radius of 7922.00 feet and a chord

Descr. land of Dr. George F. Sargent, Cont'd.

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which bears South 18 degrees and 32 minutes East 695.71 feet the distance of 695.93 feet and South 16 degrees and 01 minute East 256.78 feet to a point in the last line of the land described in a deed from Benjamin T. Ridgely, Executor, et al., to J. Leland Hanna and wife dated January 3, 1911 and recorded among said Land Records in Liber W.P.C. No. 374 folio 162 etc.; thence, binding reversely on the outlines thereof, as now surveyed, the two following courses and distances, to wit: South 12 degrees and 13 minutes West 317.14 feet to a large stone heretofore planted and South 76 degrees and 33 minutes East 191.84 feet to a point distant 33 feet Southwestly, measured at right angles, from the center line of Northern Central Railway; thence, parallel with said center line, South 16 degrees and 01 minute East 594.12 feet to a point in the fourth line of the land described in a deed from the Board of Public Works of Maryland to George F. Sargent and wife dated September 16, 1935 and recorded among said Land Records in Liber C.W.B.J.R. No. 959 folio 501 etc.; thence, binding reversely on part of said fourth line, as now surveyed, North 86 degrees and 53 minutes West 671.45 feet to the Northeasternmost right of way line of "Relocation of York Road" as shown on Plat No. 7030 Contract No. B-578-2-415 of State Roads Commission of Maryland issued October 5, 1948; thence, binding on the Northeasternmost right of way line of said Road as shown on said Plat and also on Plat No. 7409 of said Contract issued March 3, 1949, the five following courses and distances, to wit: Northwestly by a line curving toward the West (left) with a radius of 3537.74 feet and a chord which bears North 41 degrees, 16 minutes and 38 seconds West 445.30 feet the distance of 445.595 feet to a concrete monument heretofore planted; Northwestly by a line 100 feet Northeastly from the spiraled center line of said right of way and a chord which bears North 45 degrees, 59 minutes and 50 seconds West

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 7-29-53
Posted for: As A "Residential zone to an F" Light Industrial zone
Petitioner: George F. Sargent
Location of property: S.E. Corner of Padonia Rd. & Baltimore-Harrisburg Expressway, Thole
Building S.E. Building on the N.E. of Baltimore-Harrisburg Expressway, 21st St.
Location of Signs: on the N.E. of Baltimore-Harrisburg Expressway, 21st St.
600 ft. x 1200 ft. on the N.E. of Baltimore-Harrisburg Expressway, 21st St.
Remarks: on the N.E. of Baltimore-Harrisburg Expressway, 21st St.
Posted by: George F. Sargent Date of return: 7-30-53

\$34.00

RECEIVED of Edward H. Burke, attorney for George F. Sargent, the sum of Thirty Four (\$34.00) Dollars being cost of petition for Reclassification, advertising and posting property, southeast corner of Padonia Road and Baltimore-Harrisburg Expressway, 8th District.

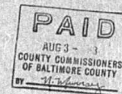
Zoning Commissioner

Hearing:

Monday, August 10, 1953

at 2:30 P.M.

Basement of Rockford Building
Towson 2, Maryland.

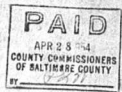


April 26, 1954

\$11.20

RECEIVED of Kenneth C. Procter and Lawrence E. Risor, Attorneys for Messrs. Zink, Yellett and Hachagen, Protestants, the sum of \$11.20 being cost of certified copies of papers filed in Court in the matter of reclassification of property of Dr. George F. Sargent, Padonia Road, 8th District.

Zoning Commissioner

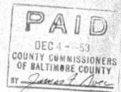


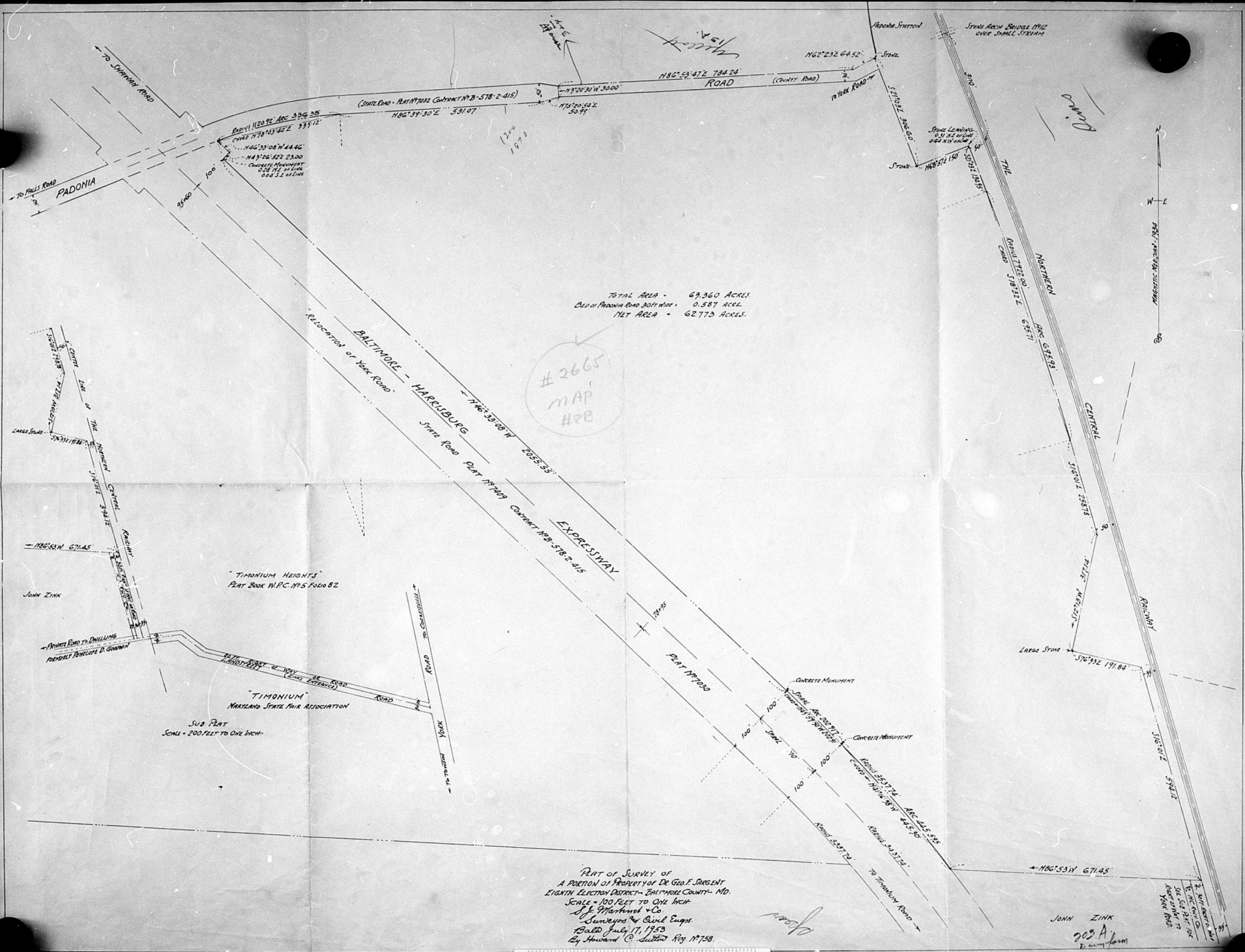
December 4, 1953

\$30.00

RECEIVED of Kenneth C. Procter & Lawrence E. Risor, Attorneys for Kinloch M. Yellett, Talbot T. Spear and John F. Zink, appellants, the sum of Thirty (\$30.00) Dollars being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner granting reclassification of property of George F. Sargent on Padonia Road, 8th District.

Zoning Commissioner





PART OF SURVEY OF
A PORTION OF PROPERTY OF DR. GEO. F. SARGENT
EIGHTEENTH ELECTION DISTRICT - BALTIMORE COUNTY - MD.
SCALE - 100 FEET TO ONE INCH
J. F. Marshall & Co.
Surveyors & Civil Engrs.
Baltimore, Md.
By Howard C. Smith Reg. No. 758



JOHN ZINK
200 A
Faint form

200 A
Faint form