

THIS AGREEMENT, made this 17th day of June, 1962, by and between the CATONSVILLE LIBRARY ASSOCIATION, INC., HARRY E. THORN and PEARL M. THORN (owners), SHELL OIL COMPANY (contract purchaser), hereinafter called collectively "parties of the first part"; and JOHN G. MOHLER, hereinafter called "party of the second part".

WHEREAS, Petition No. 5500X for a Special Exception to use the real property located at the southeast corner of Frederick Road and Sanford Avenue, in the 1st District of Baltimore County, has been filed by the owners of such property with the Zoning authorities of Baltimore County, Maryland; and

WHEREAS, at an appellate hearing held on the 17th day of May, 1962, before the County Board of Appeals, the party of the second part indicated his opposition to the Special Exception requested unless certain conditions were placed upon the use of such real property for such special exception; and

WHEREAS, the parties of the first part, collectively, have agreed to abide by these certain conditions on use.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

That in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, including the withdrawal of the party of the second part's opposition to the Petition for Special Exception, the parties of the first part, jointly and severally, agree as follows:

1. That if the Special Exception for gasoline service station use for the real property described in paragraph 2 hereof is granted:

(a) The real property described will not be used as an operating gasoline service station until the existing Catonsville library building located on the northwest corner of the

subject real property has been removed therefrom, provided, however, that nothing in this Agreement shall prevent the owners or contract purchaser from constructing all necessary facilities and improvements for gasoline service station use thereon prior to such removal of the library building; and

(b) That they will not place any immovable structures, either below ground or above ground, on the westernmost ten (10) feet of said property, so that if such westernmost ten (10) feet is later acquired by condemnation or otherwise for the widening of Sanford Avenue, it will not be necessary to condemn improvements on such 10 foot strip; provided, however, that either the owners or contract purchaser may place such curbing, sidewalks or shrubbery thereon as may be deemed advisable.

2. All that piece or parcel of land situate, lying and being in the First Election District of Baltimore County, State of Maryland, and described as follows, to wit:

Beginning for the same at the corner formed by the intersection of the south side of Frederick Road with the east side of Sanford Avenue and running thence and binding on the south side of Frederick Road North 81 degrees 21 minutes East 133.24 feet, thence leaving said road and running the two following courses and distances, viz: South 9 degrees 42 minutes East 135 feet and South 81 degrees 21 minutes West 133.20 feet to the east side of Sanford Avenue and thence binding on the east side of said Avenue North 9 degrees 43 minutes West 135 feet to the place of beginning.

Containing 0.41 of an Acre of land more or less.

Being all of the land which by a deed dated August 10, 1961, and recorded among the Land Records of Baltimore County in Liber R.J.F. No. 1399 folio 431 was conveyed by Benjamin J. Peter et al to the Catonsville Library Association, Inc. and being part of the land which by a deed dated September 9, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3592 folio 154 was conveyed by Ester B. Peter et al to Harry E. Thorn and wife.

PROCTOR, ROYSTON
AND
MUELLER
CAMPBELL BUILDING
TOWSON 4, MD
VALLEY 3-1800

PROCTOR, ROYSTON
AND
MUELLER
CAMPBELL BUILDING
TOWSON 4, MD
VALLEY 3-1800

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ATTEST: CATONSVILLE LIBRARY ASSOCIATION, INC.
By _____ Secretary _____ President _____
Harry E. Thorn (SEAL)
Pearl M. Thorn (SEAL)
SHELL OIL COMPANY
By _____ Secretary _____ President _____
Parties of the first part
John G. Mohler (SEAL)
Party of the second part

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 10285
DATE 1/25/62
BILLED BY: Zoning Department of Baltimore County
TO: Messrs. Proctor, Royston & Mueller
Campbell Building
Towson 4, Md.
DEBIT TO ACCOUNT NO. 01622
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Petition for Special Exception for Catonsville Library Association
TOTAL AMOUNT \$50.00
COST
2-2662 133 * * * TIL - 50.00
2-2662 133 * * * TIL - 50.00
3

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 11529
DATE 1/2/62
BILLED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson 4, Md.
TO: Messrs. Proctor, Royston & Mueller,
Campbell Building
Towson 4, Maryland
DEBIT TO ACCOUNT NO. 01622
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Cost of appeal to Board of Appeals
No. 5500-X
TOTAL AMOUNT \$70.00
COST
4-362 2424 * * * TIL - 70.00
3

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 23, 1962

FROM: Mr. George E. Harrells, Deputy Director

SUBJECT: #5500-X, Special Exception for Gasoline Service Station, Southeast corner Frederick Road and Sanford Avenue. Being property of Catonsville Library Association Incorp.

1st District
HEARD: Wednesday, March 7, 1962 (1:30 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Special Exception covering a gasoline service station. It has the following advisory comments to make with respect to pertinent planning factors:

- In accepting the subject petition, the Planning staff had the understanding that the area embraced by the present Catonsville Library building would be an integral part of the proposed service station and that construction of the service station facility would be preceded by raising of the Library building. If this cannot be accomplished by the petitioner, the Planning staff feels that the application would be premature inasmuch as proper provision of a ten (10) foot widening strip for as proper provision of the necessary widening of pavement could not be accomplished prior to the opening of the gasoline station.
- The Planning staff notes the close proximity of the intersection of Helvin and Sanford Avenues with Frederick Road. The less than sixty (60) foot jog between the center lines of the two roads poses problems in the ability to maintain free movement of traffic within the intersections. Special Exceptions are judged on the basis of whether or not the specific use being sought would tend to create undue traffic congestion or hazard. They are not judged on the basis of whether or not permitted uses in the same commercial zone would be more or less troublesome with respect to the same problems. The Planning staff questions the impact of the service station on the safe movement of traffic here and suggests that the petitioner be required to prove conclusively that a service station will not cause undue problems with respect to pedestrian or vehicular movements.



Messrs. Proctor, Royston & Mueller
Campbell Building
Towson 4, Maryland

Re: Petition for Catonsville Library Association, Inc. & Harry E. Thorn

Attn: Mr. Kenneth C. Proctor
Gentlemen:

We are enclosing copy of comments from the Office of Planning.

If you desire to have a member of the Planning Staff testify, it will be necessary for you to summons him through the Sheriff's Office.

Yours very truly,

JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba
encl:

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 10380
DATE 2/27/62
TO: Messrs. Proctor, Royston & Mueller
Campbell Building
Towson 4, Md.
BILLED BY: Zoning Department of Baltimore County
DEBIT TO ACCOUNT NO. 01622
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Advertising and posting of property for Catonsville Library Assoc. at 1
TOTAL AMOUNT \$7.00
COST
3

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

OFFICE OF
THE BALTIMORE COUNTEAN
THE COMMUNITY NEWS
Baltimore, Md.
THE COMMUNITY PRESS
Dundalk, Md.
No. 1 Newburg Avenue
CATONSVILLE, MD
February 17, 1962
THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County
was inserted in THE BALTIMORE COUNTEAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One successive weeks before the 17th day of February, 1962, that is to say the same was inserted in the issues of
February 16, 1962.
THE BALTIMORE COUNTEAN
By: [Signature]
Editor and Manager

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5500-X

District: 1st Date of Posting: Feb. 14, 1962
Posted for: Special Exception for Gasoline Service Station
Petitioner: Harry E. Thorn et al.
Location of property: S. E. Cor. Frederick Road and Sanford Ave., Sea Flat
Location of Signs: S. E. Cor. Frederick Road and Sanford Ave.
Remarks: _____
Posted by: George R. Hummel Date of return: Feb. 15, 1962
Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5500

District: 1st Date of Posting: 2-14-62
Posted for: Special Exception for Gasoline Service Station
Petitioner: Harry E. Thorn et al.
Location of property: S. E. Corner of Frederick Rd. + Sanford Ave. etc.
See Plat
Location of Signs: Southeast Corner of Frederick Rd. and Sanford Avenue
Remarks: _____
Posted by: George R. Hummel Date of return: 2-15-62
Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5500

District: 1st Date of Posting: 5-4-62
Posted for: Appeal Hearing
Petitioner: Harry E. Thorn + Catonsville Library Assn. Inc.
Location of property: S. E. Corner of Frederick Road and Sanford Ave. etc.
Location of Signs: Southeast Corner of Frederick Road and Sanford Avenue
Remarks: _____
Posted by: George R. Hummel Date of return: 5-5-62
Signature

**PETITION FOR ZONING
SPECIAL EXCEPTION**

1st DISTRICT

ZONING: Petition for Special Exception for a Gasoline Service Station.

LOCATION: Southeast corner of Frederick Road and Sanford Avenue.

DATE AND TIME: WEDNESDAY, MARCH 7, 1962 at 4:30 P.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing concerning all that parcel of land in the First District of Baltimore County

Beginning for the same at the corner formed by the intersection of the south side of Frederick Road with the east side of Sanford Avenue and running thence and binding on the south side of Frederick Road with the east side of Sanford Avenue and running thence and binding on the south side of Frederick Road North 81 degrees 21 minutes East 132.24 feet, thence leaving said road and running the two following courses and distances viz: South 9 degrees 42 minutes East 135 feet and South 81 degrees 21 minutes West 133.20 feet to the east side of Sanford Avenue and thence binding on the east side of said Avenue North 9 degrees 43 minutes West 135 feet to the place of beginning.

Containing 0.41 of an Acre of land more or less.

Being all of the land which by a deed dated August 10, 1945 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1399 folio 431 was conveyed by Benjamin J. Peter et al to the Catonsville Library Association, Inc. and being part of the land which by a deed dated September 9, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 7592 folio 151 was conveyed by Ester B. Peter et al to Harry E. Thorn and wife.

Being the property of Harry E. Thorn and Pearl M. Thorn and Catonsville Library Association Inc. as shown on plat plan filed with the Zoning Department.

By Order Of
JOHN G. ROSE
Zoning Commissioner Of Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. February 15, 1962

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 7th day of March, 1962, the first publication appearing on the 15th day of February 1962.

THE TIMES.

John M. Martin
Manager.
John M. Martin

Cost of Advertisement, \$-1.00
Purchase order R 2126
Requisition no. L 9184

