

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, we, TOWN & COUNTRY, EAST, INC., Division of Monumental Properties, Inc., legal owner... of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an... DR 16... zone to an... BL... zone, for the following reasons:

SEE ATTACHED BRIEF

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for...

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: William S. Baldwin, Vice President - Town and Country-East Division of Monumental Properties, Inc., 900 Sun Life Building, Charles Center, Baltimore, Maryland 21201.
Petitioner's Attorney: William S. Baldwin, 24 West Pennsylvania Ave., Towson, Maryland 21204.
Protestant's Attorney: William S. Baldwin, 24 West Pennsylvania Ave., Towson, Maryland 21204.

ORDERED By The Zoning Commissioner of Baltimore County, this... 25th... day of... January... 1972, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in... newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the... 1st... day of... March... 1972, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

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BY: G.R.S., Zoning Description, For BL USE - TOWN & COUNTRY EAST APPTS., MONUMENTAL PROPERTIES INC., SHEET 1 OF 1, DATE: 5/2/77, FILE

Beginning for the same at a point distant 17.50 feet N 90° 02' 03" E from a point on the North side of White Pine Road 60 feet wide distant 174.24 feet measured along the said north side of White Pine Road from the east side of Bowley's Quarters Road 70 feet wide as shown on a plat of Carrollwood Apartments and part of Section Three Carrollwood, filed among the Plat Records of Baltimore County in Plat Book R.L.D. #30, folio 130 thence running parallel with the said north side of White Pine Road:
1 - S 80° 57' 57" E 145.00 feet thence
2 - N 90° 02' 03" E 17.50 feet thence
3 - S 80° 57' 57" E 20.10 feet thence
4 - N 90° 02' 03" E 145.00 feet thence
5 - N 80° 57' 57" E 90.10 feet thence
6 - S 90° 02' 03" E 145.00 feet thence
7 - S 80° 57' 57" E 25.00 feet thence
8 - S 90° 02' 03" E 37.50 feet to the place of beginning.

Containing 0.138 Acres of land more or less.



Charles K. Stark, Esq.

BRIEF OF TOWN AND COUNTRY, EAST, INC. IN SUPPORT OF PETITION FOR RECLASSIFICATION

Town and Country, East, Inc., by its attorney, William S. Baldwin, assigns as reasons in support of its Petition for reclassification, the following:

1. That the County Council erred in not considering the action of the Zoning Commissioner of Baltimore County in re-classifying the subject property to Business Local in September, 1970.
2. That the County Council erred in not following the recommendation of the Baltimore County Planning Board that the subject property be zoned BL.
3. That the Council erred that it did not take into consideration the unsuitability of the subject property for any use other than commercial.
4. That the down shifting of the zoning of the subject property from BL to DR 16, without notice to the owner, was illegal, arbitrary and capricious and not supported by sound planning and is confiscatory in that it allows the property owner no reasonable use of its property.
5. That the property owner has expended large sums of money, relying on the Business Local zoning, granted the subject property in September, 1970 and that the Council erred in ignoring this and as a result thereof, has taken away the owner's property rights without compensation.
6. And for such other reasons to be assigned at the hearing hereon.

Respectfully submitted,
William S. Baldwin,
William S. Baldwin
Attorney for Petitioner

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9. Tenant has deposited with Landlord Three Hundred Eighty (\$380.00) dollars as security for the performance by Tenant of all the obligations and covenants on its part in this lease, which sum shall be held by Landlord as such security for the full stated term of this lease and any extension or renewal thereof, it being agreed that the appropriation of said sum of money or part thereof to indemnify for any such default shall be at all times discretionary with Landlord whose sole obligation with respect thereto is to return the same (or such part that has not been applied to defaults by Tenant) to Tenant at the expiration of this lease and the complete performance by Tenant of all its covenants and obligations thereunder.

10. It is finally agreed that the waiver by Landlord of any covenant or condition shall vitiate the same or any other covenant or condition contained herein.

AS WITNESS the due execution of these presents (in duplicate) by the parties thereto on the date first above stated.

TOWN AND COUNTRY EAST, INC.

BY: William S. Baldwin,
H. E. Wigdorn, Jr.

Grace Lerner

THIS LEASE, made this 18th day of May, 1971, between TOWN and COUNTRY - EAST, INC., a Maryland corporation, hereinafter called Landlord, and GRACE LANASA, hereinafter called Tenant, WITNESSETH:

That the said Landlord, for and in consideration of the payment of the rentals, and performance of the covenants and agreements hereinafter mentioned, hereby demise and leases unto the said Tenant, and the latter does hereby let from the former, the premises in Baltimore County, State of Maryland presently known as the first-floor of Town and Country - East Community Building to be used by the Tenant as a beauty shop and/or school and men's hair styling salon. It is further agreed that Lessee has the right to sell heavy side and convenience items and for no other purposes, for the term of two-years - beginning on the first day of July, 1971, and ending on the 30th day of June 1973, at the rent of Four Thousand Five Hundred Sixty (\$4,560.00) Dollars per annum, payable in equal monthly installments of Three Hundred and Eighty (\$380.00) Dollars in advance, on the first day of each month, in each year during the term of this lease, all payments hereunder to be made to the Landlord at 3729-B-White Pine Road, Baltimore, Maryland - 21206. Rent includes all utilities.

It is agreed that upon the same terms and conditions as are set forth in this lease, Tenant may renew this lease for an additional term of five-years, upon giving Landlord written notice of its election so to do at least four-months prior to the expiration of the aforesaid two-year term of this lease. The renewal term is subject to an increase in the monthly rental to cover real estate taxes and increase in utility charges. Tenant has an option to renew this lease for an additional five-year period - subject to the increase in real estate taxes and increased utility costs - the rental charge to be further negotiated - but not to exceed the percent increase as shown in the Consumer Price Index published by the U. S. Department of Labor, Bureau of Labor Statistics.

In addition to the foregoing, the above letting is upon the following further terms and conditions:

1. as additional rent, Tenant shall pay: a) all minor privilege and Metropolitan District charges that accrue against the said premises during the original term and any renewal term; and b) any increase in the present insurance rates (including the rate for public liability insurance) applying upon said premises on the date of this lease occasioned by the occupancy of said premises by Tenant.
2. that Tenant may not assign this lease in whole or in part nor sublet all or any part of the premises without the prior written consent of Landlord. That Tenant shall during the lease term and any renewal thereof, keep the demised premises in good order and repair at its own expense and at the expiration of this lease, or its sooner termination, shall deliver upon the same in the same good order and condition as they were at the beginning of the tenancy, reasonable wear and tear and damage by fire or other insured casualty excepted.
3. that Tenant shall save and keep Landlord harmless from and against any and all claims, including for personal injuries, arising in any manner from Tenant's occupancy of the premises, to secure which said indemnity Tenant shall at its own expense obtain and deposit with Landlord a policy of public liability insurance providing

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coverage for both Landlord and Tenant in the amount of not less than one-hundred thousand (\$100,000.00) dollars on account of bodily injury to or death of one person and three-hundred thousand (\$300,000.00) dollars on account of bodily injuries or death of more than one person as the result of any one accident or disaster, and with at least ten thousand (\$10,000.00) dollars coverage for property damage in an accident.

4. that Tenant covenants that it will at no time make any alterations or change of any kind at the premises without first securing the written consent of Landlord therefor, and that it will not do or permit to be done anything in or at the premises that will increase the rate for insurance beyond those applicable to the premises for the use permitted under this lease. All signs and notices on the building must be approved by the Landlord.

5. that in the event of the violation of any of the covenants, terms or conditions of this lease by the Tenant, which violation shall remain uncorrected for a period of seven days after notice thereof, in writing, or in the event Tenant becomes a bankrupt or a receiver for Tenant is appointed, Landlord may, at its option, cancel and annul this lease, in which event it shall be entitled to the benefit, without further notice (all statutory notice requirements being hereby expressly waived), of all the provisions of law for the speedy recovery of lands and tenements as against a tenant holding over, now in force or which may hereafter be enacted. It is further agreed that Landlord may dictate, by any legal means, for any installment of rent or rental payment hereinafter provided for, and may enter the property by force if necessary without liability (which liability is hereby expressly waived). It is likewise agreed that Landlord may inspect the premises at all reasonable times and place upon the same during the period of sixty (60) days prior to the termination of this lease the customary sign "For Rent".

6. Landlord agrees to make the following improvements:

- (A) paint interior and exterior (colors to be approved by Tenant).
- (B) install necessary electric outlets and to install plumbing in accordance to the attached plan - without charge to Tenant.
- (C) Landlord will install tile and/or carpet to the floors.
- (D) It is agreed that in the event the toilet arrangement in the basement does not prove satisfactory - the Landlord agrees to put in a Powder-Room on the first-floor - the expense to be paid by the Tenant.

7. Landlord warrants that the leased premises is zoned permissive for its use as a beauty shop and school, and men's hair styling salon.

8. It is agreed that the Landlord will not lease another beauty shop and/or school or men's hair styling salon on the Town and Country - East property - without written permission from the Tenant.

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BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

WILLIAM S. BALDWIN, Esq.,
24 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: DR 16 to BL
Location: 1/3 of White Pine Road, 474' E. of
Bowley's Quarters Road
Petitioners: Town & Country, East/Div. of
Monumental Properties, Inc.
15th District
Item 18

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the north side of White Pine Road just east of Bowley's Quarters Road. It is currently developed as the Carrollwood Apartments which are completely subject of this petition is a Re-classification from D.R. 16 to Business Local only on that portion which is used as the recreation building in connection with the swimming pool. This was the subject of an earlier petition #71-10SR that was reclassified prior to the new maps being adopted.

BUREAU OF ENGINEERING:

Since required highway improvements and utilities have been constructed or are secured by Public Works Agreement #16310 executed in conjunction with the development of Carrollwood Apartments, this office has no further comment to regard to the plot submitted for review by the Zoning Advisory Committee in connection with the subject item.

DEPT. OF TRAFFIC ENGINEERING:

Due to the size of the site, there should be no major increase in trip density.

BOARD OF EDUCATION:

No bearing on student population.

William S. Baldwin, Esq.,
Item 18
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FIRE DEPARTMENT:

This office has no comment on the proposed site.

HEALTH DEPARTMENT:

Metropolitan water and sewer are available to the site, therefore, no health hazards are anticipated.

ZONING ADMINISTRATION DIVISION:

As the petitioner's plat meets the requirements for the Zoning Commission's rules of procedure we have no comment.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
Oliver L. Myers,
OLIVER L. MYERS, Chairman

JJD:JD

Enc.

BALTIMORE COUNTY, MD. OF EDUCATION
ZONING ADVISORY COMMITTEE MEETING
OF Oct 19, 1971

Petitioner: Town & Country East
Location:
District: 15
Present Zoning: D-16
Proposed Zoning: B-1
No. of Acres: 0.138

Comments: BEAUTY SALON WOULD HAVE NO EFFECT ON
STUDENT POPULATION

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map...

the above Reclassification should be had...

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this...

day of March, 1972 that the herein described property or area should be and the same is hereby reclassified, from a D-16 to a B-1.

and after the date of this order, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition it appearing that by reason of...

the above re-classification should NOT BE HAD and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of March, 1972 that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as to remain a D-16 and/or the Special Exception for...

Zoning Commissioner of Baltimore County

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PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>[Signature]</i>					Revised Plans: Change in outline or description Yes No					
Previous cases:					Map #					

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William S. Baldwin, Esq.
26 West Pennsylvania Avenue
Towson, Md. 21204

Item 19

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

25th Your Petition has been received and accepted for filing
this day of January 1972

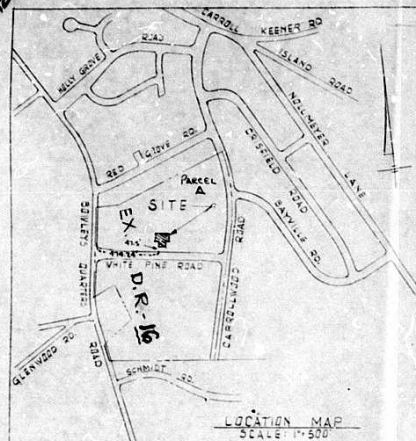
[Signature]
A. ERIC STEWART
Zoning Commissioner

Petitioner: Town & Country, East Div. of
Management Properties, Inc.
Petitioner's Attorney

Reviewed by: *[Signature]*
Chairman of
Advisory Committee

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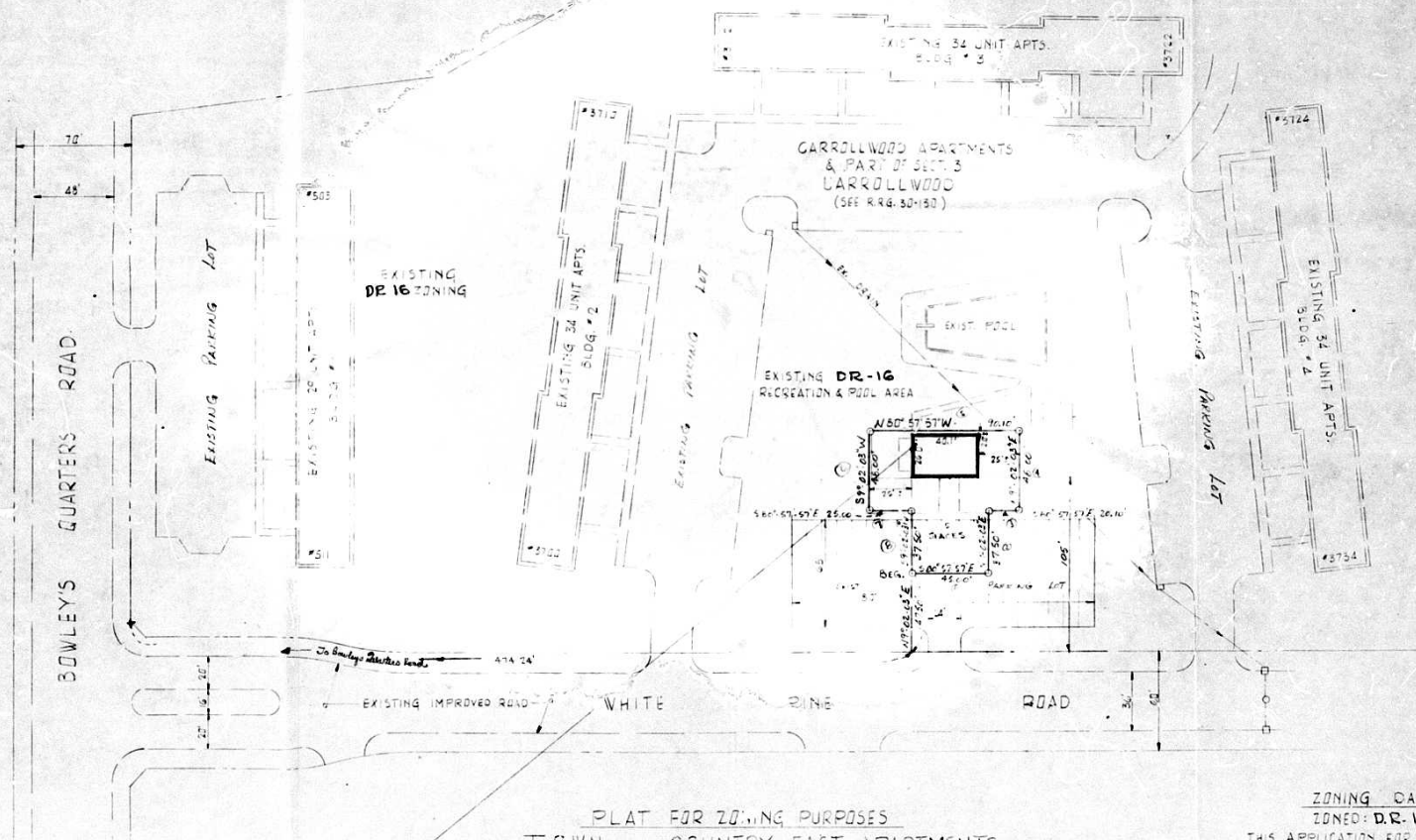
PETITION FOR RECLASSIFICATION AND VARIANCE
BORROWED FROM D.B. 14 to B-1 Zone
LOCATION: 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 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597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611st, 612nd, 613th, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 694th, 695th, 696th, 697th, 698th, 699th, 700th, 701st, 702nd, 703rd, 704th, 705th, 706th, 707th, 708th, 709th, 710th, 711st, 712nd, 713th, 714th, 715th, 716th, 717th, 718th, 719th, 720th, 721st, 722nd, 723rd, 724th, 725th, 726th, 727th, 728th, 729th, 730th, 731st, 732nd, 733rd, 734th, 735th, 736th, 737th, 738th, 739th, 740th, 741st, 742nd, 743rd, 744th, 745th, 746th, 747th, 748th, 749th, 750th, 751st, 752nd, 753rd, 754th, 755th, 756th, 757th, 758th, 759th, 760th, 761st, 762nd, 763rd, 764th, 765th, 766th, 767th, 768th, 769th, 770th, 771st, 772nd, 773rd, 774th, 775th, 776th, 777th, 778th, 779th, 780th, 781st, 782nd, 783rd, 784th, 785th, 786th, 787th, 788th, 789th, 790th, 791st, 792nd, 793rd, 794th, 795th, 796th, 797th, 798th, 799th, 800th, 801st, 802nd, 803rd, 804th, 805th, 806th, 807th, 808th, 809th, 810th, 811st, 812nd, 813th, 814th, 815th, 816th, 817th, 818th, 819th, 820th, 821st, 822nd, 823rd, 824th, 825th, 826th, 827th, 828th, 829th, 830th, 831st, 832nd, 833rd, 834th, 835th, 836th, 837th, 838th, 839th, 840th, 841st, 842nd, 843rd, 844th, 845th, 846th, 847th, 848th, 849th, 850th, 851st, 852nd, 853rd, 854th, 855th, 856th, 857th, 858th, 859th, 860th, 861st, 862nd, 863rd, 864th, 865th, 866th, 867th, 868th, 869th, 870th, 871st, 872nd, 873rd, 874th, 875th, 876th, 877th, 878th, 879th, 880th, 881st, 882nd, 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1647th, 1648th, 1649th, 1650th, 1651st, 1652nd, 1653rd, 1654th, 1655th,



DENSITY DATA	PARCEL A	THIS APPLICATION	REMAINDER
GROSS AREA	13.18	0.138	13.04
LESS AREA STREETS & E/W	1.48	—	1.48
NET AREA	11.70	0.138	11.56
ALLOWABLE GROSS	210.9	—	208.6
ALLOWABLE NET	210.6	—	208.1
PERMITTED NO. UNITS	210.6	—	208.1
EXISTING NO. UNITS	199	—	99
ACTUAL GROSS	15.1	—	15.3
ACTUAL NET	17.0	—	17.2
PARKING SPACES	329	5	324

Gross Area of Existing Building = 1043 sq'
 Parking: 1 space/800' Required: 1043/800 = 1.3 spaces
 Provided: 5 spaces

Beauty Salon: 1043/300 = 3.5 spaces required



PLAT FOR ZONING PURPOSES
 TOWN AND COUNTRY EAST APARTMENTS
 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
 SEPT. 27th, 1971
 SCALE: 1"=40'

NOTE: EXISTING BUILDING = 25' x 40'

LAND AREA = 6012 SQ FT = 0.138 AC
 BUILDING AREA = 1043 SQ FT

PARKING REQUIRED = 4 SPACES

PARKING PROVIDED = 5 SPACES

* Parking for Beauty Salon: 1 space per 300' (1043/300 = 3.5)

OWNER
 MONUMENTAL PROPERTIES, INC.
 900 SUN LIFE BLDG. CHARLES CENTER
 BALTIMORE, MARYLAND 21201

ZONING DATA
 ZONED: D.R.-16

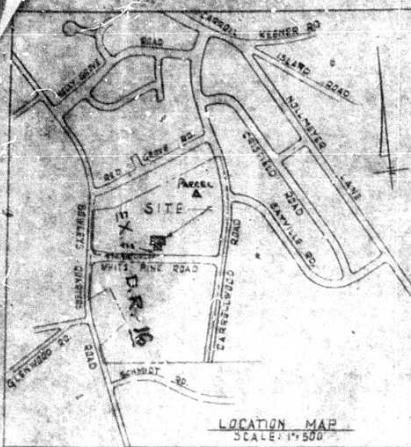
THIS APPLICATION FOR DL
 USE: Beauty Salon



JAMES S. SPAMER & ASSOCIATES
 ENGINEERS AND SURVEYORS
 5617 YORK ROAD
 TOWSON, MARYLAND

MICROFILMED

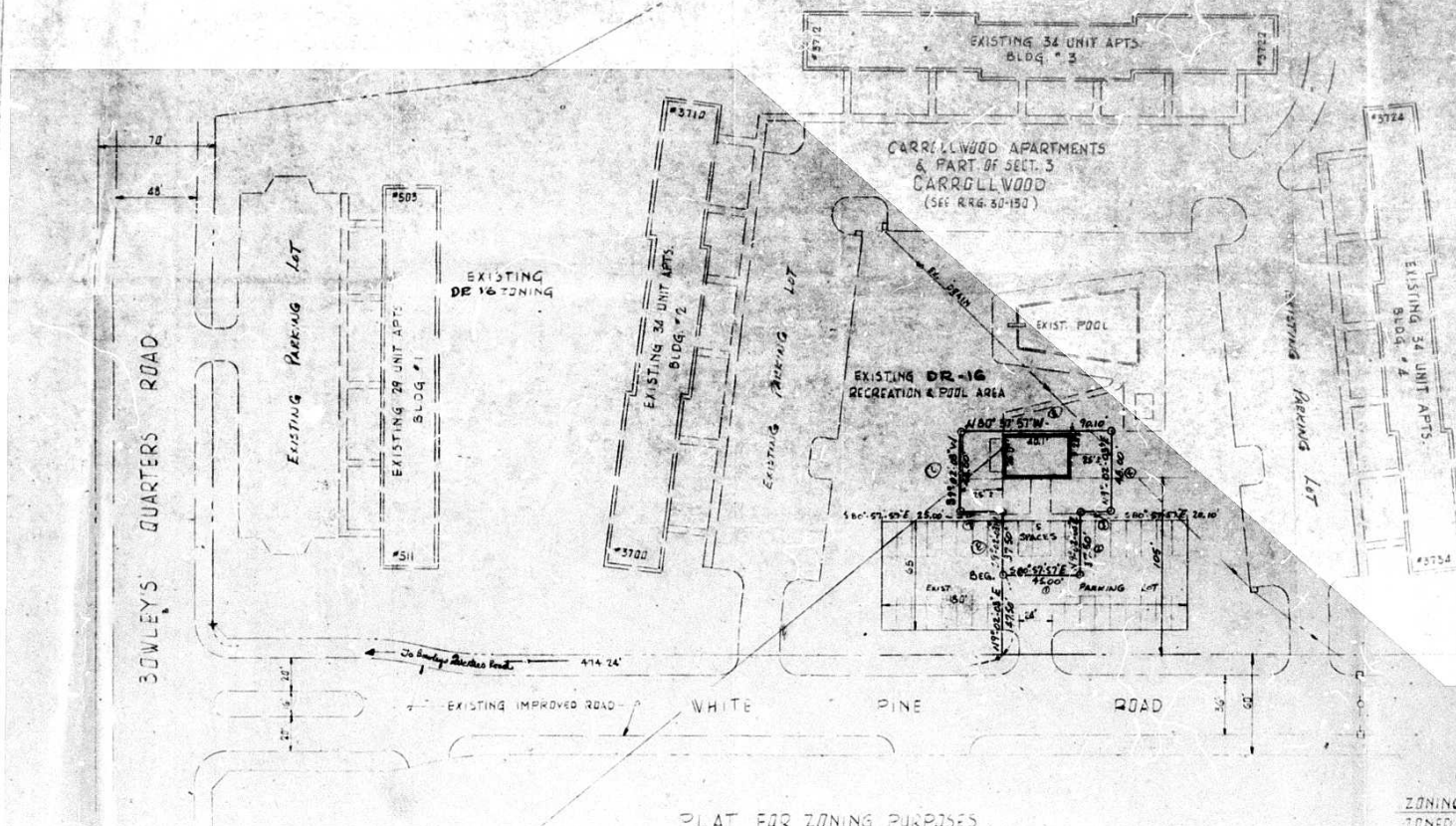




DENSITY DATA	PARCEL A	PARCEL B	PARCEL C
GROSS AREA	18.16	5.18	18.06
LOW AREA STREETS & E&W	1.48	—	1.48
NET AREA	11.10	5.18	11.56
ALLOWABLE GROSS	210.9	—	208.6
ALLOWABLE NET	210.6	—	208.1
PERMITTED NO. UNITS	210.6	—	208.1
EXISTING NO. UNITS	195	—	159
ACTUAL GROSS	15.1	—	15.3
ACTUAL NET	17.0	—	17.2
PARKING SPACES	329	5	324

Gross Area of Existing Building = 1043 sq'
Parking: 1 space/300' Required: 1043/300 = 4 spaces
Provided: 4 spaces

Beauty Salon: 1043/300 = 4 spaces required



PLANS APPROVED
OFFICE OF PLANNING & ZONING
DATE: 10/16/71
APPROVED: [Signature]
DATE: 10/16/71

ZONING DATA
ZONED: DR-16
THIS APPLICATION FOR BL
USE: Beauty Salon

NOTES: 1. GROSS AREA = 251,384 sq'
LAND AREA = 6412 sq' (10.1384)
BUILDING AREA = 1043 sq'
PARKING REQUIRED = 4 spaces
PARKING PROVIDED = 5 spaces
* Parking for Beauty Salon: 1 space per 300' (1043/300 = 4)

MONUMENTAL INTERESTS, INC.
P.O. BOX 1000, BALTIMORE, MD 21202

JAMES S. SPAMER & ASSOCIATES
ENGINEERS AND SURVEYORS
307 YORK ROAD
TOWSON, MARYLAND

MICROFILMED