





VENABLE, BAETJER AND HOWARD  
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD  
WASHINGTON, D. C.  
MCLEAN, VA  
ROCKVILLE, MD  
BEL AIR, MD

210 ALLEGHENY AVENUE

P.O. BOX 8817

TOWSON, MARYLAND 21288-8817

(301) 822-4111

FAX (301) 821-0147

WRITER'S DIRECT NUMBER: 16

494-9162

May 18, 1992

RICHARD H. VENABLE (1939-1981)  
EDWIN S. BAETJER (1908-1948)  
CHARLES MCH. HOWARD (1870-1943)

ROBERT A. HOFFMAN

Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Transfer of Agricultural Parcel  
Tract B, NW/Cor. Glenarm + Long Green Pike 11TH  
Paumanock Development Corporation, Property Owner

Dear Mr. Jablon:

Paumanock Development Corporation, the real estate development entity for Grumman Aerospace Corporation, owns several parcels of land located along Glen Arm Road and Williams Road in the northeast portion of Baltimore County. One of those parcels owned by Paumanock is shown as Tract B on the enclosed record plat and comprises approximately 36.3903 acres. The property is zoned RC-2.

Paumanock has received minor subdivision approval for the division of Tract B into two lots of record. In addition to that division Paumanock wishes to transfer .878 acres of land from Tract B to the owner of Tract A, Frederick E. Dietz, Sr., et al, for agricultural purposes. Mr. Dietz will use this .878 acres as a farm staging area in conjunction with his agricultural use on Tract A.

The purpose of this letter is to ask that you confirm in writing that the transfer of .878 acres to the Dietz family for agricultural purposes is permitted without a hearing consistent with Zoning Commissioner Policy Number RSD-8. Clearly, the transfer of a parcel under one acre for farming use in an RC-2 zone should be permitted without a hearing.

MICROFILMED

Arnold Jablon, Director  
May 18, 1992  
Page 2

Since this property was part of Zoning Case No. 86-8-SPH, Carl has asked that we provide you with a copy of a plat showing the proposed transfer of .878 acres with a signature block acknowledging your approval that the transfer is for agricultural purposes only and include the plat as an exhibit in that case. Accordingly, I have included a copy of the record plat with these notations for inclusion in Case File No. 86-8-SPH.

Finally, the Deed for the .878 acres will include a restriction that the parcel is being transferred for agricultural purposes only and cannot be used for purposes of calculating density on Tract A or as a separate residential building lot.

If you agree that this .878 acre tract can be transferred without the necessity for a hearing subject to the above-stated conditions, please indicate by affixing your signature below and by executing the enclosed plat.

Thank you for your attention to this matter.

Yours truly,

Robert A. Hoffman

RAH/tls  
Enclosures  
cc: W. Carl Richards, Jr.

U. Carl Richards  
ARNOLD JABLON

5/19/92  
DATE

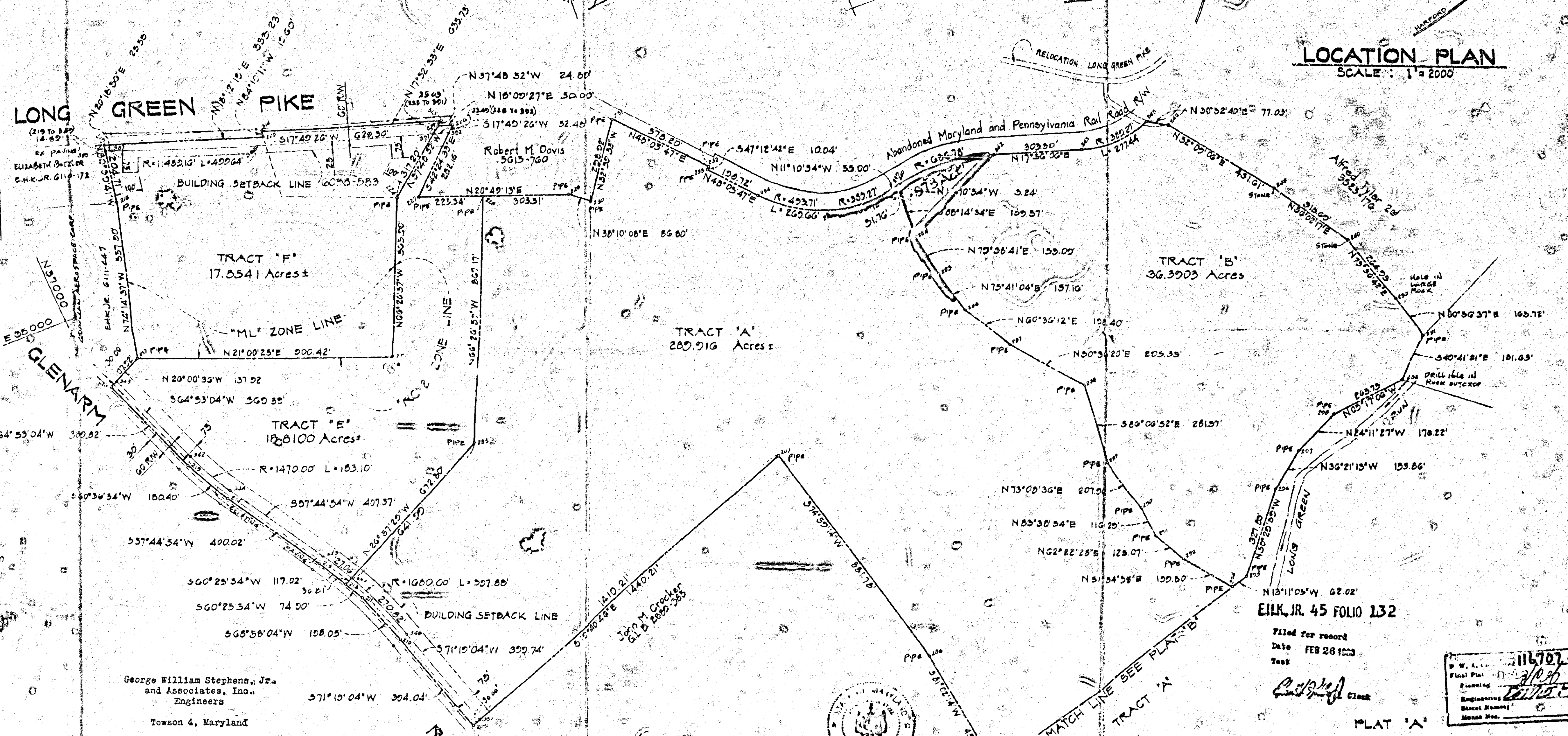
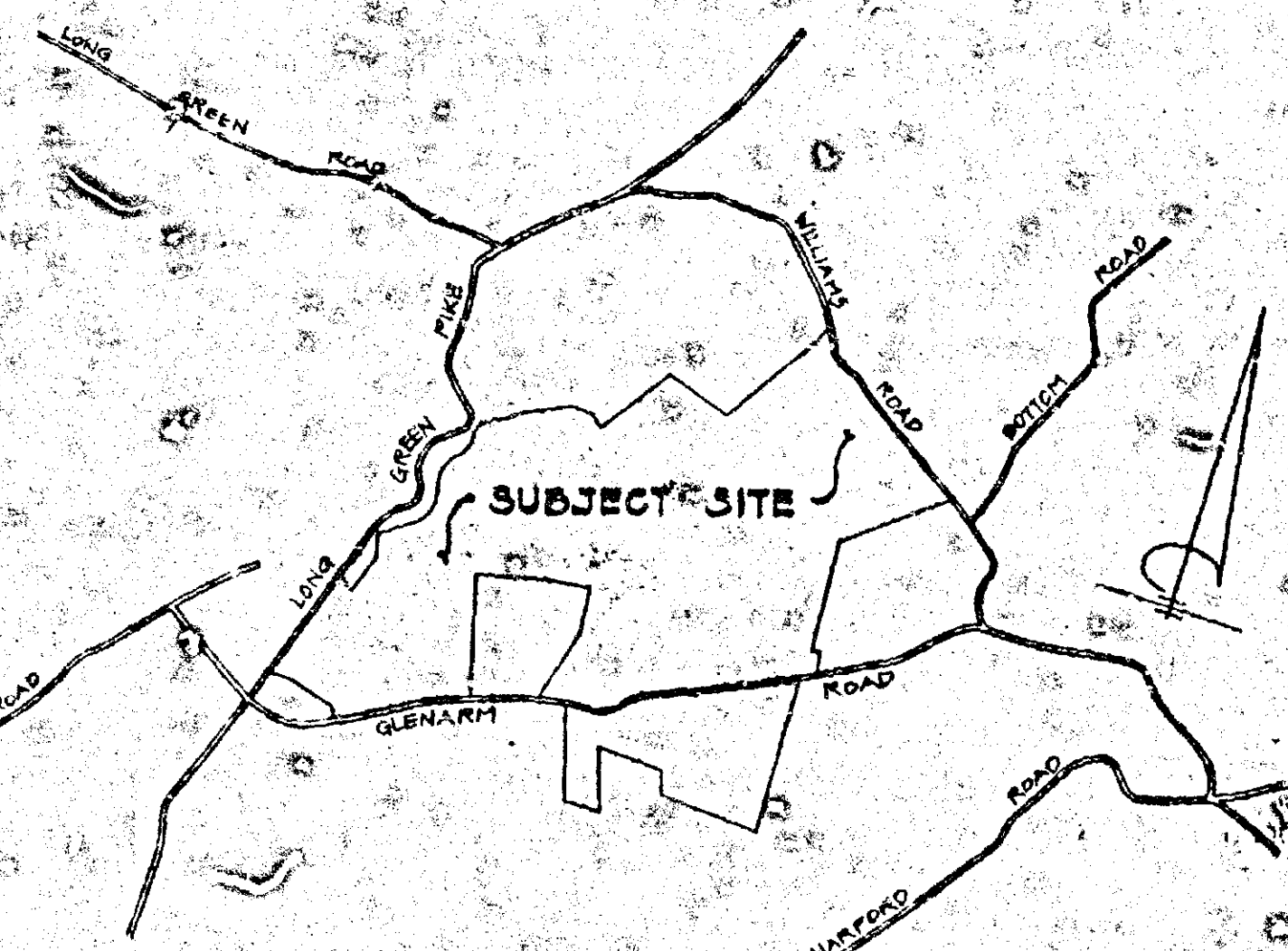
MICROFILMED



| COORDINATES |          |          |     |          |          |
|-------------|----------|----------|-----|----------|----------|
| NO          | NORTH    | EAST     | NO  | NORTH    | EAST     |
| 205         | 50464.00 | 37668.50 | 235 | 50864.40 | 35645.60 |
| 206         | 50413.89 | 37223.89 | 236 | 50915.17 | 35633.62 |
| 207         | 50185.48 | 36372.21 | 242 | 60263.02 | 35653.33 |
| 208         | 50120.32 | 36051.58 | 243 | 60551.58 | 35746.73 |
| 210         | 37703.17 | 36465.25 | 245 | 60822.23 | 35785.56 |
|             |          |          |     |          |          |
| 211         | 37632.09 | 36259.07 | 246 | 60889.04 | 35776.40 |
| 212         | 37595.13 | 36233.53 | 248 | 61153.87 | 36117.31 |
| 215         | 37587.35 | 36132.15 | 249 | 61332.23 | 36375.15 |
| 216         | 37523.22 | 35799.83 | 250 | 61404.58 | 36633.33 |
| 218         | 37335.40 | 35636.66 | 251 | 61431.07 | 36706.20 |
|             |          |          |     |          |          |
| 219         | 37065.25 | 35283.09 | 252 | 61313.56 | 36535.51 |
| 217         | 37183.20 | 35223.21 | 282 | 58034.47 | 35545.50 |
| 218         | 37345.39 | 34866.27 | 283 | 58104.83 | 35928.52 |
| 219         | 37378.61 | 34484.28 | 284 | 59000.36 | 35825.10 |
| 220         | 37504.13 | 34657.12 | 285 | 59036.88 | 35975.70 |
|             |          |          |     |          |          |
| 221         | 37652.13 | 34774.81 | 286 | 59975.74 | 36127.58 |
| 227         | 37837.64 | 34647.10 | 287 | 60073.12 | 36300.84 |
| 228         | 38071.55 | 34593.32 | 288 | 60260.57 | 36525.08 |
| 229         | 38260.55 | 34272.24 | 289 | 60241.49 | 36810.00 |
| 229         | 38401.51 | 34848.02 | 290 | 60301.77 | 37008.57 |
|             |          |          |     |          |          |
| 226         | 38535.02 | 34863.60 | 291 | 60314.64 | 37124.53 |
| 227         | 38530.60 | 35053.89 | 292 | 60372.63 | 37235.36 |
| 228         | 38541.32 | 35153.59 | 293 | 60463.76 | 37394.16 |
| 229         | 38623.01 | 35241.87 | 294 | 60493.60 | 37522.61 |
| 230         | 38858.25 | 35295.31 | 295 | 60553.75 | 37676.36 |
|             |          |          |     |          |          |
| 231         | 39075.15 | 35056.75 | 296 | 60704.27 | 37123.40 |
| 232         | 39225.74 | 35358.27 | 297 | 60888.10 | 37032.20 |
| 233         | 39318.52 | 35345.64 | 298 | 61048.93 | 36850.59 |
| 234         | 39451.64 | 35403.54 | 314 | 37066.14 | 34637.62 |
| 235         | 39676.38 | 35636.43 | 315 | 38311.18 | 34832.78 |
|             |          |          |     |          |          |
| 342         | 37253.70 | 35603.00 | 387 | 37400.25 | 34307.46 |
| 343         | 37000.91 | 35270.33 | 388 | 37672.43 | 34670.00 |
| 344         | 37341.32 | 35765.33 | 389 | 37376.22 | 34458.58 |
| 345         | 37358.51 | 36110.04 | 391 | 38471.72 | 34863.35 |
| 346         | 37725.60 | 36468.42 | 392 | 38521.68 | 34879.44 |
|             |          |          |     |          |          |
| 330         | 37622.50 | 36210.06 |     |          |          |
| 240         | 50018.55 | 35653.00 |     |          |          |

| CURVE DATA |     |         |        |           |        |                    |
|------------|-----|---------|--------|-----------|--------|--------------------|
| FROM       | TO  | RADIUS  | LENGTH | Δ         | TAN    | CHORD              |
| 234        | 236 | 405.71  | 200.66 | 31°17'40" | 138.25 | N32°20'57"E 266.32 |
| 236        | 238 | 380.87  | 190.12 | 27°59'01" | 97.00  | N02°48'37"E 188.24 |
| 240        | 242 | 686.75  | 349.01 | 29°07'10" | 176.35 | N03°22'36"E 345.27 |
| 243        | 245 | 580.27  | 277.44 | 40°52'10" | 144.91 | N02°28'55"W 271.61 |
| 387        | 389 | 1148.15 | 459.64 | 02°15'30" | 248.86 | N10°04'11"E 492.60 |
|            |     |         |        |           |        |                    |
| 342        | 344 | 1470.00 | 153.69 | 07°08'10" | 51.66  | N01°18'39"E 102.97 |
| 345        | 346 | 1280.00 | 307.68 | 13°34'10" | 100.87 | N04°31'30"E 306.03 |
| 349        | 356 | 1688.00 | 127.66 | 04°16'00" | 63.36  | N35°34'54"E 127.03 |
| 356        | 346 | 1688.00 | 37.82  | 09°14'16" | 135.76 | N66°41'35"E 276.51 |

**DENSITY CALCULATIONS**  
 1. TOTAL AREA OF PROPERTY - 467 ACRES  
 2. EXISTING ZONING OF PROPERTY "ML" (179 ACRES ±)  
 3. DENSITY CALCULATIONS "RC-2" AREA:  
 A. GROSS RESIDENTIAL AREA - 449.1 ACRES  
 B. NUMBER OF PERMITTED TRACTS - 9  
 C. NUMBER OF TRACTS PROPOSED - 5



NOTE: Highway and highway widening, slope, drainage and utility easements shown hereon are reserved unto the developer and are hereby offered for dedication to Baltimore County, Maryland. The developer, his personal representatives and assigns shall convey said areas by deed to Baltimore County Maryland at no cost.

| ROAD WIDENING AREAS |                          |           |
|---------------------|--------------------------|-----------|
| TRACT               | ROAD                     | AREA      |
| A                   | GLENARM ROAD PLAT 'A'    | 0.461 AC. |
| A                   | GLENARM ROAD PLAT 'B'    | 2.060 AC. |
| A                   | WILLIAMS ROAD PLAT 'B'   | 0.810 AC. |
| TOTAL               |                          | 3.340 AC. |
| C                   | WILLIAMS ROAD PLAT 'B'   | 0.883 AC. |
| D                   | GLENARM ROAD PLAT 'B'    | 1.722 AC. |
| E                   | GLENARM ROAD PLAT 'A'    | 0.743 AC. |
| E                   | LONG GREEN PIKE PLAT 'A' | 0.234 AC. |
| TOTAL               |                          | 0.700 AC. |
| F                   | LONG GREEN PIKE PLAT 'A' | 0.851 AC. |

George William Stephens, Jr.  
and Associates, Inc.,  
Engineers  
Towson 4, Maryland

THIS PLAT IS HEREBY INCLUDED IN AN AMENDMENT TO CASE NO. 86-2-324 FOR PURPOSES OF ACKNOWLEDGING A NON-DENSITY TRANSFER OF .878 ACRES OF ZONED LAND FROM TRACT B TO TRACT A FOR AGRICULTURAL PURPOSES ONLY. RESTRICTIONS IN THE DEED TO THE .878 ACRE PARCEL MUST BE RECORDED TO INDICATE THAT THE PARCEL MAY ONLY BE USED FOR AGRICULTURAL PURPOSES AND NOT FOR DENSITY PURPOSES.

DATE: 2/5/80  
ARNOLD JARON, DIRECTOR  
DEPARTMENT OF ZONING ADMINISTRATION  
BALTIMORE COUNTY

NOTE: STREETS and/or ROADS shown hereon and mentioned therein as being for purposes of dedication only, and the same are not intended to be devoted to public use, the fee simple title to the land thereof is expressly reserved in the portions of the deed to which this plat is attached and their heirs and assigns.

NOTE: COORDINATES and BEARINGS shown on the plat are referred to by the system of coordinates established by the Baltimore County Assessor's Office and are based on the following reference station:  
 11703 N 53°33'13" E 34846.27  
 11704 N 57°24'12" E 35618.26

**OWNERS CERTIFICATE**  
 I, Frederick E. Dietz Sr.  
Frederick E. Dietz Jr.  
William A. Dietz  
 WILLIAM A. DIETZ

**OWNERS CERTIFICATE**  
 The requirements of Section 108A, Article 21 of the Annotated Code of Maryland, as far as they relate to the preparation of this plat have been complied with.  
 GRUMMAN AEROSPACE CORP.  
 PRUMANOCK DEVELOPMENT CORP.

**SURVEYOR'S CERTIFICATION**  
 I, Ronald W. Bruyles, Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plat thereon prepared, in accordance with the provisions of the laws relating to the subdivision of land in this State, and that the same are correct and true to the best of my knowledge and belief.

**SURVEYOR'S CERTIFICATE**  
 I, Ronald W. Bruyles, Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plat thereon prepared, in accordance with the provisions of the laws relating to the subdivision of land in this State, and that the same are correct and true to the best of my knowledge and belief.

**PLAT SHOWING LANDS OF**  
**FREDERICK E. DIETZ SR. ET AL.**  
**GRUMMAN AEROSPACE CORPORATION**  
**PRUMANOCK DEVELOPMENT CORPORATION**  
 11th ELECTION DIST. BALTIMORE COUNTY MARYLAND  
 SCALE: 1" = 200'  
 JANUARY 1979

**KIDDER CONSULTANTS, INC.**  
 1020 CROMWELL BRIDGE ROAD  
 BALTIMORE, MARYLAND 21204

COMPUTED: R.W.B. DRAWN: K.B.H. CHECKED: H.G.W. JOB: 175073



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

LIBER 5988 PAGE 256

100.00 feet and South 84 degrees 38 minutes 30 seconds West 272.19 feet to the beginning of the twenty-third or South 84 degrees 54 minutes 30 seconds West 301.02 feet line of said firstly described parcel of land in the deed from Kalish to Montauk Aero Corporation, thence running with and binding on said twenty-third line and binding in the center of Glenarm Road, South 84 degrees 56 minutes 00 seconds West 301.02 feet, thence leaving said road and running with and binding on the twenty-fourth to twenty-eighth lines inclusive of said last mentioned parcel of land, the five following courses and distances viz: North 18 degrees 21 minutes 10 seconds East 904.15 feet to a pipe, North 1 degrees 06 minutes 00 seconds West 553.76 feet to a pipe, South 88 degrees 54 minutes 00 seconds West 450.00 feet to a pipe, South 82 degrees 51 minutes 00 seconds West 801.78 feet to a pipe and South 11 degrees 49 minutes 00 seconds East 1440.21 feet to the center of Glenarm Road, thence running with and binding on the twenty-ninth and thirtieth lines and on a part of the thirty-first line of said firstly described parcel of land in the deed from Kalish to Montauk Aero Corporation and binding in the center of Glenarm Road, the three following courses and distances viz: South 79 degrees 10 minutes 50 seconds West 394.04 feet, South 76 degrees 49 minutes 50 seconds West 198.05 feet and South 68 degrees 17 minutes 40 seconds West 74.90 feet, thence leaving said road and outlines and running for lines of division now made, the two following courses and distances viz: North 19 degrees 05 minutes 43 seconds West 672.80 feet to a pipe and North 58 degrees 35 minutes 11 seconds West 857.17 feet to a pipe set in the forty-fourth or North 28 degrees 54 minutes 00 seconds East 529.02 foot line of said firstly described parcel of land in the deed from Kalish to Montauk Aero Corporation, thence running with and binding on a part of said forty-fourth line and on the forty-fifth line of said firstly described parcel of land, the two following courses and distances viz: North 28 degrees 40 minutes 59 seconds East 303.51 feet to a pipe heretofore set and North 46 degrees 01 minute 54 seconds East 86.80 feet to a pipe heretofore set at the end of said forty-fifth line and at the beginning of the sixth or North 48 degrees 19 minutes West 298.7 foot line of a parcel of land which by a deed dated June 20, 1939 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1068 folio 145 was conveyed by Amos P. McComas, widower to Charles G. Lang, thence running with and binding on said sixth line and running with and binding on the forty-sixth line of the aforesaid firstly described parcel of land in the deed from Kalish to Montauk Aero Corporation, North 45 degrees 08 minutes 07 seconds West 298.92 feet to a pipe heretofore set on the southeast side of the Maryland and Pennsylvania Railroad right of way, 40 feet wide, thence binding on the southeast side of said railroad right of way, 40 feet wide, and running with and binding on the last line of said parcel of land which was conveyed by McComas to Lang and also binding reversely on a part of the fifth line of a parcel of land which by a deed and release dated July 14, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4651 folio 31 was conveyed by the Maryland and Pennsylvania Railroad Company to Wilmer H. France and wife, North 55 degrees 57 minutes 33 seconds East 378.20 feet to a pipe now set at the beginning of said parcel of land which was conveyed by

LIBER 5988 PAGE 257

McComas to Lang and in the southwesternmost outline of the parcel of land which by a deed dated May 20, 1890 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 109 folio 176 was conveyed by Eleanor A. Brogden and husband et al to The Maryland Central Railway Company, thence binding on a part of said southwesternmost outline and running with and binding on a part of the first line of said parcel of land which was conveyed by McComas to Lang, South 39 degrees 20 minutes 56 seconds East 10.04 feet to a pipe set on the southeast side of the Maryland and Pennsylvania Railroad right of way, 60 feet wide and at the end of the second line of the parcel of land thirdly described in a deed dated January 11, 1937 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 992 folio 214 was conveyed by James R. Edmunds, Jr. and wife to Charles G. Lang, thence binding on a part of the northwest outline of the last mentioned parcel of land and binding on the southeast and east lines of the aforesaid parcel of land which was conveyed by Brogden to The Maryland Central Railway Company and running with and binding on the outlines of the aforesaid firstly described parcel of land in the deed from Kalish to Montauk Aero Corporation, the four following lines viz: North 55 degrees 57 minutes 33 seconds East 198.72 feet, Northeastly by a line curving toward the left having a radius of 493.71 feet to a distance of 269.56 feet (the chord of said arc bearing North 40 degrees 18 minutes 43 seconds East 266.32 feet), Northerly by a line curving toward the left having a radius of 389.27 feet for a distance of 190.12 feet (the chord of said arc bearing North 10 degrees 40 minutes 22 seconds East 188.24 feet) and North 3 degrees 19 minutes 08 seconds West 51.76 feet to a pipe, thence leaving said outlines and running for lines of division now made through the lands of Pannanock Development Corporation, formerly Montauk Aero Corporation, the fifteen following courses and distances viz: South 80 degrees 22 minutes 48 seconds East 189.57 feet to a pipe, North 87 degrees 30 minutes 27 seconds East 153.09 feet to a pipe, North 83 degrees 32 minutes 50 seconds East 157.16 feet to a pipe, North 68 degrees 27 minutes 08 seconds East 198.40 feet to a pipe, North 58 degrees 28 minutes 06 seconds East 295.35 feet to a pipe, South 78 degrees 15 minutes 06 seconds East 281.57 feet to a pipe, North 81 degrees 00 minutes 22 seconds East 207.90 feet to a pipe, South 88 degrees 29 minutes 20 seconds East 116.29 feet to a pipe, North 70 degrees 16 minutes 14 seconds East 125.07 feet to a pipe, North 59 degrees 46 minutes 21 seconds East 199.80 feet to a pipe, North 7 degrees 19 minutes 19 seconds West 62.02 feet to a pipe, North 42 degrees 38 minutes 13 seconds West 327.83 feet to a pipe, North 28 degrees 29 minutes 27 seconds West 153.86 feet to a pipe, North 16 degrees 19 minutes 41 seconds West 176.22 feet to a pipe and North 2 degrees 34 minutes 40 seconds East 265.75 feet to the place of beginning.

CONTAINING 289.916 acres of land, more or less.

0152\*\*\* H0156622 64-8-812  
070002\*\* H0256622 64-8-812  
070091\*\* H0156622 64-8-812  
6676 146466 66449

FEB 8 1979  
Per Elmer H. K...  
Mail to Chas. Lang  
Receipt No. 3 250

LIBER 5988 PAGE 258

THIS AGREEMENT, made this 1st day of February, 1979, by and between FREDERICK EARL DIETZ, SR., FREDERICK EARL DIETZ, JR. and WILLIAM ALBERT DIETZ, of Baltimore County, State of Maryland, hereinafter collectively referred to as "Dietz," party of the first part, and PANNANOCK DEVELOPMENT CORPORATION, a corporation of the State of New York, hereinafter referred to as "Pannanock," party of the second part.

WHEREAS, Frederick Earl Dietz, Sr. and Pannanock on April 25, 1978, did enter into a Contract of Sale pertaining to a certain parcel of land, hereinafter referred to as the "Property," situate in the Eleventh Election District of Baltimore County, State of Maryland, in the vicinity of Long Green Pike, Glenarm Road and Williams Road and containing 289.916 acres of land, more or less, title to which was vested in fee simple in Pannanock; and

WHEREAS, the aforesaid parcel of land thus contracted for is part of a larger tract of land containing 448.14 acres, more or less, owned by Pannanock, the balance of which is being retained by Pannanock for its own use and possible future development; and

WHEREAS, it was a material inducement to and an express condition of the aforesaid Contract of Sale that Pannanock, as Seller, would retain and reserve, for its own benefit and for the benefit of its retained lands, with certain qualifications as are hereinafter set forth, the residential dwelling unit density allocated to the Property under the applicable planning, zoning and subdivision regulations of Baltimore County, such that the Property would be deemed to be part of the total tract area to be later subdivided by Pannanock for purposes of ascertaining the maximum number of lots which could be created on the remaining lands of Pannanock; and

WHEREAS, by Deed dated of even date herewith, and recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto, the Property was granted and conveyed by

TRANSFER TAX NOT REQUIRED  
VOLUME 2, LEADERSHIP  
Acting Director of Finance  
Per: William D. Stenson  
Authorized Signature  
2-8-79

LIBER 5988 PAGE 259

Pannanock to Dietz in fee simple, said Deed having reserved certain rights unto Pannanock and having made reference to this Agreement; and WHEREAS, in order to evidence the terms and conditions of the aforesaid Contract of Sale relating to retained zoning rights, to bind Dietz, their respective personal representatives and assigns, to the faithful performance thereof, and to impose the same as covenants running with the land, this Agreement is executed.

NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars (\$5.00) this day paid, the parties hereto do hereby agree as follows:

1. Pannanock has reserved and shall have the right to use, for its own benefit and for the benefit of its retained lands, all residential dwelling unit density allocated to the Property in excess of four (4) dwellings under the applicable planning, zoning and subdivision regulations of Baltimore County, Maryland, such that the Property shall be deemed to be a part of the total tract area to be subdivided by Pannanock for purposes of ascertaining the maximum number of lots which can be created by a subdivision of the remaining lands of Pannanock.

2. Dietz shall join with Pannanock in any and all future subdivision and/or development efforts of Pannanock involving the remaining lands of Pannanock which also involve the rights hereby retained to residential density over the Property. Further, Dietz hereby designates and appoints the President of Pannanock as their attorney-in-fact to execute, in Dietz' names, any and all necessary plats, requests, petitions and other documents related to any such subdivision and/or development effort.

3. At the time of such subdivision, there shall be allocated to the Property a total of four (4) lots for purposes of the computation of zoning density, one of which shall be the principal dwelling unit currently erected on the Property, thus permitting the construction

LIBER 5988 PAGE 260

by Dietz on the Property of three (3) additional dwelling units. To the extent that one or more of the four existing habitable tenant houses currently erected on the Property are deemed by the appropriate authorities to require the allocation of lots thereto, then up to four (4) additional lots in excess of the original permitted four (4) lots shall be allocated to the Property, one for each presently existing habitable tenant house, for which a lot must be allocated.

3. This Agreement shall be binding on and, except to the extent limited by other provisions hereof, shall inure to the benefit of the respective personal representatives, successors and assigns of the parties hereto.

AS WITNESS the hands and seals of the parties hereto this day and year first above written.

WITNESS:  
Frederick Earl Dietz, Sr. (SEAL)  
Frederick Earl Dietz, Jr. (SEAL)  
William Albert Dietz (SEAL)  
PANNANOCK DEVELOPMENT CORPORATION  
Gerald Vanella,  
Controller and Asst. Secretary

0152\*\*\* H0156622 64-8-812  
070002\*\* H0256622 64-8-812  
070091\*\* H0156622 64-8-812

JAN 20 1979



STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 1st day of February, 1979, before me, a Notary Public of the State aforesaid, personally appeared FREDERICK EARL DIETZ, SR., FREDERICK EARL DIETZ, JR. and WILLIAM ALBERT DIETZ, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Agreement, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

*Henry B. Peck, Jr.*  
Notary Public  
BALTIMORE COUNTY, MARYLAND

My Commission Expires: July 1, 1982.  
STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 1st day of February, 1979, before me, a Notary Public of the State aforesaid, personally appeared WILLIAM D. STEENSON, who acknowledged himself to be the President of PAUMANOCK DEVELOPMENT CORPORATION, and that he, as such President, being authorized so to do, executed the foregoing Agreement for the purposes therein contained, by signing the name of the Corporation by himself as President.

AS WITNESS my hand and notarial seal.

*Henry B. Peck, Jr.*  
Notary Public  
BALTIMORE COUNTY, MARYLAND

My Commission Expires: July 1, 1982.

Rec'd for record FEB 8 1979 at 1:00 p.m.  
Per Elmer H. Kahline, Jr.  
Mail to *Clark Howard et al*  
Receipt No. *16500*

IN RE: PETITION SPECIAL HEARING  
N/S and S/S of Glen Arm Road,  
E/S and W/S of Hartleys Mill  
Road - 11th Election District  
Paumanock Development  
Corporation, et al,  
Petitioners  
BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-B-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request confirmation that they are entitled to 13 lots under the R.C.2 zoning classification for tracts "A", "B", "C", and "D", as shown on Petitioners' Exhibit 1.

The Petitioners, Paumanock Development Corporation and Frederick E. Dietz, et al, by their Counsel, appeared. There were no Protestants, although Julia Randall and Charles Parrish, neighbors, appeared in order to have the request clarified.

Testimony indicated that the subject property, tracts "A", "B", "C", "D", "E", and "F" as shown on Petitioners' Exhibit 1, containing approximately 465 acres, is located on the east side of Long Green Pike at Glen Arm Road. This property was purchased by Grumman Aircraft (Grumman) in the early 1970's by deed which described it by one metes and bounds description after it was determined that its factory, located on the west side of Long Green Pike opposite this property, needed to be expanded. Grumman had purchased this original ten-acre site in 1967 to construct a large aircraft parts plant. In the 1976 Comprehensive Zoning Map process, tract "F", containing approximately 18 acres, was reclassified to M.L. A new facility was then constructed. In 1978, Grumman determined that it needed additional M.L. zoning and negotiated with the Office of Planning to have tract "E" rezoned to M.L. if restrictive covenants were placed on the remainder of the 465-acre tract. In 1979, the remaining property was

subdivided by deed, and tract "A", containing approximately 290 acres, was sold to Mr. Dietz and tracts "B", "C", and "D" were separated from the remainder. Each of these tracts was specifically described in the deed to Mr. Dietz by metes and bounds, thereby creating four lots of record. Tract "A", restricted by covenants, could not be further developed and would remain agricultural in perpetuity. Tract "B" contains approximately 36 acres, tract "C" contains approximately 47 acres, and tract "D" contains approximately 58 acres. Tract "D" is further divided by Hartleys Mill Road with approximately ten acres on the west side and approximately 48 acres on the east side.

The position of the Office of Planning has been that the conveyance of tract "A" and the creation of tracts "B", "C", and "D" was a subdivision. The Petitioners maintain that the conveyance was a division of land for agricultural purposes and an exception to Section 22-1, Baltimore County Code (1978 Edition), and therefore, not a subdivision. Since the conveyance of tract "A" was strictly for agricultural purposes and the creation of tracts "B", "C", and "D" merely incidental to that conveyance, no subdivision had taken place.

In February, 1980, Paumanock Development Corporation recorded an approved subdivision plat.

The Office of Planning believes that the conveyance of tract "A" amounted to an improper subdivision of the property and that the recording of the plat in 1980, which was required by the subdivision process and which occurred after the Management went into effect, created the lots of record, not the conveyance. Section 101, Baltimore County Zoning Regulations (BCZR), defines "[l]ot of record" as "[a] parcel of land with boundaries as recorded...on the same date as the effective date of the zoning regulations..."

Subsequent to the recording of the deed to Mr. Dietz in early 1979, the Baltimore County Council passed Bill No. 178-79, effective November 24, 1979,

which enacted Section 1801.3.B.1, BCZR, delineating the density and minimum acreage requirements for property in a R.C.2 Zone. The petitioners argued that the density permitted by law on its property after the passage of Bill No. 178-79 is determined by the lots of record recorded with the transfer of tract "A". They believe 13 lots would be permitted, i.e., five on tract "A", two on tract "B", two on tract "C", and two on the east side and two on the west side of Hartleys Mill Road on tract "D". The Petitioners stated that the recording of the plat in 1980 was merely confirmatory of the lots of record established by the recording of the Dietz deed.

The Petitioners seek a declaratory ruling that they be permitted 13 lots instead of the 11 lots to which the Office of Planning believes they are entitled. If the Petitioners are correct in that the conveyance of tract "A" was not a improper subdivision and that it created legal lots of record, then I would agree that they are permitted 13 lots. It must also be emphasized that tract "A" cannot be subdivided due to the restrictive covenants described above. It has been a long-standing policy of the Zoning Commissioner that if R.C.-zoned land under the same ownership is divided by a public road, parcels on both sides of the road should be computed separately for density as if they were separate recorded lots; however, density may not be transferred or accumulated across the road.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of July, 1985, that based on the narrow issue presented, the lots of record created by the conveyance of tract "A" to Mr. Dietz in 1979 do permit 13 lots and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

*William D. Steenson*  
Zoning Commissioner of  
Baltimore County

cc: John B. Howard, Esquire  
Ms. Julia Randall  
Mr. Charles Parrish  
People's Counsel

IN THE MATTER OF  
THE APPLICATION OF  
PAUMANOCK DEVELOPMENT CORP.  
FOR SPECIAL HEARING TO  
APPROVE A CALCULATION IN  
THE AGGREGATE OF 13 LOTS  
UNDER RC 2  
N/S and S/S GLEN ARM ROAD,  
E/S and W/S HARTLEYS MILL ROAD  
11th DISTRICT  
BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
NO. 86-B-SPH

OPINION

This matter comes before the Board on an appeal from the Order of the Zoning Commissioner of Baltimore County, dated July 22, 1985, granting the petition for a special hearing. This petition sought to obtain approval and/or confirmation that a calculation in the aggregate of 13 lots was appropriate for tracts "A", "B", "C" and "D" of the subject site. That is, the Zoning Commissioner's Order held that the conveyance of a portion of this property to Frederick Dietz in 1979 created five parcels which, in the aggregate, allows 13 lots. From this ruling the office of the People's Counsel appeals.

The facts of this case are simple and largely not in dispute. Originally this site contained a large area of some 465 acres east of Long Green Pike and Glen Arm Road. The property was purchased in the early 1970's by Grumman Aircraft Co., which owned adjoining property. Eventually, two tracts of the property, designated as "E" and "F", were rezoned to M.L. and Grumman expanded on these sites. As part of the negotiations for rezoning of tract "E", the remaining property was subdivided and designated as tracts "A", "B", "C" and "D".

PAUMANOCK - #86-B-SPH 2.

It has been argued by the Petitioner that this transfer in 1979 did not constitute a subdivision of the property. We, however, as did Baltimore County, reject this argument. In our view, the property was not divided for agricultural purposes, rather it was subdivided for the purpose of achieving a compromise; allowing some land to remain agricultural and other portions to be developed industrially by Grumman. In any event, the use of tract "A" was restricted by covenant and, in fact, this tract of 290 acres is currently used by Mr. Dietz for agricultural purposes. Parcels "B", "C" and "D" were acquired by Paumanock and contain 36 acres, 47 acres and 58 acres, respectively. Further, tract "D" is transected by Hartleys Mill Road, with approximately 10 acres on the west side thereof and 48 acres on the east side.

The issues of the case as raised by the People's Counsel are two. Firstly, they argue that only two parcels were created by the transfer in 1979. That is, only tract "A" was conveyed (to Mr. Dietz) at that time. The remainder of the property, now known as tracts "B", "C" and "D", was not transferred to Mr. Dietz. Additionally, in the legal description there is no metes and bounds description of the remaining three tracts. Thus, per the reasoning of the People's Counsel, there exists only two tracts, that being tract "A" owned by Mr. Dietz and the remainder held by Paumanock. Under this reasoning five lots would be allowed on parcel "A" (290 acres/50), and four lots would be permitted on the remaining parcel (141 acres/50).

PAUMANOCK - #86-B-SPH 3.

We disagree with this reasoning. Section 101 of the Baltimore County Zoning Regulations (BCZR) clearly defines a "Lot of record" as "A parcel of land with boundaries as recorded in the Land Records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof." In our view, the transfer of parcel "A" of this property to Mr. Dietz sufficiently identified tracts "B", "C" and "D" so as to create four parcels and not two. This is further evidenced by the subdivision plat dated February 26, 1980, which showed four distinct parcels. Also, it is of note that this plat inferred, and we believe correctly, that these parcels were created by the 2/79 transfer. Additionally, because these parcels were created by transfer occurring prior to November 24, 1979, the effective date of Bill 178-79, the number of lots allowed is governed by the standard in existence at the time of transfer. Therefore, we hold that four parcels were created by subdivision in 2/79, and that the lot use permitted for these is governed not by Bill 178-79 but by its predecessor. Under this theory, development would be allowed as follows:

|           |           |         |
|-----------|-----------|---------|
| Tract "A" | 290 acres | 5 lots, |
| Tract "B" | 36 acres  | 2 lots, |
| Tract "C" | 47 acres  | 2 lots, |
| Tract "D" | 58 acres  | 2 lots. |

The second issue raised by the office of the People's Counsel considers the treatment of tract "D". Specifically, the Petitioner argues that

ORDER RECEIVED FOR FILING  
DATE *July 23, 1985*  
BY *John B. Howard*  
ADMINISTRATIVE ASSISTANT



PAUMANOCK - #86-8-SPH

because this tract is divided by a road it must be counted in essence as two tracts. Therefore, four lots would be available. Although we recognize the longstanding interpretation by the Zoning Commissioner in this regard, we reject that theory here. We know of no authority for this premise and in view of the manner of creation of these tracts, do not believe it appropriate in this case. We hold, therefore, that tract "D", in its entirety, is limited to two lots. We further recognize that this decision may make little practical difference as apparently the eastern portion of tract "D" is undevelopable and the Petitioner does not claim any right to transfer density from one tract to another or across roadways.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of April, 1986, by the County Board of Appeals, ORDERED that the petition for a special hearing to approve a calculation in the aggregate of 13 lots is DENIED in that 13 lots are not calculated under the present RC 2 zoning, but rather 11 lots, as set forth in this Opinion, are allowable. Any appeal from this decision must be in accordance with Rules B-1

PAUMANOCK - #86-8-SPH

through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY.

William T. Hackett, Chairman  
William T. Hackett, Chairman

Lawrence E. Schmidt  
Lawrence E. Schmidt

William R. Evans  
William R. Evans

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

June 19, 1985

ofo  
Nicholas B. Commodari  
Chairman

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No. 315, Case No. 86-8-SPH  
Paumanock Development Corporation  
Petitioner  
Petition for Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

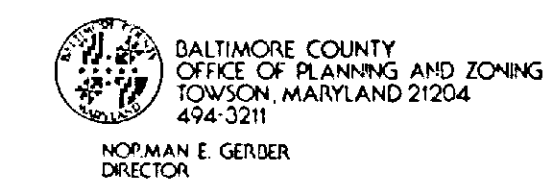
Very truly yours,

Nicholas B. Commodari  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

ENCLOSURE

cc: Daft-McCune-Walker, Inc.

530 East Joppa Road  
Towson, Maryland 21204



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

June 17, 1985

Re: Zoning Advisory Meeting of April 30, 1985  
Item # 315  
Property Owner: PAUMANOCK DEVELOPMENT  
LOCATION: N & S GLEN ARM RD. 110' SW OF  
HARTLEY'S MILL RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 6/11/85.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:  
SEE LETTER DATED 6/23/85 TO NORMAN GERBER  
FROM EUGENE BOBER, CHIEF, CURRENT PLANNING AND DEVELOPMENT  
W/A GRUBMAN, DEPT. OF PLANNING

cc: James Hoswell

Eugene A. Bober  
Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: July 2, 1985

Norman E. Gerber, Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-8-SPH

As stated in the attached memorandum (Eugene A. Bober to Norman E. Gerber dated June 29, 1985), this office believes that 11 lots are permitted. It is this office's opinion that any number of lots greater than 11 would exceed the maximum permitted density. It is suggested that a review of the correspondence in Subdivision File No. XI-354 would be of value; please note that an opinion from the Office of Law is contained in said file.

Finally, it should be noted that this property lies within the Long Green - Glen Arm Study area currently in progress in this office; this study area will be ultimately adopted by the County Council as part of the Comprehensive Plan.

Although not directly bearing upon the subject of this hearing, please note that the properties are predominantly prime agricultural soils and that consequently the preferred use is for agriculture not residences. We are also concerned with residential development because of the potential adverse impact to the adjacent aquifer.

Norman E. Gerber  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGJ:slm

Case No. 86-8-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 4th day of June, 1985.

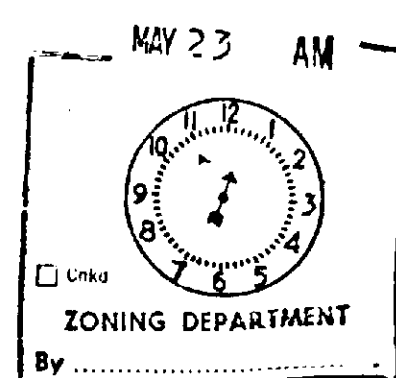
Petitioner: Paumanock Development Corporation  
Petitioner's Attorney: John B. Howard

Received by: Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee



STEPHEN E. COLLINS  
DIRECTOR

May 16, 1985



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 315, 316, 317, 318, 320, 322, 324, and 325 Meeting of May 7, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

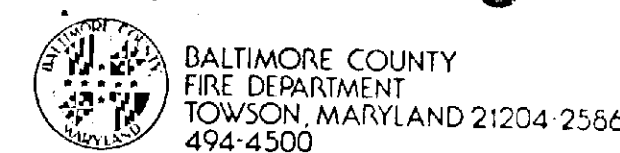
Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 315, 316, 317, 318, 320, 322, 324, and 325.

Michael S. Flanigan  
Traffic Engineering Assoc. II

MSF/ccm



PAUL H. REINCKE  
CHIEF

May 15, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Paumanock Development Corporation

Location: N & S side Glen Arm Road, 110' S/W of centerline Hartley's Mill Road

Item No.: 315 Zoning Agenda: Meeting of 5/7/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb





# County Board of Appeals of Baltimore County

Room 200, Court House  
Towson, Maryland 21204  
(301) 494-3180

April 22, 1986

Phyllis Cole Friedman  
People's Counsel for Baltimore County  
Room 223 Courthouse  
Towson, MD 21204

Re: Case No. 86-8-SPH  
Paumanock Development Corp.

Dear Mrs. Friedman:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals today in the above entitled case.

Very truly yours,

*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secretary

Enclosure

cc: John B. Howard, Esquire  
Paumanock Development Corp.  
Long Green Valley Assn.,  
Ms. Julia Randall and  
Edward L. Blanton, Jr.  
Harold Spencer  
Norman E. Gerber  
James G. Hoswell  
Arnold Jablon  
Jean M. H. Jung  
James E. Dyer

Ms Holman  
Board of Appeals  
Baltimore Co  
200 Old Court House  
Towson Md. 21204

Phone 494 3180

RE:  
Case 86-8-SPH  
Rau NA Hook Development Corp  
Glen Arm Road

As a resident in the area, I would be interested in the date of the hearing and any other decisions made regarding the above captioned on zoning changes etc.

Thank you

*Harold Spencer*  
Harold Spencer  
5840 Glen Arm Road  
Glen Arm Md. 21057  
Phone 592 8948

RECEIVED  
COUNTY BOARD OF APPEALS  
RIS AUG 26 A 10 20 E

Julia Randall  
Hartley Mill Road, Glen Arm, Maryland 21057

Baltco. Board of Appeals  
Towson

Dear Sirs:

would you please advise me, when determined, of the appeal hearing for Case 86-8-SPH (Paumanock Development Co. et al). People's Counsel is appealing. Decision of Zoning Commission, I was most interested.

RECEIVED  
COUNTY BOARD OF APPEALS  
RIS AUG 26 A 10 20 E

*Julia Randall*  
for the Long Green Valley Association

9/4/85 - Following were notified of hearing set for Wed. Dec. 11, '85 at 10 a.m.:

John B. Howard  
Paumanock Develop. Corp.  
Long Green Valley Assoc.  
Phyllis Friedman  
Edward Blanton, Jr.  
Harold Spencer  
Norman Gerber and James Hoswell  
Arnold Jablon, Jean Jung, James Dyer

#86-8-SPH

11th District

N/S and S/S Glen Arm Rd., E/S and W/S of  
Hartleys Mill Road

Paumanock Development Corp., et al  
4 SIGNS

## CIFICATE OF PUBLICATION

Towson, Md. 7/9 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 19th day of June 1985.

The TOWSON TIMES  
Cost of Advertisement: \$47.77

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER  
North & South Side of  
Glenarm Rd., East & West  
Side of Hartley's Mill Rd.  
11th District  
PAUMANOCK DEVELOPMENT  
CORPORATION, Petitioner  
Case No. 86-8-SPH

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 19th day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

*Peter Max Zimmerman*  
Peter Max Zimmerman

PETITION FOR SPECIAL HEARING  
11th Election District  
LOCATION: North and South sides of Glenarm Road, East and West side of Hartley's Mill Road  
DATE AND TIME: Monday, July 8, 1985 at 10:30 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the petition for special hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a calculation in the aggregate of 13 lots under the R.C. 2 zoning classification for tracts "A", "B", "C", and "D".  
Being the property of Paumanock Development Corporation as shown on the plat filed with the Zoning Office.  
In the event that this Petition is granted, a building permit may be issued within thirty (30) days of the date of the hearing.  
The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing.  
BY ORDER OF:  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County

## CERTIFICATE OF PUBLICATION

TOWSON, MD, June 20, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 20, 1985.

THE JEFFERSONIAN,

*VB Ventral*  
Publisher

Cost of Advertising  
27.50

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 11th Date of Posting: 6/19/85  
Posted for: Special Hearing  
Petitioner: Paumanock Development Corporation  
Location of property: N/S & S/S Glen Arm Rd., E/W of Hartley's Mill Rd.  
Remarks: 13 lots under R.C. 2 zoning classification for tracts "A", "B", "C", and "D".  
Location of Signs: 13 lots under R.C. 2 zoning classification for tracts "A", "B", "C", and "D".  
Posted by: M. J. Dyer Date of return: 6/21/85  
Number of Signs: 4

## PETITION FOR SPECIAL HEARING

11th Election District

LOCATION: North and South sides of Glenarm Road, East and West side of Hartley's Mill Road

DATE AND TIME: Monday, July 8, 1985 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a calculation in the aggregate of 13 lots under the R.C. 2 zoning classification for tracts "A", "B", "C", and "D".

Being the property of Paumanock Development Corporation as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



PETITION FOR SPECIAL HEARING  
11th Election District

LOCATION: North and South sides of Glenarm Road, East and West side of Hartley's Mill Road

DATE AND TIME: Monday, July 8, 1985 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a calculation in the aggregate of 13 lots under the R.C. 2 zoning classification for tracts "A", "B", "C", and "D".

Being the property of Paumanock Development Corporation as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

DESCRIPTION

432 Acre Tract Lands of Frederick E. Dietz, Sr. and Others, and Paumanock Development Corporation, Glenarm Road between Long Green Pike and Williams Road, Eleventh Election District, Baltimore County, Maryland.

THIS DESCRIPTION IS FOR A REQUEST FOR SPECIAL HEARING

Beginning for the same on the center line of Glenarm Road, at the distance of 110 feet, more or less, as measured southwesterly along said center line from its intersection with the center line of Hartley's Mill Road, running thence binding on said center line of Glenarm Road, (1) southwesterly 301 feet, more or less, thence leaving said Glenarm Road, (2) Northerly 1458 feet, more or less, thence (3) southwesterly 1332 feet, more or less, thence (4) southeasterly 1440 feet, more or less, to a point on said center line of Glenarm Road, thence binding on said center line, (5) southwesterly 667 feet, more or less, thence leaving said center line of Glenarm Road, (6) northwesterly 1540 feet, more or less, thence (7) northwesterly 390 feet, more or less, thence (8) northwesterly 299 feet more or less, to a point on the southeast side of the abandoned right-of-way of the Maryland and Pennsylvania Railroad, thence binding on the southeast and east side of said right-of-way,

Page 1 of 2

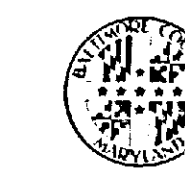
(9) northwesterly and northerly 2031 feet, more or less, thence leaving said right-of-way, (10) northeasterly and easterly 1255 feet, more or less, thence (11) southeasterly 182 feet, more or less, thence (12) northeasterly 934 feet, more or less, thence (13) southeasterly 731 feet, more or less, thence (14) northeasterly 1619 feet, more or less, to a point on the center line of Williams Road, thence binding on said center line, (15) southeasterly 2475 feet, more or less, thence leaving said Williams Road, (16) southwesterly, 1569 feet, more or less, thence (17) southerly 1346 feet, more or less, thence (18) easterly 73 feet, more or less, thence (19) southerly 207 feet, more or less, to a point on the center line of Glenarm Road, thence binding on said center line, (20) southwesterly 124 feet, more or less, thence by a line in Glenarm Road, (21) westerly 61 feet, more or less, thence leaving said Glenarm Road, (22) southerly 1845 feet, more or less, thence (23) northwesterly 1213 feet, more or less, thence (24) westerly 828 feet, more or less, thence (25) southeasterly 718 feet, more or less, thence (26) westerly 378 feet, more or less, and thence (27) northwesterly 985 feet, more or less, to the place of beginning.

Containing 432 acres of land, more or less, Being the same property as shown on the plat filed in the Zoning Office for petition for special hearing.

Our File Number: 82009  
April 16, 1985



Page 2 of 2



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

July 10, 1985

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing  
N and S sides of Glen Arm Road,  
E and W side of Hartley's Mill Road,  
Paumanock Development Corp. Petitioners  
Case No. 86-8-SPH

Dear Mr. Howard,

This is to advise you that \$95.27 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. C07371

DATE 7/16/85 ACCOUNT R-01-615-000

AMOUNT \$95.27

RECEIVED FROM Robert Hoffman, Esq.

FOR Advertising and Posting Case 86-8-SPH

VALIDATION OR SIGNATURE OF CARRIER

By,  
ARNOLD JABLON  
Commissioner

June 5, 1985

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Special Hearing  
N and S sides of Glen Arm Road,  
E and W side of Hartley's Mill Rd.  
Case No. 86-8-SPH, Item No. 315  
Paumanock Development Corp.-Petitioner

TIME: 10:30 a.m.

DATE: Monday, July 8, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

By,  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 007453

DATE 7/27/85 ACCOUNT 01-615-000

AMOUNT \$100.00

RECEIVED FROM Cook Howard Dumas Trust

FOR SH #315

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 11th  
Posted for APPROX 1  
Petitioner: Paumanock Development Corp. et al.  
Location of property: N & S sides of Glen Arm Rd., E & W side of Hartley's Mill Rd.  
Location of Signs: Signs placed on Williams Road, Glenarm Road, Hartley's Mill Road, and on the center line of Glenarm Road at the intersection with Williams Road.  
Remarks: All 4 signs on property of P. Peterson  
Posted by: [Signature]  
Number of Signs: 4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Arnold Jablon  
Zoning Commissioner  
Date: July 2, 1985

From: Norman E. Gerber, Director  
Office of Planning and Zoning

Subject: Zoning Petition No. 86-8-SPH

As stated in the attached memorandum (Eugene A. Bober to Norman E. Gerber dated June 29, 1985), this office believes that 11 lots are permitted. It is this office's opinion that any number of lots greater than 11 would exceed the maximum permitted density. It is suggested that a review of the correspondence in Subdivision File No. XI-354 would be of value; please note that an opinion from the Office of Law is contained in said file.

Finally, it should be noted that this property lies within the Long Green - Glen Arm Study area currently in progress in this office; this study area will be ultimately adopted by the County Council as part of the Comprehensive Plan.

Although not directly bearing upon the subject of this hearing, please note that the properties are predominantly prime agricultural soils and that consequently the preferred use is for agriculture not residences. We are also concerned with residential development because of the potential adverse impact to the adjacent aquifer.

By,  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Norman E. Gerber  
Director of Planning and Zoning  
Date: June 29, 1985

From: Eugene A. Bober  
Chief, Current Planning and Development

Subject: Grumman (Paumanock)

At our meeting of Thursday, June 23, 1983, you asked that I summarize the history of this project and investigate further. I would like to give you the results of my investigation. Mr. John Howard, representing Grumman, contends that Grumman had legitimate lots of record prior to the Growth Management Law which established 50 acre average lot sizes. Therefore, he argues that Grumman is entitled to 13 lots rather than the 11 lots. The staff disagrees and feels they are entitled to two less lots. Mr. Howard bases his contention on a letter dated April 20, 1982, in which he sets forth the chronology. He asserts that on February 1, 1979 Paumanock conveyed 1 parcel and retained 3 additional parcels, three parcels were created at that time. Mr. Howard would treat the record plat that was recorded on February 26, 1980, as merely confirmatory of the lots of record established early in 1979.

The reason the plat was required is outlined in an August 8, 1979, memo from Pamela Budenstein to Gene Bober in which it was suggested that Paumanock had improperly subdivided its property. This contention was borne out in a November 16, 1979 letter from the County Solicitor, Leonard Jacobson and Assistant Solicitor Mitchell McMahon, in which they cited portions of Title 22 to indicate that the agricultural exemption for subdivision did not apply to Paumanock and that the division of property would have to be subjected to the subdivision process.

I would argue that if the transaction by Grumman in '79 was improper and that the plat was required by the subdivision process and if the plat was recorded after Growth Management went into effect then therefore it is not a lot of record until the recordation of the plat.

One note: there seems to be some confusion on Parcel D which is on the South side of Glen Arm Road. This parcel is divided by Hartley Mill Road which is a public road and is actually two parcels. Therefore, Parcel D would be entitled to four lots, not two. This point is important because it allows Grumman 13 vs. 11 lots; not the 11 vs. 9 stated in various correspondence.

EAB:rh  
cc: James Dyer

By,  
Eugene A. Bober  
Chief, Current Planning and Development

JAN 20 1987



The Honorable Arnold Jablon  
Zoning Commissioner  
Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Long Green Valley Association

Dear Mr. Jablon:

I am President of the Long Green Valley Association, and it was my intention to appear at the hearing on July 8, 1985 in Case 86-8-SPH pertaining to the property owned by Pumaonock Development Corporation. I expected to join Ms. Julia Randall, Mr. Betty Miller and Mr. Harold Barringer, all officers of the Long Green Valley Association, as well as Mrs. Charlotte Pine, who is also a member of the Bar. Unfortunately, Mrs. Pine and I both had matters scheduled in the Circuit Court of Baltimore City in the morning and afternoon, and we could not attend.

I wish to advise you, however, that Ms. Julia Randall, of Hartley Mill Road, Glen Arm, Maryland 21057 was authorized to speak for the Long Green Valley Association at the July 8 hearing with respect to Case 86-8-SPH, Item 315, Pumaonock Development Corporation. Her actions were taken after consultation with me and seven other members of our twelve member board, two of whom, as I have already indicated, were present at the hearing.

Very truly yours,

Edward L. Blanton  
President

Long Green Valley Association

ELB/cas  
cc: Ms. Julia Randall

**FICATE OF PUBLICATION**

Towson, Md. 7/9 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for consecutive weeks, the first publication appearing on the 14th day of June 1985.

The TOWSON TIMES  
Cost of Advertisement: \$ 47.77

**"DUPLICATE" CERTIFICATE OF PUBLICATION**

TOWSON, MD., June 20, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 20, 1985.

THE JEFFERSONIAN,  
18 Kenton  
Publisher

Cost of Advertising 27.50

**PLATE 2**

Shows the entire "Lang Farm" acquired by Grumman in 1967; contains approximately 465 acres.

- Tract "A" containing 290 acres was sold to Fred Dietz and sons in 1978. The covenants self-imposed by Grumman at the time of conveyance and reaffirmed in the Restrictive Covenant Agreement preclude commercial or industrial uses as well as residential development. The orange buffer strip, 200 feet wide, separate the farm from the proposed extension of the industrial land.
- Tracts "B", "C" and "D" were retained by Grumman but the covenants preclude any future industrial or commercial uses. Present zoning is RC-2 and "B" and "C" are in agricultural use with "D" being woodland.
- Tract "E" contains 18.8 acres and is the tract for which industrial zoning has been requested.
- Tract "F" contains 18 acres and is presently zoned for industrial use. The new facility is under construction on this parcel. (It includes the approximate three acre parcel which was acquired from the Odd Fellows Lodge in 1978.)
- The green strip is a 125 foot buffer created by covenant to avoid further extensions of industrial zoning by other parties.
- The blue strip is the 125 foot buffer which will be created by the existing covenants if Grumman acquires all the "corner" properties and seeks ML zoning.
- Grumman is restricted from requesting any ML reclassification within a two (2) mile radius of the subject properties (with very minor exceptions).

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Norman E. Gerber  
TO: Director of Planning and Zoning  
FROM: Eugene A. Bober  
SUBJECT: Grumman (Pumaonock)

Date: June 29, 1985

At our meeting of Thursday, June 23, 1985, you asked that I summarize the history of this project and investigate further. I would like to give you the results of my investigation. Mr. John Howard, representing Grumman, Management Law which established 50 acre average lot sizes. Therefore, he argues that Grumman is entitled to 13 lots rather than the 11 lots. The staff disagrees and feels they are entitled to two less lots. Mr. Howard bases his contention on a letter dated April 20, 1982, in which he sets forth 1 parcel and retained 3 additional parcels, three parcels were created at that time. Mr. Howard would treat the record plat that was recorded on February 26, 1980, as merely confirmatory of the lots of record established early in 1979.

The reason the plat was required is outlined in an August 8, 1979, memo from Pamela Budenheim to Gene Bober in which it was suggested that Pumaonock had improperly subdivided its property. This contention was borne out in a November 16, 1979 letter from the County Solicitor, Leonard Jacobson and Assistant Solicitor Michael McNamara, in which they cited portions of Title 22 Pumaonock and stated that the division of property would have to be subjected to the subdivision process.

I would argue that if the transaction by Grumman in '79 was improper and that the plat was required by the subdivision process and if the plat was recorded after Growth Management went into effect then therefore it is not a lot of record until the recordation of the plat.

One note: there seems to be some confusion on Parcel D which is on the South side of Glen Arm Road. This parcel is divided by Hartley Mill Road which is a public road and is actually two parcels. Therefore, Parcel D would be entitled to four lots, not two. This point is important because it allows Grumman 13 vs. 11 lots; not the 11 vs. 9 stated in various correspondence.

Eugene A. Bober  
Chief, Current Planning and Development

EAB:rh  
cc: James Dyer

The Honorable Arnold Jablon  
Zoning Commissioner  
Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Long Green Valley Association

Dear Mr. Jablon:

I am President of the Long Green Valley Association, and it was my intention to appear at the hearing on July 8, 1985 in Case 86-8-SPH pertaining to the property owned by Pumaonock Development Corporation. I expected to join Ms. Julia Randall, Mr. Betty Miller and Mr. Harold Barringer, all officers of the Long Green Valley Association, as well as Mrs. Charlotte Pine, who is also a member of the Bar. Unfortunately, Mrs. Pine and I both had matters scheduled in the Circuit Court of Baltimore City in the morning and afternoon, and we could not attend.

I wish to advise you, however, that Ms. Julia Randall, of Hartley Mill Road, Glen Arm, Maryland 21057 was authorized to speak for the Long Green Valley Association at the July 8 hearing with respect to Case 86-8-SPH, Item 315, Pumaonock Development Corporation. Her actions were taken after consultation with me and seven other members of our twelve member board, two of whom, as I have already indicated, were present at the hearing.

Very truly yours,

Edward L. Blanton  
President

Long Green Valley Association

ELB/cas  
cc: Ms. Julia Randall

RE: PETITION FOR SPECIAL HEARING  
N/S and S/S of Glen Arm Rd.,  
E/S and W/S of Hartleys Mill Rd., 11th Election District

PUMAONOCK DEVELOPMENT CORPORATION, et al.,  
Petitioners

Case No. 86-8-SPH

**NOTICE OF APPEAL**

Please note an appeal from your decision in the above-captioned matter, under date of July 22, 1985, to the County Board of Appeals, and forward all papers in connection therewith to the Board for hearing.

Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 30th day of July, 1985, a copy of the foregoing Notice of Appeal was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

JUL 31 AM  
ZONING DEPARTMENT

Peter Max Zimmerman  
Peter Max Zimmerman

**BALTIMORE COUNTY**  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 5, 1985

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

Dear Mr. Howard:

Please be advised that an appeal has been filed by the People's Counsel of Baltimore County from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,  
Arnold Jablon  
Zoning Commissioner

cc: Ms. Julia Randall  
Long Green Valley Association  
Hartley Mill Road  
Glen Arm, Md. 21057

**BALTIMORE COUNTY**  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211

NORMAN E. GERBER  
DIRECTOR

August 1, 1985

Mr. John B. Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

Dear Mr. Howard:

In reviewing your petition for special hearing, this office became aware of your plans to construct housing on the subject tract. We are concerned with the environmental impact of such development.

The Baltimore County Comprehensive Master Plan, land use element, specifies that development will be restricted on Valley Floor Areas (R.C.2.D) and curtailed to the ridge lines. The reasoning for this approach can best be described in two ways.

The Long Green Valley area is a significant valley in Baltimore County and contains many of the same characteristics as the better known Green Spring and Northwood Valleys. A significant portion of this valley is underlain by limestone and is a regionally important aquifer. These formations are relatively soft and considered to be the best for groundwater recharge. However, these formations are susceptible to contamination from septic systems. This groundwater resource is generally have an overburden that ranges from 0-5 feet. It is important to protect the valley valley because of the potential for accelerated erosion and septic contamination of groundwater.

The second major concern involves the significant amount of prime and productive soils which are located throughout the Long Green Valley. A recent evaluation of this area revealed that approximately 75 percent of the valley floor consists of prime and productive soils. These soils are a natural resource which we cannot afford to lose. The value of protecting and promoting the continuance of agriculture is one of long term significance whose value will become more evident for future generations. The Baltimore County Master Plan has as its purpose to provide for enough residential areas of varying density to accommodate our growth needs well into the next century.



# PETITIONER'S EXHIBIT

PETITION FOR SPECIAL HEARING BEFORE THE  
Property Located at  
Glen Arm Road at Long Green  
Pike and Williams Road

Petitioner, Paumanock  
Development Corp. and  
Frederick E. Dietz, et al.  
Eleventh Election District  
BALTIMORE COUNTY  
Case No. 86-8-SPH

## PETITIONER'S MEMORANDUM IN SUPPORT OF PETITION FOR SPECIAL HEARING

Paumanock Development Corporation ("Paumanock")  
and Frederick E. Dietz, et al., Petitioner, by John B.  
Howard, Esquire and Cook, Howard, Downes & Tracy, in  
support of Petitioner's Petition for Special Hearing  
states the following:

Petitioners are the owners of property located on  
Glen Arm Road at Long Green Pike and Williams Road in the  
Eleventh Election District of Baltimore County, Maryland.  
The subject property is undeveloped and is shown as tracts  
"A," "B," "C," and "D" on the attached Plat to Accompany  
Petition for Special Hearing.

The issue presented by the Petitioner is whether  
tracts "A," "B," "C," and "D" permit, in the aggregate,  
thirteen (13) density units under the existing RC2 zoning  
classification.

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By way of background, Paumanock (a wholly owned  
subsidiary of the Grumman Corporation) was the fee owner  
of the entire property prior to 1979.

Grumman, through Paumanock was seeking additional  
industrial zoning on the 1980 Comprehensive Zoning Maps  
for property adjacent to its existing plant on the west  
side of Longgreen Pike. In furtherance of that desire, and  
at the request of the planning staff, Grumman submitted a  
proposal restricting future industrial uses on surrounding  
properties. A basic ingredient of that proposal was that  
tract A, essentially comprising the "valley" portions of  
Paumanock's properties would remain agricultural in  
perpetuity.

Therefore, Paumanock conveyed tract A, consisting  
of 289.916 acres to Frederick E. Dietz, Sr. and his two  
sons, and reserved unto itself tracts B, C and D, on  
February 1, 1979, which Deed was recorded among the Land  
Records of Baltimore County on February 8, 1979 at Liber  
5988, Folio 252.

Mr. Dietz had been farming this property pursuant  
to a lease arrangement for some years. The deed conveyance  
assured that the property would never be developed by  
reference to a separate agreement which restricts the use  
of tract A to agricultural purposes only. Further  
evidence of Grumman's intent that this property remain  
agricultural can be found in a Restrictive Covenant

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Agreement recorded among the Land Records of Baltimore  
County on June 4, 1980 at Liber 6170, Folio 469 (a copy of  
the Restrictive Covenant Agreement is attached), which,  
among other things restricts tract A to agricultural uses  
in perpetuity.

The reservation to Paumanock of tracts B, C, and  
D was merely incidental to the transfer of tract A for  
agricultural purposes, and in keeping with the formation  
of an overall industrial development scheme. The  
boundaries of the tract to be conveyed, as well as the  
existence of public roads internal to the entire property,  
necessitated the creation of four lots of record in the  
1979 Deed.

At the time, it was the position of the Baltimore  
County Office of Planning and Zoning that a "subdivision"  
had taken place by virtue of the conveyance of Tract A and  
reservation of tracts B, C, and D. It is submitted here,  
as it was to the County in 1979, that the conveyance of  
tract A to Mr. Dietz and the reservation to Paumanock of  
tracts B, C and D was not a subdivision under the  
definition contained in Section 22-1 of the Baltimore  
County Code (1978 Edition). That definition reads in  
pertinent part as follows:

Subdivision means the division of a  
lot, tract, or parcel of land into two  
or more lots, sites, or other divisions  
of land for the purpose, whether  
immediate or future, of sale or

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building development: except that the  
following divisions shall not be  
considered subdivisions within the  
meaning of this title, provided,  
that no new streets or road are  
involved: division of land for  
agriculture purposes where the  
resulting parcels are three acres or  
larger in size....

Since the conveyance of tract A was strictly for  
agricultural purposes, and the creation of three new  
tracts merely incidental to that conveyance, no  
subdivision had taken place under the above definition.

Although Paumanock disagreed with the County's  
interpretation of the existing subdivision regulations, a  
subdivision plat was nonetheless approved and recorded on  
February 26, 1980 in the Land Records for Baltimore County  
at E.H.K. Jr. Liber 45, Folios 132 and 133.

The subdivision plat which showed tracts A, B, C,  
and D also indicated a density calculation of nine (9).  
The density calculation was made by aggregating the  
acreage of tracts A, B, and C for a total of approximately  
370 acres which would permit seven (7) lots (370/50 = 7);  
and, since tract D is automatically subdivided by Glen Arm  
Road, two additional lots were permitted for a total of  
nine (9). The density calculations found on the  
subdivision plat were made by the Office of Planning and  
Zoning, who instructed the land surveyor to place that  
calculation on the plat. By the County's own reasoning,  
the density calculation should have been at least eleven

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(11) since tract D is automatically subdivided by another  
public road, Hartley's Mill Road.

It is Petitioner's position, however, that  
considering the above transactions and the effective dates  
thereof, as well as the effective date of the legislation  
for the RC2 zoning classification, the density calculation  
should have been thirteen (13) in the aggregate.

Section 101 of the Baltimore County Zoning  
Regulations (BCZR) provides the following definition:

Lot of record: A parcel of land with  
boundaries as recorded in the Land  
Records of Baltimore County on the same  
date as the effective date of the  
zoning regulation which governs the  
use, subdivision or other condition  
thereof (Bill No. 100, 1970). (Emphasis  
added.)

The Deed to the Dietzes conveying tract A and  
reserving under Paumanock, by metes and bounds  
description, tracts B, C, and D was recorded among the  
Land Records for Baltimore County on February 8, 1979,  
thus establishing four Lots of record pursuant and in  
accordance with the above definition.

Subsequent to the recording of that Deed, the  
County Council passed Bill No. 178-79 with an effective  
date of November 24, 1979 which enacted new subsection  
1A01.3.B.1 BCZR which provides, in pertinent part, the  
following:

1. Subdivision Lot Density. No lot of  
record lying within an RC2 zone and

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having a gross area of less than two  
acres may be subdivided. No such lot  
having a gross area between two and one  
hundred acres may be subdivided into  
more than two lots (total). Such lot  
having a gross area of more than one  
hundred acres may be subdivided only at  
the rate of one lot for each fifty  
acres of gross area. (Emphasis added.)

The recording of the subdivision on plats on  
February 26, 1980 at which time the density calculations  
were determined, erroneously it is submitted, were merely  
confirmatory of the lots of record that had been  
established upon the recording of the Dietz Deed. Since  
these lots of record were recorded prior to the effective  
date of Bill No. 178-79, the density regulations  
established by that Bill "governs the use" of the lot.

Accordingly the density provided by subsection  
1A01.3.B.1 should clearly be as follows:

|                                                                                          |    |
|------------------------------------------------------------------------------------------|----|
| Tract A 289.9 acres/50 =                                                                 | 5  |
| Tract B 36.4 acres/50 =                                                                  | 2  |
| Tract C 46.7 acres/50 =                                                                  | 2  |
| Tract D East of Hartley's<br>Mill Road greater<br>than 2 acres, less than<br>100 acres = | 2  |
| Tract D West of Hartley's<br>Mill Road greater than<br>2 acres, less than 100<br>acres = | 2  |
| Total density units                                                                      | 13 |

It is therefore respectfully submitted, that the  
RC2 zoning classification would permit a density  
calculation of 13 density units for Tracts A, B, C and D

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as shown on the Zoning Plat to Accompany this Request for  
Special Hearing.

*John B. Howard*  
JOHN B. HOWARD  
Cook, Howard, Downes & Tracy  
210 Allegheny Avenue  
P.O. Box 5517  
Towson, Maryland 21204  
301-823-4111  
Attorney for the Petitioner

## CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of July,  
1985, a copy of the foregoing Memorandum in Support of  
Petition for Special Exception was mailed to Phyllis Cole  
Friedman and Peter Max Zimmerman, Office of People's  
Counsel, Room 223, Courthouse, Towson, Maryland 21204.

*John B. Howard*  
JOHN B. HOWARD

MICROFILMED

## RESTRICTIVE COVENANT AGREEMENT

THIS AGREEMENT dated and entered into this 21<sup>st</sup> day of  
July, 1980, by and among GRUMMAN AEROSPACE CORPORATION, a body  
corporate of the State of New York (hereinafter called  
"Grumman") and PAUMANOCK DEVELOPMENT CORPORATION, a body  
corporate of the State of New York (hereinafter called  
"Paumanock"), parties of the first part, FREDERICK E. DIETZ,  
SR., FREDERICK E. DIETZ, JR., and WILLIAM ALBERT DIETZ  
(hereinafter collectively called "Dietz"), parties of the  
second part, and LONG GREEN ASSOCIATION, BALDWIN ASSOCIATION,  
unincorporated property owners associations in Baltimore  
County, Maryland, and GREATER KINGSVILLE CIVIC ASSOCIATION,  
INC., an incorporated property owners association in Baltimore  
County, Maryland, (hereinafter called the "Associations"),  
parties of the third part.

WHEREAS, Grumman is the owner of an industrial facility  
located on a parcel of land on the west side of Long Green Pike  
in the Eleventh Election District of Baltimore County,  
Maryland, being more particularly described in a Deed dated  
July 2, 1969, and recorded among the Land Records of Baltimore  
County in Liber O.T.C. No. 5181, folio 700, containing 9.438  
acres of land, more or less; and

WHEREAS, Paumanock is the owner of five (5) parcels of land  
located on the east side of Long Green Pike adjacent to or near  
the aforesaid industrial facility and described more  
particularly as Parcels One, Two, Three, Four and Five of  
Exhibit I attached hereto and made a part hereof; and

WHEREAS, Grumman is the owner of another parcel of land  
located adjacent to or near the aforesaid industrial facility,  
on the east side of Long Green Pike, said parcel of land being  
more particularly described as: Parcel Six in Exhibit I attached  
hereto; and

MICROFILMED



I felt that you and your client should be advised that your request appears to be in conflict with the objectives of the Baltimore County Master Plan, before you make the substantial investment in time and effort on this property.

If you have any questions pertaining to this letter, please contact me at 494-3211.

Sincerely,

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NES/JVC/af

cc: Arnold Jablon  
Phyllis Friedman  
Susan Carrell  
James G. Roswell

WHEREAS, Grumman and Paumanock are desirous of presently expanding Grumman's industrial facility onto the 14.871 acre parcel described as Parcel Five in Exhibit I and onto the 2.99 acre parcel described as Parcel Six in Exhibit I, and are seeking the reclassification of the zoning on Parcel Four as described in Exhibit I to M. L. (Manufacturing, Light) on the 1980 Comprehensive Zoning Map for Baltimore County for future expansion of Grumman's industrial facility; and

WHEREAS, Grumman & Paumanock have made certain rezoning requests to the Planning Board to be implemented on the 1980 Comprehensive Zoning Maps for Baltimore County and these proceedings are presently before the Planning Board of Baltimore County; and

WHEREAS, the Associations are comprised of many residents and property owners of the area joined together for the purpose of furthering the proper use and amenity of the area known as Long Green Valley, which includes the parcels of land described in Exhibit I owned by Grumman and Paumanock within the overall Baltimore County land use and zoning plans; and

WHEREAS, the Associations desire to place certain restrictions upon the development of the parcels of land described in Exhibit I; and

WHEREAS, Grumman and Paumanock are willing to place certain restrictions upon the development of the parcels of land described in Exhibit I; and

WHEREAS, Dietz is the owner of a tract of land located adjacent to or near the aforesaid industrial facility on the north side of Glen Arm Road, said tract of land being more particularly described as Parcel Seven in Exhibit I attached hereto, and is willing to place certain restrictions upon a portion thereof abutting the parcel of land described as

2

Parcel Four in Exhibit I attached hereto in order to facilitate attainment of the purposes of the within Agreement; and

WHEREAS, in order to make the covenants, restrictions and conditions contained in this Agreement binding and in full force and effect upon the parcels of land described in Exhibit I and the present and future owners and occupants thereof, the parties have entered into this Agreement in the end and intent that the parties of the first part, their successors and assigns will hold, utilize and hereafter convey or foreclose said property subject to the said covenants, restrictions and conditions contained herein.

NOW, THEREFORE, this Agreement witnesseseth, that in consideration of the mutual agreements, covenants, restrictions and conditions herein contained and the sum of Five Dollars (\$5.00) paid by each party to the other and for other good and valuable considerations, the receipt and sufficiency of which is hereby mutually acknowledged, the parties hereby agree to enter into these presents and, ~~in the event of the desired rezoning of Parcel Four of Exhibit I on the 1980 zoning map as aforesaid~~, to have this Agreement recorded among the Land Records of Baltimore County, and that the covenants, restrictions and conditions shall run with and be binding upon the lands hereinbefore referred to and upon present and all future owners thereof and shall inure to the benefit of each of the parties hereto respectively, their successors, personal representatives and assigns, and be jointly and severally enforceable by the owners of any property within a one (1) mile radius of Parcels One, Two or Three of Exhibit I, as follows:

THE PARTIES OF THE FIRST PART ON BEHALF OF THEMSELVES, AND THEIR SUCCESSORS AND ASSIGNS, AGREE AS FOLLOWS:

1. That no commercial or industrial uses of any kind whatsoever be made of Parcels One, Two and Three of Exhibit I.

3

2. That all residential dwelling unit density reserved for the benefit of Parcels One, Two and Three of Exhibit I by Paumanock in that certain Deed dated February 1, 1979 from Paumanock to Frederick Earl Dietz, Sr., et al. and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5988, folio 252 and in that certain Agreement dated February 1, 1979 between Frederick Earl Dietz, Sr., et al. and Paumanock which is recorded among the aforesaid Land Records in Liber E.H.K.Jr. No. 5988, folio 258, shall remain with Parcels One, Two and Three of Exhibit I and shall not be reallocated to the property conveyed in aforesaid Deed from Paumanock to Frederick Earl Dietz, Sr., et al.

3. That no building, billboard, or other structure of any kind (excluding fencing) shall be erected on Parcel Four of Exhibit I within one hundred twenty five (125) feet of the north side of Glen Arm Road, and that there shall be no paving for parking or otherwise on Parcel Four of Exhibit I within twenty-five (25) feet of the common property line with Parcel Seven of Exhibit I and within twenty five (25) feet of the north side of Glen Arm Road, except as may be necessary for one (1) access point from Glen Arm Road onto the said Parcel Four - it being the express intent of the parties that the aforesaid strip shall serve as a buffer between industrial uses and residential or agricultural uses on the south side of Glen Arm Road notwithstanding the fact that the M.L. (Manufacturing, Light) zoning line is proposed for the center of the Glen Arm Road.

4. That, if any portion of the land in the northeast quadrant of the intersection of Glen Arm Road and Long Green Pike abutting the south side of Parcels Four and Five of Exhibit I, presently owned or hereafter acquired by Grumman and/or

4

Paumanock, is used for other than residential purposes, then the restrictions described in Paragraph 3 above shall apply to such land; except that Grumman reserves the right to place an identification sign upon such land adjacent to the said intersection.

5. That no structure erected upon Parcel Four or Parcel Five of Exhibit I, or upon any abutting land which Paumanock and/or Grumman may hereafter acquire, shall have a height in excess of fifty-five (55) feet.

6. That the total floor area of all buildings constructed upon Parcels Four and Five of Exhibit I and on any abutting lands which Paumanock and/or Grumman may hereafter acquire shall not exceed three hundred thousand (300,000) square feet.

7. That Grumman and Paumanock will install landscaping along the north side of Glen Arm Road upon the restricted areas described in Paragraphs 3 and 4 above.

8. That neither Grumman nor Paumanock will seek to reclassify for industrial uses any property hereafter acquired by either of them within a two (2) mile radius of the intersection of Glen Arm Road and Long Green Pike, except (i) the property lying in the northeast quadrant of the intersection of Long Green Pike and Glen Arm Road abutting the south side of Parcels Four and Five of Exhibit I, and (ii) that portion of the parcel of land abutting the north side of Parcel Four of Exhibit I which would be south of the North 58° 35' 11" W 867.17 foot line of the said Parcel Four if the said line were extended to the east edge of Long Green Pike.

9. That, neither Grumman nor Paumanock will seek to change the zoning classification of any property owned by either of them so as to permit any uses other than as presently permitted by the Baltimore County Zoning Regulations in an M.L. (Manufacturing, Light) zone.

5

10. That these covenants, restrictions and conditions shall run with and be binding upon the Parcels in Exhibit I, in perpetuity and shall inure to the benefit of the Associations and the owners of properties located within a one (1) mile radius of Parcels One, Two and Three of Exhibit I.

~~11. That, if the 1980 Comprehensive Zoning Map for Baltimore County does not contain a reclassification of all of the parcel of land described as Parcel Four in Exhibit I to M.L. (Manufacturing, Light) upon its effective date, then in that event this Agreement shall thereupon automatically terminate and be null and void and of no further force and effect.~~

14. That the recording of this instrument and all of the foregoing covenants, restrictions and conditions shall be at the sole cost and expense of Grumman and Paumanock without a contribution of the parties of the third part whatsoever.

THE PARTIES OF THE SECOND PART, ON BEHALF OF THEMSELVES, THEIR HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS, AGREE AS FOLLOWS:

1. That that portion of Parcel Seven of Exhibit I extending for a depth of two hundred (200) feet from the west side of its common property line with Parcel Four of Exhibit I shall not be used for commercial, industrial or residential purposes, but shall only be used for agricultural and open-space purposes, it being intended that the said restricted strip of land shall constitute a buffer area beyond which any further expansion of the industrial uses permitted on Parcel Four shall be prohibited.

2. That the restrictions of Parcel Seven of Exhibit I herein set forth shall run with and bind the said land in perpetuity and shall inure to the benefit of the Associations

6

and the owners of property within a one (1) mile radius of Parcel Four of Exhibit I.

THE PARTIES OF THE THIRD PART AGREE AS FOLLOWS:

1. That they will consult with the parties of the first part regarding the landscaping on the north side of Glen Arm Road as hereinabove set forth so that said landscaping may be done in a dignified manner compatible with the neighborhood.

2. That they will cooperate with the parties of the first part in their request before the Planning Board and the Baltimore County Council seeking reclassification of Parcel Four of Exhibit I to M.L. (Manufacturing, Light) on the 1980 Comprehensive Zoning Map and agree that the within Agreement will automatically terminate and be null and void and of no further force and effect, and will not be recorded in the event that the 1980 Comprehensive Zoning Map for Baltimore County does not contain a reclassification of all of the parcel of land described as Parcel Four in Exhibit I to M.L. (Manufacturing, Light) upon its effective date.

THIS AGREEMENT, which may be signed in counterparts, contains the entire understanding of the parties and each of the parties hereto warrant that they have carefully read and understand this Agreement and are cognizant of the terms hereof and have had ample time to have been fully advised by counsel of their own choosing of their respective rights and obligations with respect to all matters involved in this Agreement.

The failure to enforce any of the covenants, restrictions and conditions herein contained, in any instance, shall in no event constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction or condition in the event of another violation occurring prior to subsequent

7

there. Moreover, in the event any one or more of the covenants, restrictions and conditions herein contained should for any reason be declared invalid, the remaining covenants, restrictions and conditions shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have affixed their hands and seals as of March 1, 1980.

ATTEST:

*William D. Steenson*  
PAUMANOCK DEVELOPMENT CORPORATION  
By *William D. Steenson*, President  
*John O'Brien*  
GRUMMAN AEROSPACE CORPORATION  
By *John O'Brien*, Executive Vice President  
*Frederick E. Dietz, Jr.*  
By *Frederick E. Dietz, Jr.*  
*William Albert Dietz*  
By *William Albert Dietz*  
LONG GREEN ASSOCIATION  
By *William Albert Dietz*, President  
BALDWIN ASSOCIATION  
By *William Albert Dietz*, President  
GREATER KINGSVILLE CIVIL ASSOCIATION, INC.  
By *William Albert Dietz*, President

8



STATE OF NEW YORK, to wit:

I HEREBY CERTIFY, that on this 29 day of May, 1980, before me, the subscriber, a Notary Public of the State of New York, personally appeared WILLIAM B. STENSON, who acknowledged himself to be the President of Pannanock Development Corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF NEW YORK, to wit:

I HEREBY CERTIFY, that on this 29 day of May, 1980, before me, the subscriber, a Notary Public of the State of New York, personally appeared JOHN O'BRIEN, who acknowledged himself to be the Executive Vice President of Grumman Aerospace Corporation, and that he, as such Executive Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as Executive Vice President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 29 day of May, 1980, before me, a Notary Public in and for the State of Maryland, personally appeared FREDERICK E. DIETZ, SR., FREDERICK E. DIETZ, JR. and WILLIAM ALBERT DIETZ known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Agreement, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 29 day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Robert D. Casey, who acknowledged himself to be the President of Long Green Association, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 29 day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Robert D. Casey, who acknowledged himself to be the President of Baldwin Association, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 29 day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Paul Leamon, who acknowledged himself to be the President of the Greater Kingsville Civic Association, Inc., and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

10

exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

#### EXHIBIT I

The following constitutes all of the land owned by Pannanock Development Corporation, a body corporate of the State of New York, in the Eleventh Election District of Baltimore County, Maryland:

1. PARCEL ONE: Being known and designated as Tract "B" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 132, containing 36.903 acres of land, more or less.

2. PARCEL TWO: Being known and designated as Tract "C" as shown on the plat entitled "Plat 'B', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 66.783 acres of land, more or less.

3. PARCEL THREE: Being known and designated as Tract "D" as shown on the plat entitled "Plat 'B', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 38.098 acres of land, more or less.

4. PARCEL FOUR: Being known and designated as Tract "E" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 18.8100 acres of land, more or less.

5. PARCEL FIVE: Being known and designated as Tract "F" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 18.8100 acres of land, more or less.

All of said five parcels, being a portion of the property which by Deed dated January 9, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4840, folio 195 was granted and conveyed by Harry A. Kalish and wife, unto Pannanock Development Corporation, a body corporate of the State of New York, at that time called Hontauk Aero Corporation, in fee simple.

11

The following described parcel of land is owned by Grumman Aerospace Corporation on the east side of Long Green Pike in Glen Arm, Maryland:

6. PARCEL SIX: BEGINNING FOR THE SAME at a stone heretofore set up on the Southeast side of Long Green Branch of the Harford Road and on the dividing line between the land now or formerly belonging to Amos P. McComas and the Shanahan land and running thence, as the magnet now points, North 76 degrees 35 minutes West 21.9 feet to a point at or about the middle of the said road and thence running with and bounding thereon, North 25 degrees 20 minutes East 535.5 feet and thence leaving the middle of the road and running for dividing lines through and across the lands now or formerly belonging to Amos P. McComas, South 30 degrees 20 minutes East 32.2 feet to a stone now set on the Southeast side of the Road and thence, still, South 30 degrees 20 minutes East 285 feet more to a post thence South 29 degrees 30 minutes West, 409 feet to a stone now set up where a post stood in the Shanahan line, and thence running therewith and bounding on the Shanahan line, North 76 degrees 35 minutes West 216 feet to the beginning heretofore, and containing 2.99 acres of land, more or less, as surveyed by Somerville & Somerville, Surveyors, August 21, 1924.

Being a portion of Tract "F" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 45, folio 132.

BEING ALL AND THE SAME property which by Deed dated July 17, 1979, recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6058, folio 583 was granted and conveyed by Bethany Lodge No. 22, I.O.O.F., Inc. to Grumman Aerospace Corporation, a body corporate of the State of New York, in fee simple.

The following described parcel of land is owned by Frederick E. Dietz, Sr., et al. on the north side of Glen Arm Road in Glen Arm, Maryland:

7. PARCEL SEVEN: Being known and designated as Tract "A" as shown on the Plat entitled "Plat 'A', plat showing lands of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation" and "Plat B, plat showing lands Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pannanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folios 132 and 133, respectively, containing 289.916 acres of land, more or less.

BEING a portion of the property which by Deed dated February 1, 1979, recorded among the aforesaid Land Records in Liber E.H.K.Jr. 5398, folio 252 was granted and conveyed by Pannanock Development Corporation to Frederick E. Dietz, Sr., et al.

#### RESTRICTIVE COVENANT AGREEMENT

THIS AGREEMENT dated and entered into this 29 day of May, 1980, by and among GRUMMAN AEROSPACE CORPORATION, a body corporate of the State of New York (hereinafter called "Grumman") and PANNANOCK DEVELOPMENT CORPORATION, a body corporate of the State of New York (hereinafter called "Pannanock"), parties of the first part, FREDERICK E. DIETZ, SR., FREDERICK E. DIETZ, JR., and WILLIAM ALBERT DIETZ (hereinafter collectively called "Dietz"), parties of the second part, and LONG GREEN ASSOCIATION, BALDWIN ASSOCIATION, INC., an incorporated property owners association in Baltimore County, Maryland, (hereinafter called the "Associations"), unincorporated property owners associations in Baltimore County, Maryland, and GREATER KINGSVILLE CIVIC ASSOCIATION, INC., an incorporated property owners association in Baltimore County, Maryland, (hereinafter called the "Associations"), parties of the third part.

WHEREAS, Grumman is the owner of an industrial facility located on a parcel of land on the west side of Long Green Pike in the Eleventh Election District of Baltimore County, Maryland, being more particularly described in a Deed dated July 2, 1969 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5181, folio 700, containing 9.458 acres of land, more or less; and

WHEREAS, Pannanock is the owner of five (5) parcels of land located on the east side of Long Green Pike adjacent to or near the aforesaid industrial facility and described more particularly as Parcels One, Two, Three, Four and Five of Exhibit I attached hereto and made a part hereof; and

WHEREAS, Grumman is the owner of another parcel of land located adjacent to or near the aforesaid industrial facility on the east side of Long Green Pike, said parcel of land being more particularly described as Parcel Six in Exhibit I attached hereto; and

WHEREAS, Grumman and Pannanock are desirous of presently expanding Grumman's industrial facility onto the 14.871 acre parcel described as Parcel Five in Exhibit I and onto the 2.99 acre parcel described as Parcel Six in Exhibit I, and are seeking the reclassification of the zoning on Parcel Four as described in Exhibit I to M. L. (Manufacturing, Light) on the 1980 Comprehensive Zoning Map for Baltimore County for future expansion of Grumman's industrial facility; and

WHEREAS, Grumman & Pannanock have made certain rezoning requests to the Planning Board to be implemented on the 1980 Comprehensive Zoning Maps for Baltimore County and these proceedings are presently before the Planning Board of Baltimore County; and

WHEREAS, the Associations are comprised of many residents and property owners of the area joined together for the purpose of furthering the proper use and amenity of the area known as Long Green Valley, which includes the parcels of land described in Exhibit I owned by Grumman and Pannanock within the overall Baltimore County land use and zoning plans; and

WHEREAS, the Associations desire to place certain restrictions upon the development of the parcels of land described in Exhibit I; and

WHEREAS, Grumman and Pannanock are willing to place certain restrictions upon the development of the parcels of land described in Exhibit I; and

WHEREAS, Dietz is the owner of a tract of land located adjacent to or near the aforesaid industrial facility on the north side of Glen Arm Road, said tract of land being more particularly described as Parcel Seven in Exhibit I attached hereto, and is willing to place certain restrictions upon a portion thereof abutting the parcel of land described as

Parcel Four in Exhibit I attached hereto in order to facilitate attainment of the purposes of the within Agreement; and

WHEREAS, in order to make the covenants, restrictions and conditions contained in this Agreement binding and in full force and effect upon the parcels of land described in Exhibit I and the present and future owners and occupants thereof, the parties have entered into this Agreement in the end and intent that the parties of the first part, their successors and assigns will hold, utilize and hereafter convey or foreclose said property subject to the said covenants, restrictions and conditions contained herein.

NOW, THEREFORE, this Agreement witnesseth, that in consideration of the mutual agreements, covenants, restrictions and conditions herein contained and the sum of Five Dollars (\$5.00) paid by each party to the other and for other good and valuable considerations, the receipt and sufficiency of which is hereby mutually acknowledged, the parties hereby agree to enter into these presents and, in the event of the desired rezoning of Parcel Four of Exhibit I on the 1980 zoning maps aforesaid, to have this Agreement recorded among the Land Records of Baltimore County, and that the covenants, restrictions and conditions shall, with and be binding upon the lands hereinbefore referred to and upon present and all future owners thereof and shall inure to the benefit of each of the parties hereto respectively, their successors, personal representatives and assigns, and be jointly and severally enforceable by the owners of any property within a one (1) mile radius of Parcels One, Two or Three of Exhibit I, as follows:

THE PARTIES OF THE FIRST PART ON BEHALF OF THEMSELVES, AND THEIR SUCCESSORS AND ASSIGNS, AGREE AS FOLLOWS:

1. That no commercial or industrial uses of any kind whatsoever be made of Parcels One, Two and Three of Exhibit I.

Witness my hand and seal this 29 day of May, 1980.

Reg'd for record KEN 21250 10/10/80  
Per Elmer H. Koblitz, Jr. Clerk  
Mail to: Pannanock Development Corp.  
Receipt No. 67-22



2. That all residential dwelling unit density reserved for the benefit of Parcels One, Two and Three of Exhibit I by Paumanock in that certain Deed dated February 1, 1979 from Paumanock to Frederick Earl Dietz, Sr., et al. and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5988, folio 252 and in that certain Agreement dated February 1, 1979 between Frederick Earl Dietz, Sr., et al. and Paumanock which is recorded among the aforesaid Land Records in Liber E.H.K.Jr. No. 5988, folio 258, shall remain with Parcels One, Two and Three of Exhibit I and shall not be reallocated to the property conveyed in aforesaid Deed from Paumanock to Frederick Earl Dietz, Sr., et al.

3. That no building, billboard, or other structure of any kind (excluding fencing) shall be erected on Parcel Four of Exhibit I within one hundred twenty five (125) feet of the north side of Glen Arm Road, and that there shall be no paving for parking or otherwise on Parcel Four of Exhibit I within twenty-five (25) feet of the common property line with Parcel Seven of Exhibit I and within twenty five (25) feet of the north side of Glen Arm Road, except as may be necessary for one (1) access point from Glen Arm Road onto the said Parcel Four - it being the express intent of the parties that the aforesaid strip shall serve as a buffer between industrial uses and residential or agricultural uses on the south side of Glen Arm Road notwithstanding the fact that the M.L. (Manufacturing, Light) zoning line is proposed for the center of the Glen Arm Road.

4. That, if any portion of the land in the northeast quadrant of the intersection of Glen Arm Road and Long Green Pike abutting the south side of Parcels Four and Five of Exhibit I, presently owned or hereafter acquired by Grumman and/or

Paumanock, is used for other than residential purposes, then the restrictions described in Paragraph 3 above shall apply to such land; except that Grumman reserves the right to place an identification sign upon such land adjacent to the said intersection.

5. That no structure erected upon Parcel Four or Parcel Five of Exhibit I, or upon any abutting land which Paumanock and/or Grumman may hereafter acquire, shall have a height in excess of fifty-five (55) feet.

6. That the total floor area of all buildings constructed upon Parcels Four and Five of Exhibit I and on any abutting lands which Paumanock and/or Grumman may hereafter acquire shall not exceed three hundred thousand (300,000) square feet.

7. That Grumman and Paumanock will install landscaping along the north side of Glen Arm Road upon the restricted areas described in Paragraphs 3 and 4 above.

8. That neither Grumman nor Paumanock will seek to reclassify for industrial uses any property hereafter acquired by either of them within a two (2) mile radius of the intersection of Glen Arm Road and Long Green Pike, except (i) the property lying in the northeast quadrant of the intersection of Long Green Pike and Glen Arm Road abutting the south side of Parcels Four and Five of Exhibit I, and (ii) that portion of the parcel of land abutting the north side of Parcel Four of Exhibit I which would be south of the North 58° 35' 11" W 867.17 foot line of the said Parcel Four if the said line were extended to the east edge of Long Green Pike.

9. That, neither Grumman nor Paumanock will seek to change the zoning classification of any property owned by either of them so as to permit any uses other than as presently permitted by the Baltimore County Zoning Regulations in an M.L. (Manufacturing, Light) zone.

10. That these covenants, restrictions and conditions shall run with and be binding upon the Parcels in Exhibit I, in perpetuity and shall inure to the benefit of the Associations and the owners of properties located within a one (1) mile radius of Parcels One, Two and Three of Exhibit I.

11. That, if the 1980 Comprehensive Zoning Map for Baltimore County does not contain a reclassification of all of the parcel of land described as Parcel Four in Exhibit I to M.L. (Manufacturing, Light) upon its effective date, then in that event this Agreement shall thereupon automatically terminate and be null and void and of no further force and effect.

12. That the recording of this instrument and all of the foregoing covenants, restrictions and conditions shall be at the sole cost and expense of Grumman and Paumanock without a contribution of the parties of the third part whatsoever.

THE PARTIES OF THE SECOND PART, ON BEHALF OF THEMSELVES, THEIR HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS, AGREE AS FOLLOWS:

1. That that portion of Parcel Seven of Exhibit I extending for a depth of two hundred (200) feet from the west side of its common property line with Parcel Four of Exhibit I shall not be used for commercial, industrial or residential purposes, but shall only be used for agricultural and open-space purposes, it being intended that the said restricted strip of land shall constitute a buffer area beyond which any further expansion of the industrial uses permitted on Parcel Four shall be prohibited.

2. That the restrictions of Parcel Seven of Exhibit I herein set forth shall run with and bind the said land in perpetuity and shall inure to the benefit of the Associations

and the owners of property within a one (1) mile radius of Parcel Four of Exhibit I.

THE PARTIES OF THE THIRD PART AGREE AS FOLLOWS:

1. That they will consult with the parties of the first part regarding the landscaping on the north side of Glen Arm Road as hereinabove set forth so that said landscaping may be done in a dignified manner compatible with the neighborhood.

2. That they will cooperate with the parties of the first part in their request before the Planning Board and the Baltimore County Council seeking reclassification of Parcel Four of Exhibit I to M.L. (Manufacturing, Light) on the 1980 Comprehensive Zoning Map and agree that the within Agreement will automatically terminate and be null and void and of no further force and effect, and will not be recorded in the event that 1980 Comprehensive Zoning Map for Baltimore County does not contain a reclassification of all of the parcel of land described as Parcel Four in Exhibit I to M.L. (Manufacturing, Light) upon its effective date.

THIS AGREEMENT, which may be signed in counterparts, contains the entire understanding of the parties and each of the parties hereto warrant that they have carefully read and understand this Agreement and are cognizant of the terms hereof and have had ample time to have been fully advised by counsel of their own choosing of their respective rights and obligations with respect to all matters involved in this Agreement.

The failure to enforce any of the covenants, restrictions and conditions herein contained, in any instance, shall in no event constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction or condition in the event of another violation occurring prior to subsequent

thereof. Moreover, in the event any one or more of the covenants, restrictions and conditions herein contained should for any reason be declared invalid, the remaining covenants, restrictions and conditions shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have affixed their hands and seals as of March 1, 1980.

ATTEST:  
By William D. Steenson, President  
PAUMANOCK DEVELOPMENT CORPORATION  
By John O'Brien, Executive Vice President  
GRUMMAN AEROSPACE CORPORATION  
By Frederick E. Dietz, Sr.  
By Frederick E. Dietz, Jr.  
By William Albert Dietz  
LONG GREEN ASSOCIATION  
By Frederick E. Dietz, Jr.  
BALDWIN ASSOCIATION  
By Frederick E. Dietz, Jr.  
GREATER KINGSVILLE CIVIC ASSOCIATION, INC.  
By Frederick E. Dietz, Jr.

STATE OF NEW YORK, to wit:

I HEREBY CERTIFY, that on this 1st day of May, 1980, before me, the subscriber, a Notary Public of the State of New York, personally appeared WILLIAM D. STEENSON, who acknowledged himself to be the President of Paumanock Development Corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF NEW YORK, to wit:

I HEREBY CERTIFY, that on this 1st day of May, 1980, before me, the subscriber, a Notary Public of the State of New York, personally appeared JOHN O'BRIEN, who acknowledged himself to be the Executive Vice President of Grumman Aerospace Corporation, and that he, as such Executive Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as Executive Vice President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 1st day of May, 1980, before me, a Notary Public in and for the State aforesaid, personally appeared FREDERICK E. DIETZ, SR., FREDERICK E. DIETZ, JR. and WILLIAM ALBERT DIETZ known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Agreement, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 1st day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared ROBERT D. CASEY, who acknowledged himself to be the President of Baldwin Association, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 1st day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared ROBERT D. CASEY, who acknowledged himself to be the President of Baldwin Association, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, that on this 1st day of May, 1980, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared PAUL LEZAR, who acknowledged himself to be the President of the Greater Kingsville Civic Association, Inc., and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as President, and he did further certify that the conveyance is not part of a transaction in which there is a sale, lease, exchange or transfer of all or substantially all of the property and assets of said Grantor Corporation.



The following constitutes all of the land owned by Paumanock Development Corporation, a body corporate of the State of New York, in the Eleventh Election District of Baltimore County, Maryland:

\* 1. **PARCEL ONE:** Being known and designated as Tract "B" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pamanock Development Corporation", which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 45, folio 132, containing 36.3903 acres of land, more less.

2. PARCEL TWO: Being known and designated as Tract "C" as shown on the plat entitled "Plat 'B', Plat Showing Lands of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pusanock Development Corporation," which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.Kr. Jr. No. 45, folio 133, containing 46.783 acres of land, more or less.

3. PARCEL THREE: Being known and designated as Tract "D" as shown on the plat entitled "Plat 'B', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Paumanok Development Corporation," which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 58.098 acres of land, more or less.

4. PARCEL FOUR: Being known and designated as Tract "E" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr. et al., Grumman Aerospace Corporation, Pamanock Development Corporation," which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 45, folio 133, containing 18.8100 acres of land, more or less.

5. **PARCEL FIVE:** Being known and designated as Tract "F" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr., et al., Grumman Aerospace Corporation, Pumaconk Development Corporation", which plat is recorded in the Baltimore County Office of the Clerk of the Circuit Court, E.H.H. Jr. No. 45, folio 10, and therefrom. Said Tract "F", however, all that portion of Tract "F" which is owned by Grumman Aerospace Corporation by virtue of a Deed from Bethany Lodge No. 22, I.O.O.F., Inc., and recorded among the Land Records of the Baltimore County Office of the Clerk of the Circuit Court, E.H.H. Jr. No. 583, dated July 17, 1979, Pumaconk's remaining portion of Tract "F" containing approximately 14.871 acres, more or less.

All of said five parcels, being a portion of the property which by Deed dated January 9, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4840, folio 195 was granted and conveyed by Harry A. Kalish and wife, unto Pumaanock Development Corporation, a body corporate of the State of New York, at that time called Montauk Aero Corporation, in fee simple.

The following described parcel of land is owned by Grumman Aerospace Corporation on the east side of Long Green Pike in Glen Arm, Maryland:

6. PARCEL SIX: BEGINNING FOR THE SAME at a stone heretofore set up on the Southeast side of Long Green Branch of the Harford Road and on the dividing line between the land now or formerly belonging to Amos P. McComas and the Shanahan land and running thence, as the magnet now points, about 76 degrees South 29 degrees 30 minutes West about 285 feet to the middle of the said road and thence running with and bounding thence, North 25 degrees 20 minutes East 635.5 feet and thence leaving the middle of the road and running for dividing lines through and across the lands now or formerly belonging to Amos P. McComas, South 30 degrees 20 minutes East 409 feet to a stone heretofore set up on the Southeast side of the Road and thence, still, South 30 degrees 20 minutes East 285 feet more to a post thence South 29 degrees 30 minutes West, 409 feet to a stone now set up where a post stood in the Shanahan line, and thence running therewith and bounding on the same, North 25 degrees 20 minutes East 635.5 feet to the beginning hereof, and containing 2.99 acres of land, more or less, as surveyed by Somerville & Somerville, Surveyors, August 21, 1924.

Being a portion of Tract "F" as shown on the plat entitled "Plat 'A', Plat Showing Lands Of Frederick E. Dietz, Sr., et al., Grumman Aerospace Corporation, Paumanock Development Corporation", which plat is recorded among The Land Records of Baltimore County in Liber E.H.K.Jr. No. 45, folio 132.

BEING ALL AND THE SAME property which by Deed dated July 17, 1979, recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6058, folio 583 was granted and conveyed by Bethany Lodge No. 22, I.O.O.F., Inc. to Grumman Aerospace Corporation, a body corporate of the State of New York, in fee simple.

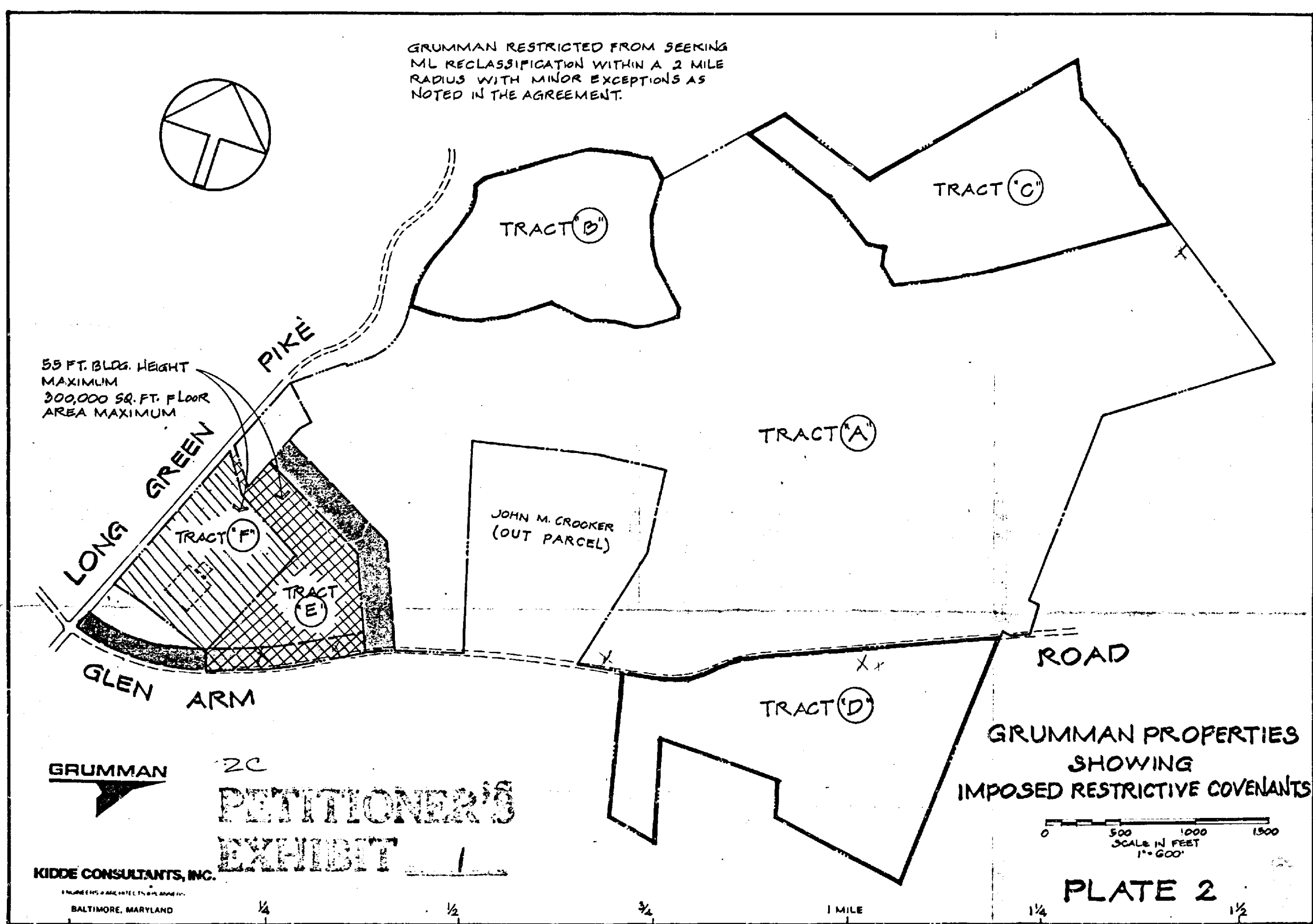
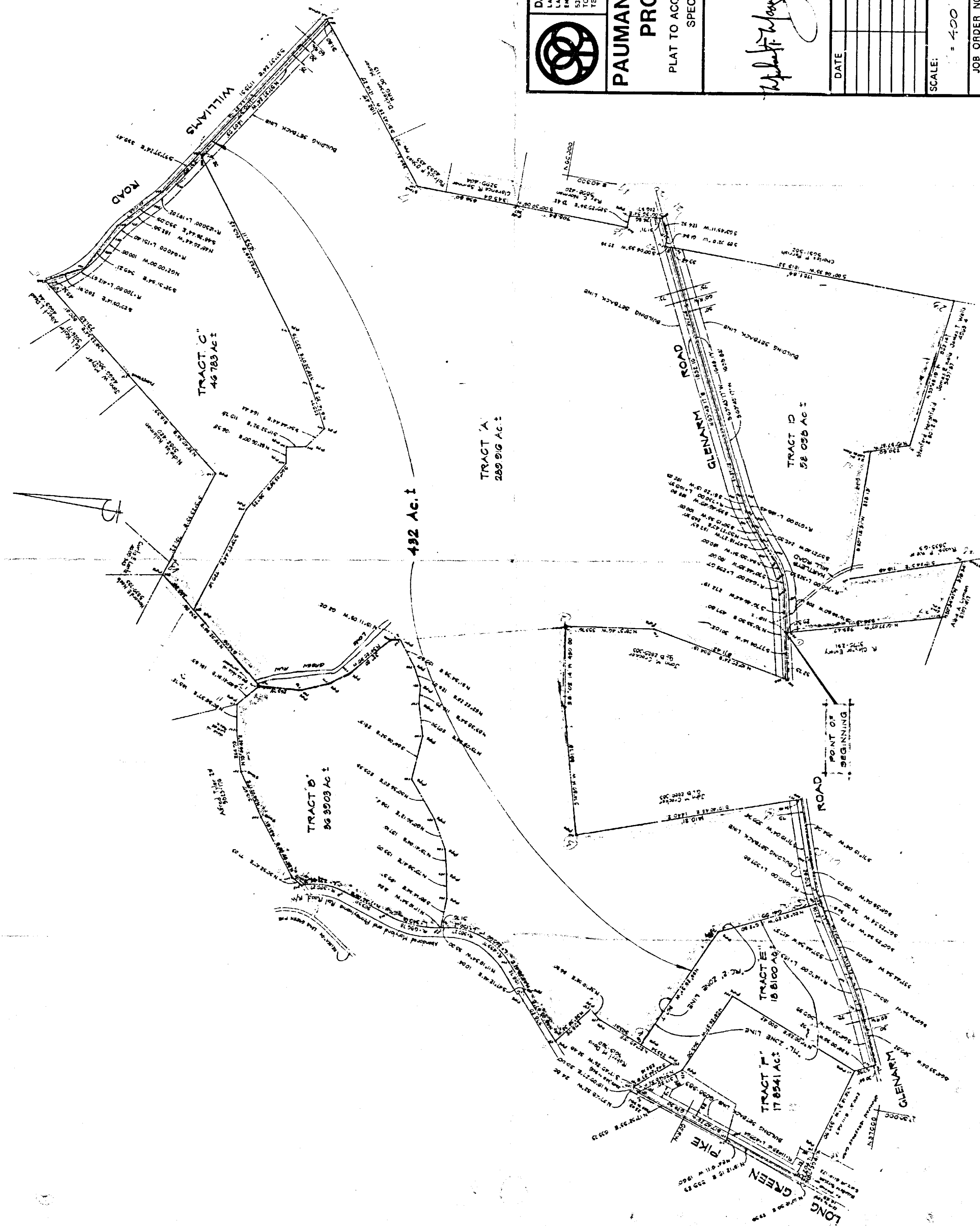
The following described parcel of land is owned by Frederick E. Dietz, Sr., et al. on the north side of Glen Arm Road in Glen Arm, Maryland

\* 7. PARCEL SEVEN: Being known and designated as Tract "A" as shown on the Plats entitled "Flat A, plat showing lands of Frederick E. Dietz, Sr., et al., Grumman Aerospace Corporation, Paumanock Development Corporation" and "Flat B, plat showing lands Frederick E. Dietz, Sr., et al., Grumman Aerospace Corporation, Paumanock Development Corporation", which plat are on file in the Office of the Register of Deeds for York County in Book E.H.K.Jr. No. 45, folios 132 and 133, respectively, containing 289.916 acres of land, more or less.

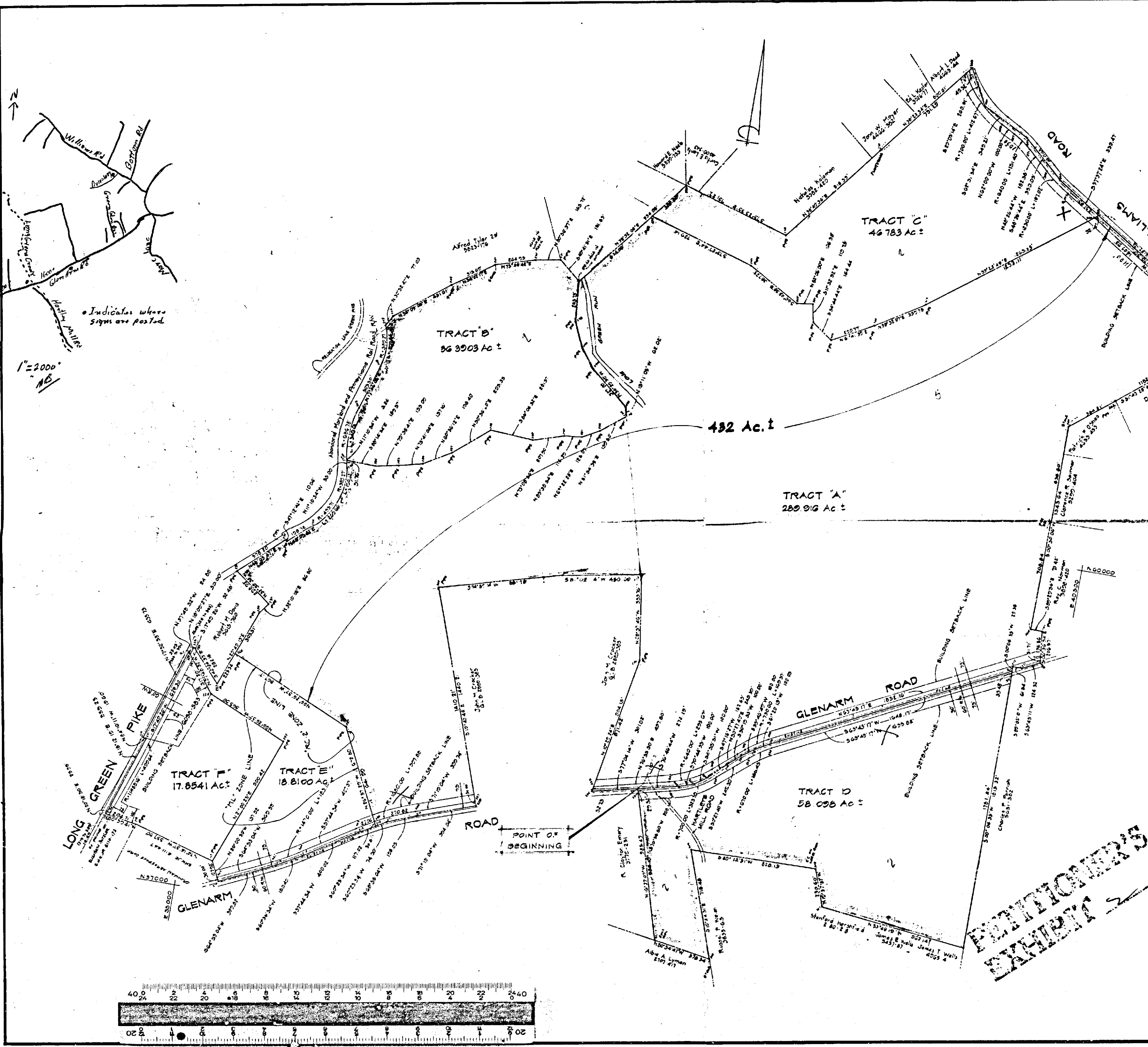
BEING a portion of the property which by Deed dated February 1, 1979, recorded among the aforesaid Land Recr's in Liber E.H.K.Jr. 5398, folio 252 was granted and conveyed by Paumanock Development Corporation to Frederick E. Dietz, Sr., et al.

724444 2020512 03-4-22  
1374444 2020512 03-4-22

Rec'd for record LHM 7-21-20 at 10:45  
 Per Elmer H. Kahlin, Jr., Clerk  
 Mail to Clark, David  
 Receipt No. 6722







DAFT · McCUNE · WALKER · INC.  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
530 EAST JOPPA ROAD  
TOWSON, MD 21204  
TELEPHONE 301-296-3333

# PAUMANOCK & DIETZ PROPERTIES 76-8-S-74

PLAT TO ACCOMPANY REQUEST FOR  
SPECIAL HEARING

*W. Paumanock & Dietz*

| DATE | REVISIONS |
|------|-----------|
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |

SCALE:

1" = 400'

JOB ORDER NO.

82009

ISSUE DATE

April 16, 1985

315

X-4

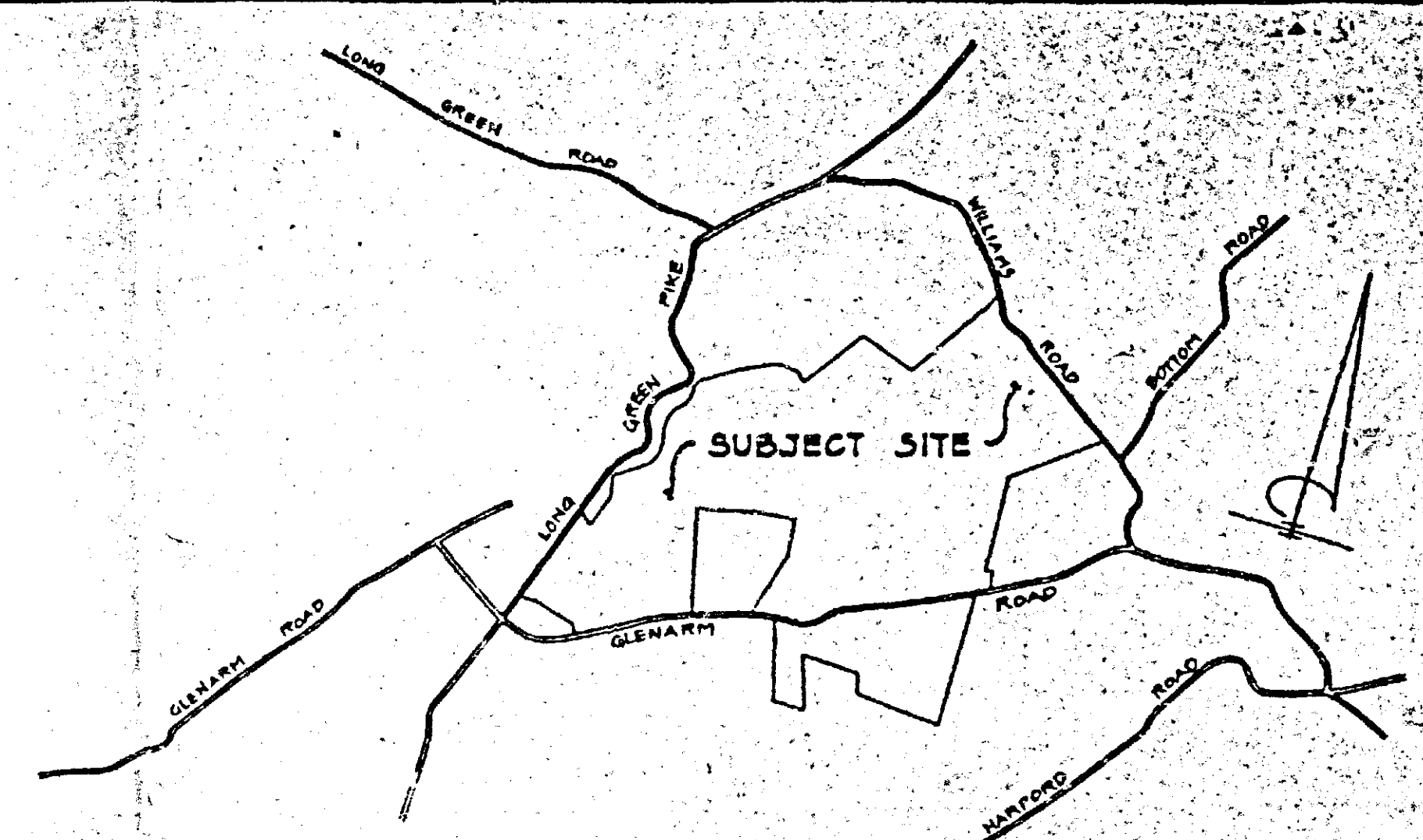


| COORDINATES |          |          |     |          |          |
|-------------|----------|----------|-----|----------|----------|
| NO          | NORTH    | EAST     | NO  | NORTH    | EAST     |
| 205         | 59484.00 | 37668.50 | 238 | 59864.10 | 35645.66 |
| 206         | 59413.89 | 37223.89 | 239 | 59915.17 | 35633.62 |
| 207         | 59183.46 | 36372.21 | 242 | 60263.02 | 35655.33 |
| 208         | 59629.39 | 36857.21 | 243 | 60551.58 | 35748.73 |
| 210         | 57703.17 | 36483.53 | 245 | 60822.53 | 35736.56 |
|             |          |          |     |          |          |
| 211         | 57632.09 | 36259.07 | 246 | 60889.04 | 35776.49 |
| 212         | 57598.13 | 36233.93 | 248 | 61153.87 | 36117.31 |
| 213         | 57537.39 | 36132.15 | 249 | 61330.23 | 36379.15 |
| 214         | 57323.52 | 35793.63 | 250 | 61404.98 | 36633.33 |
| 215         | 57235.40 | 35636.66 | 251 | 61431.07 | 36756.59 |
|             |          |          |     |          |          |
| 216         | 57069.55 | 35283.69 | 252 | 61513.36 | 36833.51 |
| 217         | 57103.20 | 35223.21 | 252 | 58034.47 | 35545.59 |
| 218         | 57345.39 | 34686.27 | 253 | 58104.83 | 35928.92 |
| 219         | 57378.61 | 34484.28 | 254 | 55009.36 | 35825.10 |
| 220         | 57004.15 | 34637.12 | 255 | 55036.88 | 35975.70 |
|             |          |          |     |          |          |
| 221         | 57852.13 | 34774.81 | 256 | 55575.74 | 36127.58 |
| 222         | 57857.64 | 36647.10 | 257 | 60073.12 | 36300.84 |
| 223         | 58073.15 | 34552.32 | 258 | 60260.57 | 36529.08 |
| 224         | 58260.59 | 35027.24 | 259 | 60241.49 | 36810.00 |
| 225         | 58401.51 | 34846.02 | 260 | 60301.77 | 37008.97 |
|             |          |          |     |          |          |
| 226         | 58339.02 | 34863.60 | 261 | 60314.64 | 37124.55 |
| 227         | 58330.60 | 35053.89 | 262 | 60372.63 | 37235.36 |
| 228         | 58541.32 | 35133.99 | 263 | 60465.76 | 37354.16 |
| 229         | 58825.01 | 35241.87 | 264 | 60495.80 | 37392.61 |
| 230         | 58893.25 | 35295.51 | 265 | 60555.75 | 37376.36 |
|             |          |          |     |          |          |
| 231         | 59073.15 | 35056.79 | 266 | 60764.27 | 37123.40 |
| 232         | 59325.74 | 35338.27 | 267 | 60888.19 | 37032.20 |
| 233         | 59318.02 | 35343.64 | 268 | 61048.93 | 36939.59 |
| 234         | 59451.64 | 35493.54 | 314 | 57906.14 | 34637.62 |
| 236         | 59676.38 | 35636.43 | 315 | 5831.18  | 34832.76 |
|             |          |          |     |          |          |
| 342         | 57253.70 | 35605.00 | 367 | 57400.25 | 34907.49 |
| 343         | 57090.91 | 35270.53 | 368 | 57672.43 | 34670.69 |
| 344         | 57341.52 | 35763.33 | 369 | 57376.26 | 34458.58 |
| 345         | 57338.81 | 36112.04 | 371 | 58471.72 | 34863.35 |
| 346         | 57722.60 | 36468.42 | 372 | 58521.68 | 34879.44 |
|             |          |          |     |          |          |
| 336         | 57622.50 | 36210.56 |     |          |          |
| 240         | 59018.35 | 35635.00 |     |          |          |

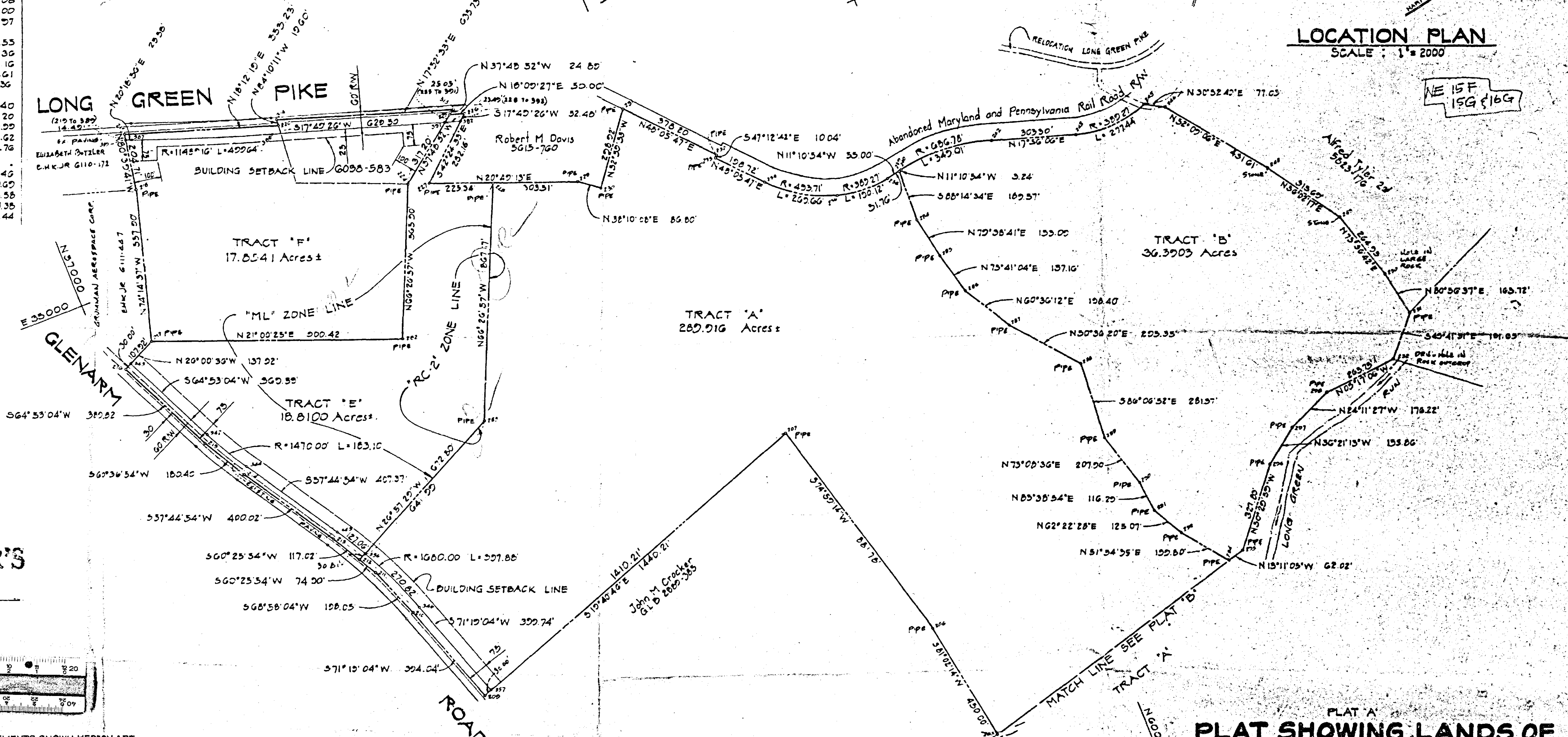
| CURVE DATA |     |           |         |           |         |                     |
|------------|-----|-----------|---------|-----------|---------|---------------------|
| FROM       | TO  | RADIUS    | LENGTH  | Δ         | TAN     | CHORD               |
| 234        | 236 | 493.71'   | 260.66' | 31°17'40" | 138.25' | N32°20'57"E 266.32' |
| 236        | 238 | 388.27'   | 190.12' | 27°55'01" | 97.00'  | N02°42'37"E 188.74' |
| 240        | 242 | 686.70'   | 342.01' | 20°07'00" | 178.36' | N03°22'30"E 345.27' |
| 243        | 245 | 380.27'   | 277.44' | 40°50'10" | 144.91' | N02°28'50"W 271.61' |
| 367        | 368 | 11482.16' | 450.64' | 02°22'30" | 240.86' | N10°04'11"E 452.60' |
|            |     |           |         |           |         |                     |
| 342        | 344 | 1470.00'  | 183.09' | 07°08'10" | 91.66'  | N6°18'59"E 182.97'  |
| 343        | 346 | 1380.00'  | 357.88' | 13°34'10" | 192.85' | N6°43'55"E 366.55'  |
| 345        | 356 | 1680.00'  | 127.86' | 04°28'00" | 63.56'  | N3°34'54"E 127.03'  |
| 356        | 346 | 1680.00'  | 270.81' | 09°14'10" | 135.70' | N66°41'39"E 270.52' |

# DENSITY CALCULATIONS

- TOTAL AREA OF PROPERTY = 467.854 AC.
- EXISTING ZONING OF PROPERTY: ML - 36.664 AC.  
RC-2 - 431.1873 AC.
- DENSITY CALCULATIONS RC-2 AREA
  - GROSS RESIDENTIAL AREA: 431.1873 AC.
  - NUMBER OF DENSITY UNITS PERMITTED: 13  
(TRACT A: 5, TRACT B: 2, TRACT C: 2, TRACT D: 4)
  - NUMBER OF DENSITY UNITS PROPOSED: 13



LOCATION PLAN  
SCALE: 1"=2000'



PETITIONER'S  
EXHIBIT 3



NOTE:

- HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY MARYLAND. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
- STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ALLOWED, THEIR HEIRS AND ASSIGNS.
- THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY BILL 36-92, SEC. 22-68.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

- THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
- THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.

- DENSITY UNITS MAY BE TRANSFERRED BETWEEN RESIDENTIAL TRACTS WITHOUT RESTRICTION.
- SURVEY INFORMATION BASED ON SURVEY BY GERMOLD, CROSS AND ETZEL AND PREVIOUSLY RECORDED PLATS E.L.K. JR. 45/132-133 BY KIDDE CONSULTANTS, INC.

## OWNERS CERTIFICATE:

THE REQUIREMENTS OF SECTION 72-B, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND (PLAC 1947 SUPPLEMENT) AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT HAVE BEEN COMPLIED WITH.

*Frederick E. Dietz, Jr.*  
GRUMMAN AEROSPACE CORP.  
12/13/82  
DATE

*William A. Dietz*  
WILLIAM A. DIETZ  
11/19/82  
DATE

## SURVEYORS CERTIFICATE:

I, EDMUND F. HAILE, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT, AND THE PLAT THEREOF PREPARED, IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL 445, CHAPTER 1016 OF THE ACTS OF 1943 AND SUBSEQUENT AMENDATORY ACTS.

*Edmund F. Haile*  
REGISTERED LAND SURVEYOR: NO. 9510  
10/5/82  
DATE

## PLAT SHOWING LANDS OF

FREDERICK E. DIETZ SR. ET AL.  
GRUMMAN AEROSPACE CORPORATION  
PAUMANOCK DEVELOPMENT CORPORATION

11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=200' SEPTEMBER 24, 1982



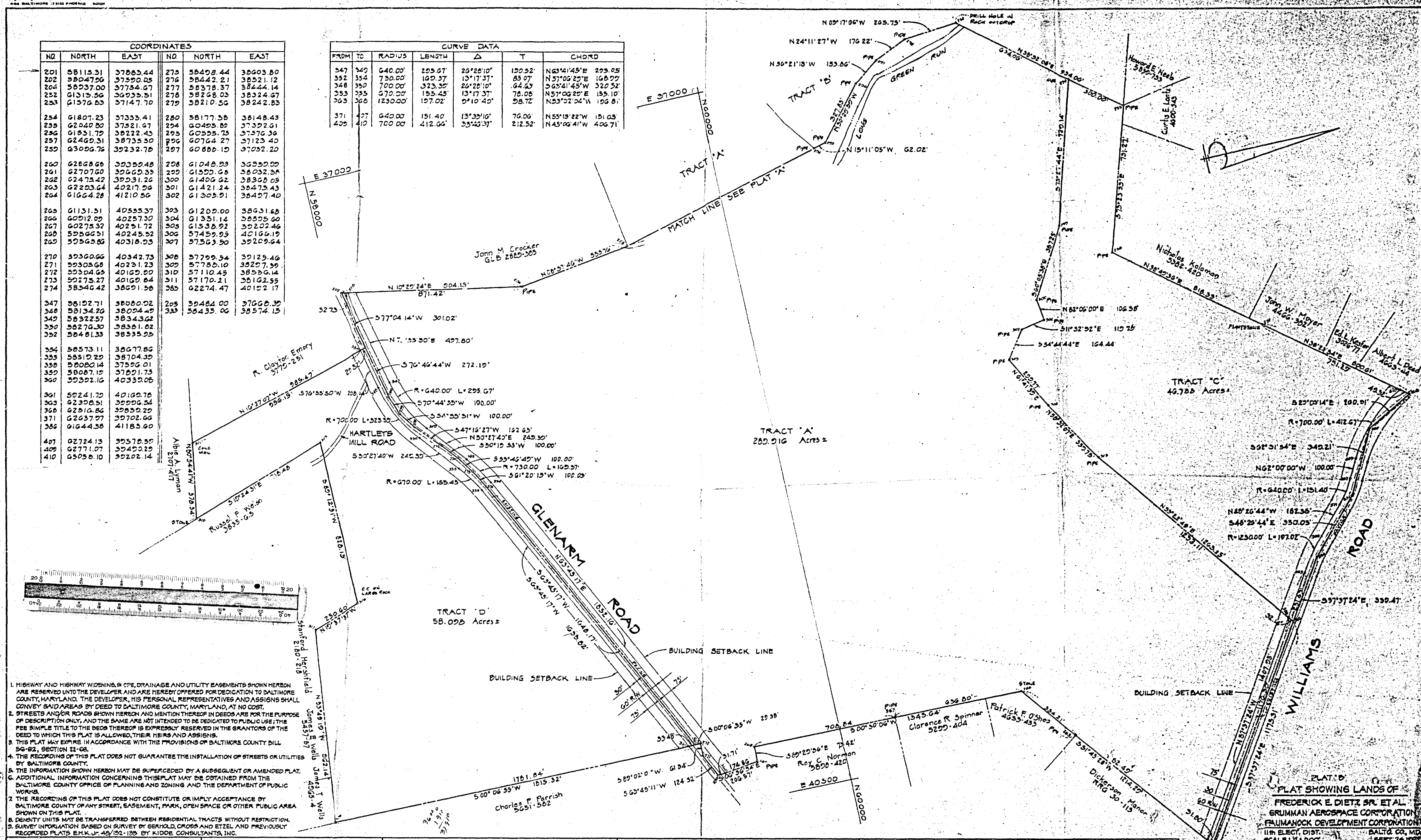
## DAFT-McCUNE-WALKER, INC.

LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
331 E. JOPPA ROAD  
TOWSON, MD 21204  
TELEPHONE (410) 284-3333

COMPUTED: DRAWN: CHECKED: 10/5/82

DATE: DIRECTOR OF PLANNING AND ZONING DATE: DIRECTOR OF PUBLIC WORKS





| COORDINATES |          |          |     |          |          |
|-------------|----------|----------|-----|----------|----------|
| NQ          | NORTH    | EAST     | NQ  | NORTH    | EAST     |
| 201         | 58115.31 | 37863.44 | 275 | 58458.44 | 38603.80 |
| 202         | 58047.06 | 37590.05 | 276 | 58442.21 | 38521.12 |
| 203         | 58037.00 | 37754.67 | 277 | 58378.37 | 38424.14 |
| 204         | 61315.56 | 36935.51 | 278 | 58268.03 | 38324.67 |
| 205         | 61376.63 | 37147.70 | 279 | 58210.56 | 38242.83 |
| 254         | 61807.23 | 37333.41 | 280 | 58177.58 | 38148.43 |
| 255         | 62040.80 | 37321.67 | 281 | 60455.89 | 37352.61 |
| 256         | 61831.79 | 38222.43 | 282 | 60555.75 | 37376.36 |
| 257         | 62460.31 | 38735.30 | 283 | 60764.27 | 37123.40 |
| 258         | 63006.76 | 39232.78 | 284 | 60886.10 | 37032.20 |
| 260         | 62868.66 | 39355.48 | 286 | 61048.23 | 36950.00 |
| 261         | 62707.00 | 39665.33 | 287 | 61555.68 | 36832.36 |
| 262         | 62475.42 | 39531.26 | 288 | 61406.62 | 36800.00 |
| 263         | 62253.64 | 40217.56 | 289 | 61421.24 | 36473.43 |
| 264         | 61664.28 | 41210.56 | 290 | 61303.91 | 36457.40 |
| 265         | 61131.51 | 40535.37 | 291 | 61200.00 | 36431.60 |
| 266         | 60912.09 | 40257.30 | 292 | 61351.14 | 36355.60 |
| 267         | 60275.32 | 40251.72 | 293 | 61538.92 | 36202.46 |
| 268         | 59566.51 | 40245.52 | 294 | 57459.95 | 40166.19 |
| 269         | 59566.86 | 40318.53 | 295 | 57563.50 | 39209.64 |
| 270         | 59360.66 | 40342.73 | 296 | 57799.54 | 39125.46 |
| 271         | 59305.68 | 40231.23 | 297 | 57786.10 | 38257.59 |
| 272         | 59304.65 | 40169.00 | 298 | 57110.45 | 38536.14 |
| 273         | 59275.27 | 40169.64 | 299 | 57170.21 | 38162.55 |
| 274         | 58346.42 | 38691.56 | 300 | 62274.47 | 40152.17 |
| 347         | 58152.71 | 38080.02 | 301 | 58484.00 | 37666.30 |
| 348         | 58134.26 | 38004.49 | 302 | 58433.06 | 38574.15 |
| 349         | 58322.57 | 38343.62 |     |          |          |
| 350         | 58276.30 | 38361.62 |     |          |          |
| 351         | 58481.33 | 38335.25 |     |          |          |
| 352         |          |          |     |          |          |
| 353         | 58573.11 | 38677.86 |     |          |          |
| 354         | 58512.29 | 38704.30 |     |          |          |
| 355         | 58080.14 | 37596.01 |     |          |          |
| 356         | 58087.19 | 37691.73 |     |          |          |
| 357         | 58392.16 | 40332.06 |     |          |          |
| 358         |          |          |     |          |          |
| 359         | 59241.70 | 40169.76 |     |          |          |
| 360         | 62356.51 | 39596.54 |     |          |          |
| 361         | 62316.86 | 39555.29 |     |          |          |
| 362         | 62377.77 | 39702.66 |     |          |          |
| 363         | 61644.58 | 41183.60 |     |          |          |
| 401         | 62724.13 | 39576.59 |     |          |          |
| 402         | 62771.07 | 39492.29 |     |          |          |
| 403         | 63036.10 | 39202.14 |     |          |          |

- HIGHWAY AND HIGHWAY WIDENING, EASEMENTS AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED TO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
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- THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY BILL 56-82, SECTION 22-08.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- THE INFORMATION SHOWN HEREON MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
- THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
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- SURVEY INFORMATION BASED ON SURVEY BY GERHOLD, CROSS AND ETZEL AND PREVIOUSLY RECORDED PLATS E.H.K.J.F. 48/192-135 BY KIDDE CONSULTANTS, INC.

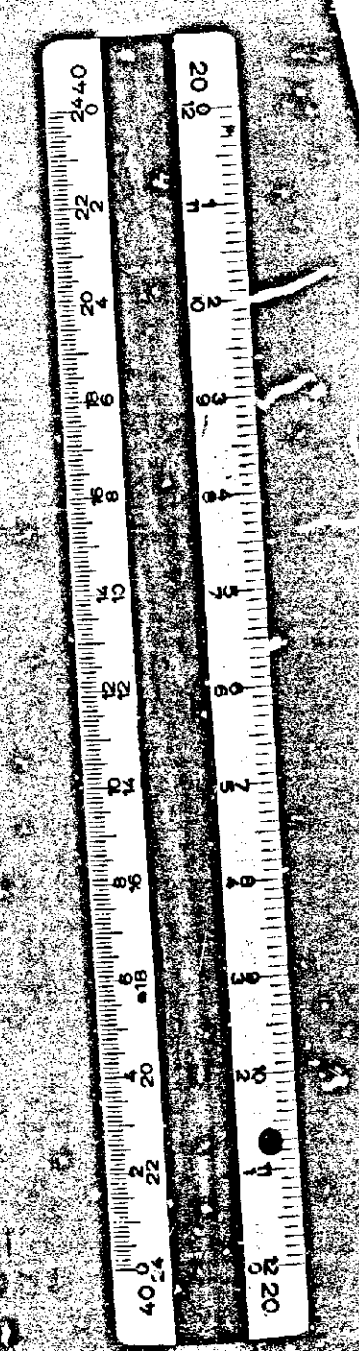
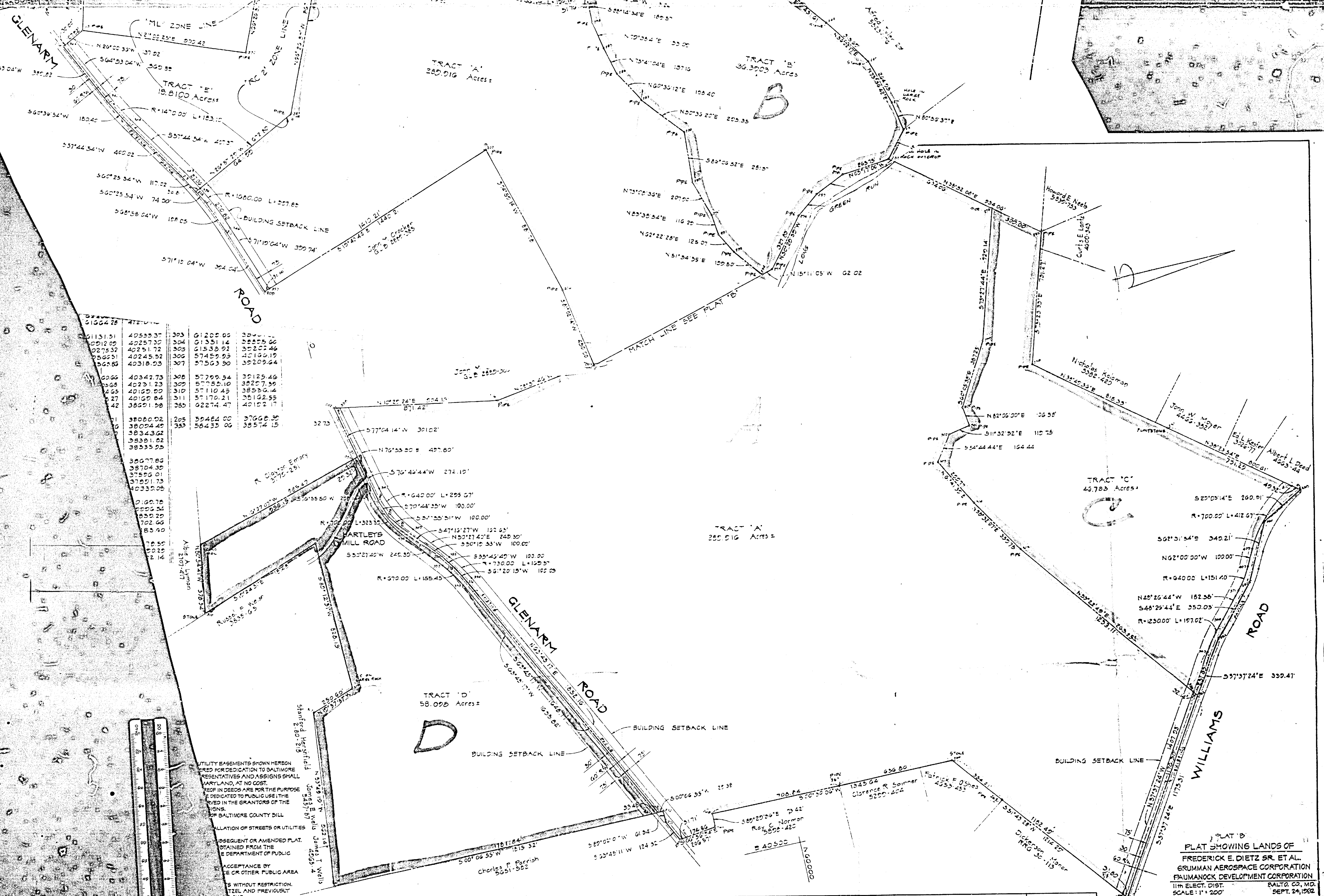
|                                            |                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPROVED:                                  | NOTE:                                                                                                                                                                                                                                                                                                               | OWNERS CERTIFICATE:                                                                                                                                                                                                                            | SURVEYORS CERTIFICATE:                                                                                                                                                                                                                                                                                                                                                                        |
| DATE: DEPUTY STATE & COUNTY HEALTH OFFICER | COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:<br>11703 N 56873.15 E 34646.27<br>11704 N 57241.12 E 25618.32<br>Frederick E. Dietz Sr.<br>Frederick E. Dietz Jr. | THE REQUIREMENTS OF SECTION 72-D, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, (PLAC 1247 SUPPLEMENT) AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT HAVE BEEN COMPLIED WITH.<br>Edmund F. Haile<br>Edmund F. Haile<br>Edmund F. Haile | I, EDMUND F. HAILE, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT, AND THE PLAT THEREOF I'VE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL 4489, CHAPTER 1016 OF THE ACTS OF 1945 AND SUBSEQUENT AMENDATORY ACTS.<br>Edmund F. Haile<br>Edmund F. Haile |
| DATE: DIRECTOR OF PLANNING AND ZONING      | DATE: DIRECTOR OF PUBLIC WORKS                                                                                                                                                                                                                                                                                      | DATE: 12/13/82                                                                                                                                                                                                                                 | DATE: 10/5/82                                                                                                                                                                                                                                                                                                                                                                                 |
| DATE: 11/6/82                              |                                                                                                                                                                                                                                                                                                                     | DATE: 11/19/82                                                                                                                                                                                                                                 | DATE: 10/5/82                                                                                                                                                                                                                                                                                                                                                                                 |

DAVID MCCUNE-WALKER, INC.

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ENGINEERS

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TOWSON, MD 21204  
TELEPHONE: (410) 286-3333





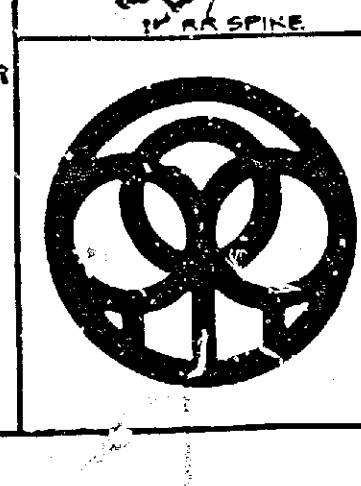
UTILITY EASEMENTS SHOWN HEREON  
FOR DEDICATION TO BALTIMORE  
COUNTY METROPOLITAN DISTRICT AND ARE  
MAINTAINED AT NO COST.  
IF IN DEEDS ARE FOR THE PURPOSE  
OF DEDICATED TO PUBLIC USE, THE  
EASEMENTS IN THE GRANTORS OF THE  
LANDS.  
OF BALTIMORE COUNTY DILL  
ALLIGATION OF STREETS OR UTILITIES  
SUBSEQUENT OR AMENDED PLAT,  
OBTAINED FROM THE  
DEPARTMENT OF PUBLIC  
ACCEPTANCE BY  
THE OR OTHER PUBLIC AREA  
WITHOUT RESTRICTION  
INTEL AND PREVIOUSLY  
INC.  
PROVED:

DEPUTY STATE & COUNTY HEALTH OFFICER  
DIRECTOR OF PUBLIC WORKS

NOTE:  
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE  
REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN  
THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE  
BASED ON THE FOLLOWING TRAVELER STATIONS.  
11703 N 56°13'15" E 34846.27  
11704 N 52°1'13" E 35818.28  
Frederick E. Dietz Sr.  
Frederick E. Dietz Jr.  
11/13/82  
11/13/82  
DATE

OWNERS CERTIFICATE:  
THE REQUIREMENTS OF SECTION 72-2, ARTICLE 17 OF THE  
ANNOTATED CODE OF MARYLAND, (PLACED 1947 SUPPLEMENT)  
AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT  
HAVE BEEN COMPLIED WITH.  
Grumman Aerospace Corp.  
Grumman Aerospace Corp.  
11/13/82  
DATE

SURVEYORS CERTIFICATE:  
I, EDMUND F. HAILE, A REGISTERED LAND SURVEYOR OF THE  
STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN  
HEREON HAS BEEN LAID OUT, AND THE PLAT THEREOF PREPARED  
IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO  
THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL 450, CHAPTER  
1016 OF THE ACTS OF 1945 AND SUBSEQUENT AMENDATORY ACTS.  
Edmund Haile  
REGISTERED LAND SURVEYOR: NO. 5010  
10/15/82  
DATE



PLAT 'B'  
PLAT SHOWING LANDS OF  
FREDERICK E. DIETZ SR. ET AL.  
GRUMMAN AEROSPACE CORPORATION  
FAUMANOCK DEVELOPMENT CORPORATION  
11th ELEC. DIST. BALTO. CO., MD.  
SCALE: 1" = 200' SEPT. 24, 1982  
DAFT-McCUNE-WALKER, INC.  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
530 E. JORDAN ROAD  
TOWSON, MD 21204  
TELEPHONE: (301) 273-3333  
COMPUTED: DRAWN: CHECKED:  
J.G. NO. 82-002-A



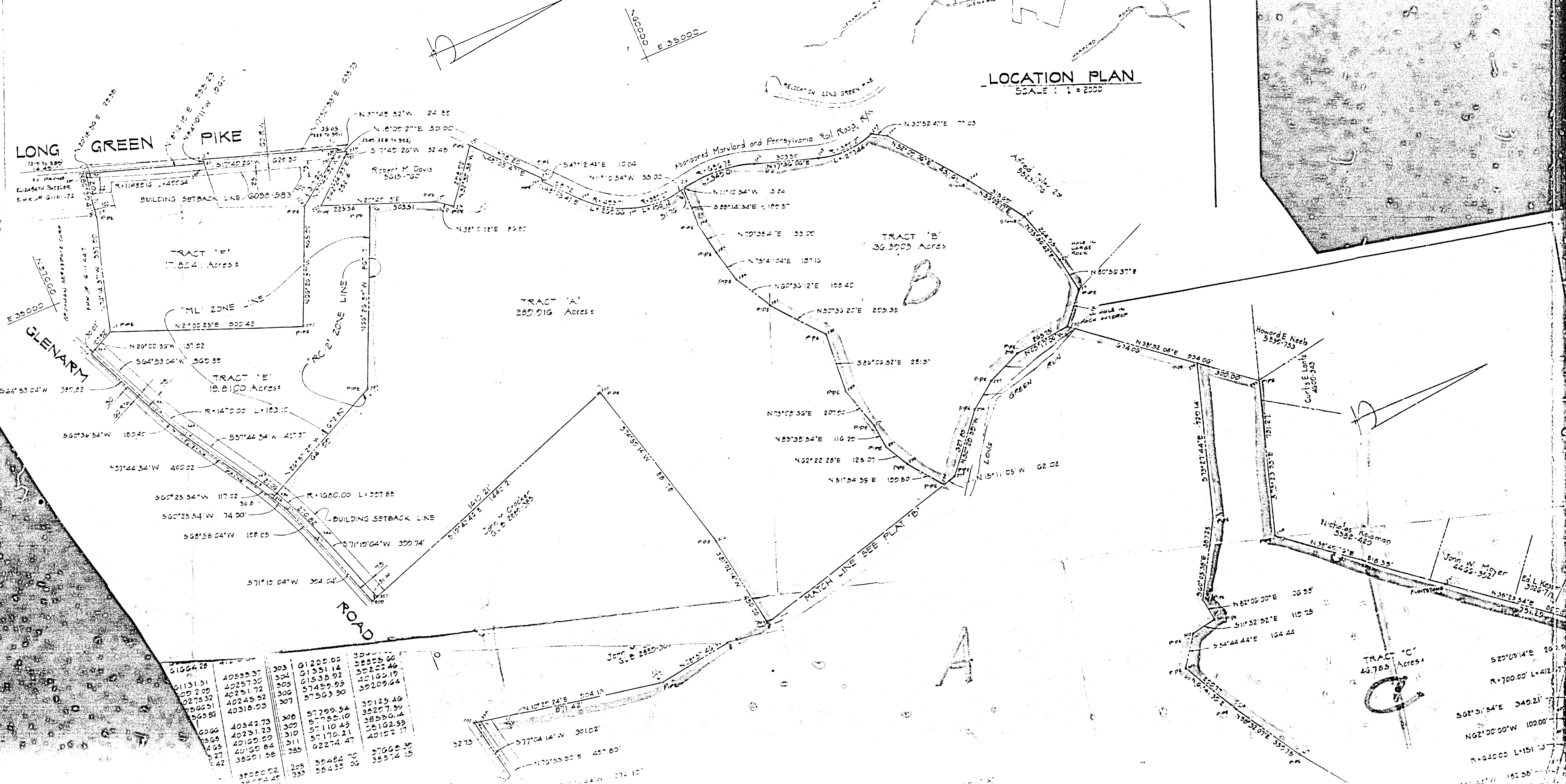
# DENSITY CALCULATIONS

1. TOTAL AREA OF PROPERTY - 467.8514 AC.
2. EXISTING ZONING OF PROPERTY: ML - 36.6641 AC.  
RC-2 - 431.1873 AC.
3. DENSITY CALCULATIONS RC-2 AREA  
A. GROSS RESIDENTIAL AREA: 431.1873 AC.  
B. NUMBER OF DENSITY UNITS PERMITTED: 13  
(TRACT A: 5, TRACT B: 2, TRACT C: 2, TRACT D: 4)  
C. NUMBER OF DENSITY UNITS PROPOSED: 13

Petitioners Ex. #1

## LOCATION PLAN SCALE: 1" = 2000'

| CURVE DATA |     |          |        |           |        |                    |
|------------|-----|----------|--------|-----------|--------|--------------------|
| FROM       | TO  | RADIUS   | LENGTH | Δ         | TAN    | CHORD              |
| 234        | 235 | 493.71   | 200.00 | 31°17'40" | 135.25 | N32°20'57"E 250.32 |
| 235        | 236 | 345.27   | 100.12 | 20°55'01" | 57.00  | N02°48'37"E 185.74 |
| 236        | 237 | 685.76   | 345.00 | 20°01'00" | 175.30 | N03°22'35"E 345.27 |
| 243        | 244 | 385.27   | 177.44 | 40°55'01" | 44.5   | N02°28'55"W 271.61 |
| 247        | 248 | 11450.15 | 450.04 | 02°25'30" | 240.84 | N10°04'11"E 400.00 |
| 342        | 343 | 1470.00  | 103.00 | 07°05'10" | 01.46  | N0°18'50"E 102.97  |
| 343        | 344 | 1200.00  | 357.64 | 13°34'01" | 150.5  | N04°3'55"E 305.05  |
| 345        | 346 | 1685.00  | 127.06 | 04°20'00" | 63.50  | N50°34'54"E 127.03 |
| 356        | 346 | 1685.00  | 270.81 | 09°14'16" | 35.76  | N22°4'35"E 270.51  |



| EAST |          |
|------|----------|
| 10   | 35645.66 |
| 11   | 35635.62 |
| 12   | 35655.33 |
| 13   | 35748.73 |
| 14   | 35735.56 |
| 24   | 35776.45 |
| 25   | 35773    |
| 26   | 35775.15 |
| 27   | 35633.33 |
| 28   | 35756.50 |
| 36   | 35633.5  |
| 37   | 35545.50 |
| 38   | 35928.52 |
| 39   | 35825.10 |
| 40   | 35575.10 |
| 74   | 35727.98 |
| 75   | 36300.84 |
| 76   | 35525.08 |
| 77   | 36810.00 |
| 78   | 37008.57 |
| 79   | 37124.55 |
| 80   | 37235.36 |
| 81   | 37334.16 |
| 82   | 37522.61 |
| 83   | 37376.36 |
| 84   | 37123.40 |
| 85   | 37032.20 |
| 86   | 36930.00 |
| 87   | 34537.52 |
| 88   | 34832.76 |
| 25   | 34507.45 |
| 26   | 34670.05 |
| 27   | 34458.56 |
| 28   | 34833.33 |
| 29   | 34870.44 |

|     |          |          |
|-----|----------|----------|
| 303 | 61205.00 | 35000.00 |
| 304 | 61351.14 | 35225.46 |
| 305 | 61538.92 | 35100.19 |
| 306 | 57459.93 | 35209.64 |
| 307 | 57563.90 |          |
| 308 | 57709.54 | 35125.46 |
| 309 | 57785.10 | 35207.39 |
| 310 | 57110.45 | 35536.14 |
| 311 | 57170.21 | 35162.59 |
| 312 | 62274.47 | 40102.17 |
| 313 |          | 37668.30 |
| 314 | 55464.70 | 35574.15 |
| 315 | 56435.00 |          |
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