

IN RE: PETITION FOR SPECIAL HEARING
S/S Saffell Road, 3,160' W of the c/l
Berryman's Lane
(1129 Saffell Road)
4th Election District
3rd Councilmanic District

Daniel W. Porter, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-400-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Daniel W. and Carol L. Porter. The Petitioners request a special hearing to approve an in-law apartment, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Daniel and Carol Porter, property owners, and Mrs. Porter's father, Elwood Wheeler. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a large parcel, containing a gross area of 37.5 acres, zoned R.C.4. The property is located on the south side of Saffell Road, west of Berryman's Lane in rural Reisterstown, and is improved with a single family dwelling, which has been the Petitioners' residence for the past 25 years. A portion of the property is used for agricultural purposes. Mr. Porter indicated that he and his family raise goats.

As shown on the site plan, the Petitioners propose to construct a 24' x 36' addition on the west side of their dwelling to provide living quarters for Mrs. Porter's parents, Mr. & Mrs. Wheeler. The proposed addition will feature two bedrooms, two bathrooms, a living room and a small kitchen area. Testimony indicated that Mr. & Mrs. Wheeler are elderly and the Petitioners

ORDER RECEIVED FOR FILING

Date 5/11/00

By [Signature]

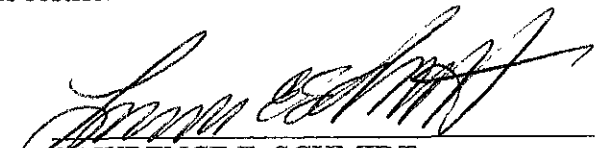
would like to have them living nearby. The proposed in-law apartment will allow Mr. & Mrs. Wheeler to continue to live independently while at the same time, be easily accessible to the Petitioners.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. Surely, the property is large enough to accommodate the proposed addition. The proposed use is appropriate and will not cause any detrimental impacts to the existing farming operation or surrounding neighborhood. In my judgment, the relief requested should be granted. However, the relief is restricted to Mr. & Mrs. Wheeler, or other member of the Porter family.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of May, 2000 that the Petition for Special Hearing to approve an addition for use as an in-law apartment, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The use of the proposed in-law apartment is limited to Mrs. Porter's parents, Mr. & Mrs. Wheeler, or other members of the Porter family.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 5/11/00
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 11, 2000

Mr. & Mrs. Daniel W. Porter
1129 Saffell Road
Reisterstown, Maryland 21136

RE: PETITION FOR SPECIAL HEARING
S/S Saffell Road, 3,160' W of the c/l Berryman's Lane
(1129 Saffell Road)
4th Election District - 3rd Councilmanic District
Daniel W. Porter, et ux - Petitioners
Case No. 00-400-SPH

Dear Mr. & Mrs. Porter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1129 Saffell Rd., Reisterstown,
which is presently zoned RC4 MD 21136

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an in law apartment addition.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Daniel W. Porter

Name - Type or Print

Signature

Carol L. Porter

Name - Type or Print

Signature

1129 Saffell Road (410) 833-1833

Address Telephone No.

Reisterstown, MD 21136

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.5 hr.

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 3-28-00

ORDER RECEIVED FOR FILING

Date 3/15/00
By [Signature]

Case No. 00-400-SPH

Zoning Description

1129 Saffell Rd.

Beginning at a point on the south side of Saffell Rd. said point being 3,160 ft. $\pm$ west of Bennymans Lane at the end of a 1,000 ft. private drive thence running east 650 ft. $\pm$ thence South 1720 ft. $\pm$ thence northwest 910 ft. $\pm$ thence Southwest 480 ft. thence northeast 1790 ft. thence 990 ft. along the private drive to Saffell Rd. thence 25 ft. to the point of beginning; containing 37.5 ac. $\pm$ and located in the 4th Election District of Balto. County.

#400

00-400-SPH

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

400
No. 080420

DATE 3-28-00 ACCOUNT R-001-6130
AMOUNT \$ 50.00

RECEIVED FROM: Mr. Foster

FOR: Rec. Special Hearing Ailing Ave
E-1124 940000 Ret. (2136)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACTUAL TIME
3/28/2000 3/28/2000 09:04:57
P40 0000 CASHIER JEE JEE JEE
5 520 0000000000000000
RECEIPT # 141317
CR NO. 080420
Receipt for \$50.00
3/28/00
Baltimore County, Maryland

00-400-SPH

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-400-SPH
1129 Saffell Road
S/S Saffell Road, 3160' +/-
W of Berrymans Lane
4th Election District
3rd Councilmanic District
Legal Owner(s):
Carol L. & Daniel W. Porter
Special Hearing: to permit
an in-law apartment addition.

**Hearing: Monday, May 8,
2000 at 10:00 a.m. In
Room 407, County Courts
Building, 401 Bostey Ave-
nue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the file and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

4/214 April 20 C385207

CERTIFICATE OF PUBLICATION

TOWSON, MD, 4/20/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published in
Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 4/20/, 2000.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-400-SPH

Petitioner/Developer: PORTER, ETAL

Date of Hearing/Closing: 5/8/2000

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

ZONING COMM
HAS ORIG

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #1129 SAFFELL RD.

The sign(s) were posted on

4/22/00
(Month, Day, Year)

Sincerely,

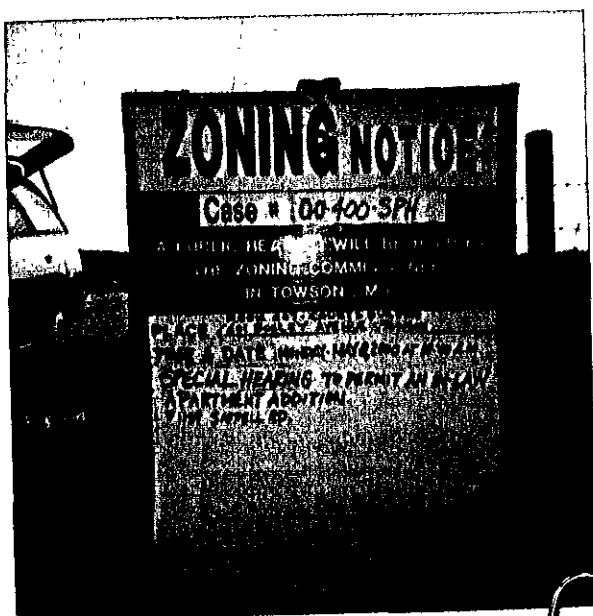
Patrick M. O'Keefe 4/25/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

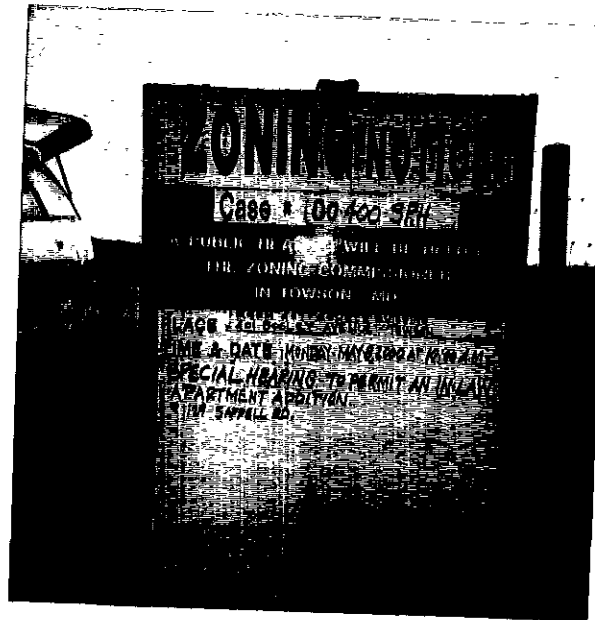
HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



00-400 SPH
#1129 SAFFELL
PORTER

5/8



00-400 SPH
#1129 SARFELL
PORTER

5/8

RE: PETITION FOR SPECIAL HEARING
1129 Saffell Road, S/S Saffell Rd,
3160' +/- W of Berrymans Ln
4th Election District, 3rd Councilmanic

Legal Owner: Daniel W. & Carol L. Porter
Petitioner(s)

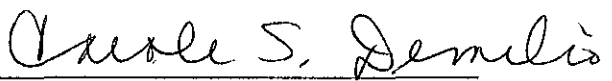
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-400-SPH

* * * * *

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Daniel W. & Carol L. Porter, 1129 Saffell Road, Reisterstown, MD 21136, Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 11, 2000

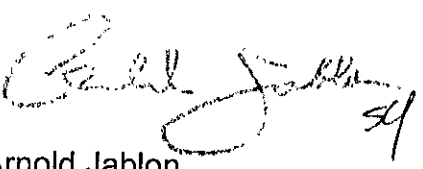
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-400-SPH
1129 Saffell Road
S/S Saffell Road, 3160' +/- W of Berrymans Lane
4th Election District – 3rd Councilmanic District
Legal Owner: Carol L. & Daniel W. Porter

Special Hearing to permit an in-law apartment addition.

HEARING: Monday, May 8, 2000 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Arnold Jablon
Director

C: Carol & Daniel Porter, 1129 Saffell Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 23, 2000.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, April 20, 2000 Issue – Jeffersonian

Please forward billing to:

Daniel W. Porter
1129 Saffell Road
Reisterstown, MD 21136

410-833-1833

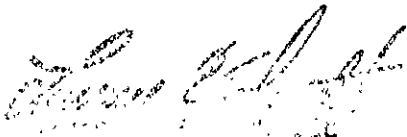
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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-400-SPH

Petitioner: Daniel W & Carol L. Porter

Address or Location: 1129 Saffell Road, Reisterstown, MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: Daniel W. Porter

Address: 1129 Saffell Road, Reisterstown, MD 21136

Telephone Number: (410)833-1833

Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200 scale map#: _____

Zoning: _____

Lot size: _____
 acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

MAY 5, 2000

Mr. & Mrs. Daniel W. and Carol L. Porter
1129 Saffell Road
Reisterstown MD 21136

Dear Mr. & Mrs. Porter:

RE: Case Number 00-400-SPH , 1129 Saffell Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 28, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: May 16, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 17, 2000
Item Nos. 398, 399, 400, 401, 402,
403, 405, 406, 408, 409, 410

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

April 18, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF **APRIL 10, 2000**

Item No.: 400, 404, 407

Dear Ms. Stephens:

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

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



Granted 5/11/00
Seeley 5/8

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MS*

DATE: April 18, 2000

SUBJECT: Zoning Item #400
1129 Saffell Road

RECEIVED MAY 08 2000

Zoning Advisory Committee Meeting of April 10, 2000

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X Groundwater Management: An evaluation of the septic system may be required prior to building permit approval. Contact the Groundwater Management Section at 410-887-2762 for more information.

Reviewer: Sue Farinetti

Date: April 12, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 17, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comments on the following petitions(s):

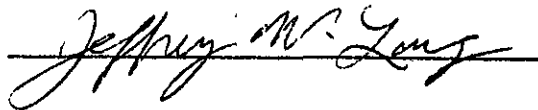
Item No(s): 398/400/408

If there should be any questions or this office can provide additional information, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4 . 10 . 00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 400

JJS

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

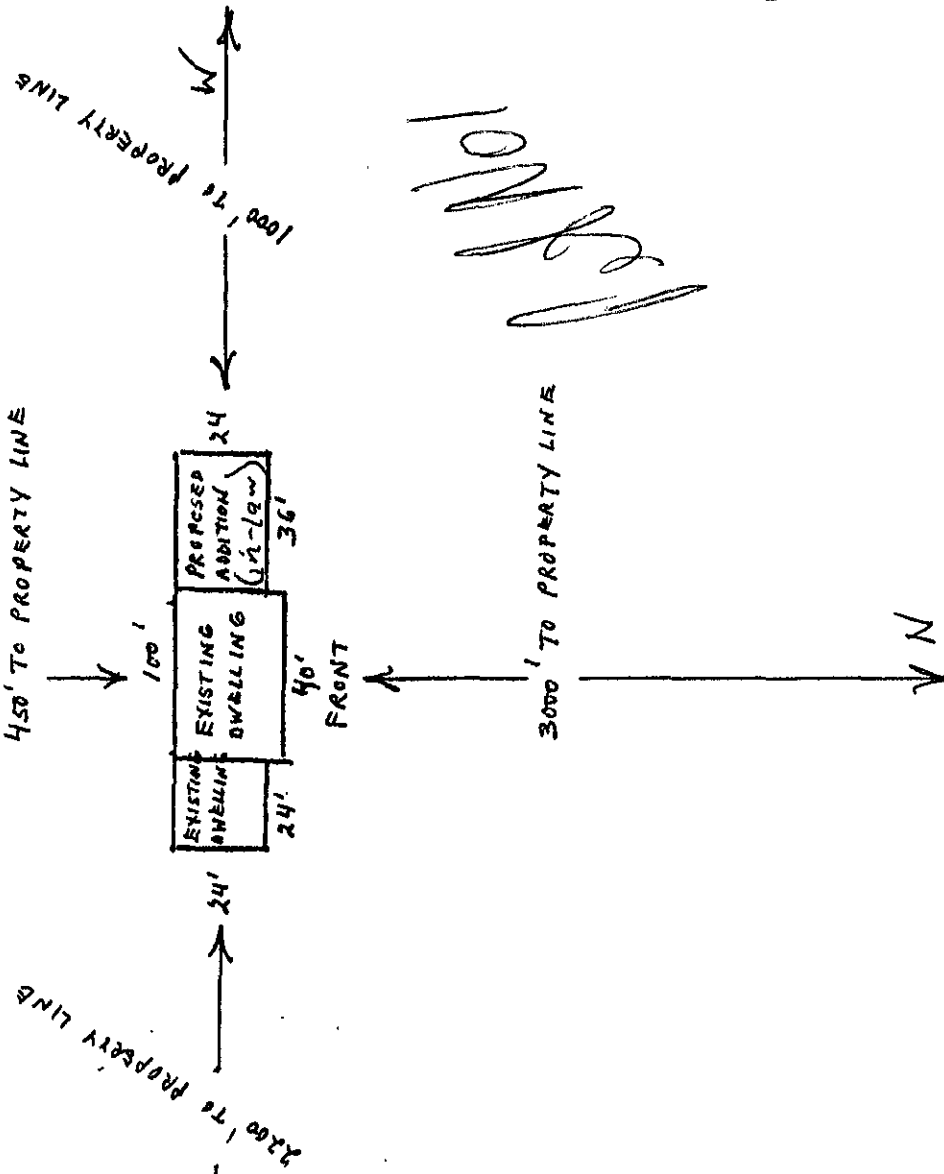
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

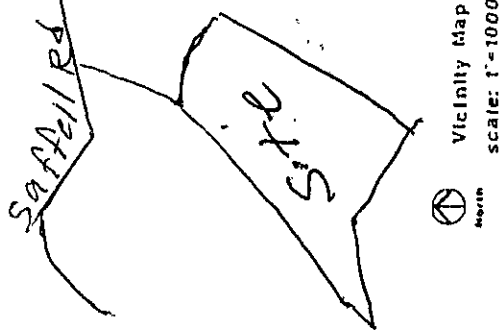
Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1129 SAFFELL RD. BELTSVILLE, MD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: FAH
 plat Book # 5439 lot # 362 section # 21136
 OWNER: DANIEL W. & CAROL L. PORTER



North
 date: _____
 prepared by: Dan Porter Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 4
 Councilmanic District: 3
 1"-200 scale maps: NW, 13-K & L
 Zoning: R2-4
 Lot size: 37.5 acreage — square feet

SEWER: ☐ PUBLIC ☒ PRIVATE
 WATER: ☐ PUBLIC ☒ PRIVATE

Chesapeake Bay Coastal Area ☒ YES ☒ NO
 Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 400 CASE #:

00-400-SPH

R.C. 4

N-53,000 N 53,000

N-586,000 N 586,000

SAFFELL

RD.

SAFFELL

R.C. 4

R.C. 4

Silo

E 842,000 E 842,000

R.C. 4

N-52,000 W-66,000 N 52,000
N 52,000 N 52,000

N 585,000 W 66,000 N 585,000

E 843,000 E 843,000

ELECTRIC

CO.

PL.

N 51,000 N 51,000

#1129

R.C. 4

N 5,000.00

400

NW 13 K-L

N 50,000 N 50,000

1

2

3

4

400-844