Date Date WED FOR FILMING

By

IN RE: PETITION FOR SPECIAL HEARING

SW/Corner Berrymans Lane and Saffell Road, N/S Chromine Road

(600 Berrymans Lane)

4th Election District 4th Council District

James Cameron Porter Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-610-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 owner of the subject property, James Cameron Porter. The Petitioner requests a special hearing seeking a determination as to the contiguity of two parcels of land separated by an in-fee conveyance to BG&E and approval that these parcels as they exist under one deed description are considered a single tract for development and density purposes. In addition, the Petitioners request approval that the parcels as they exist would qualify as a contiguous conservancy area. The subject property and requested relief 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 James C. Porter, property owner, and Bruce E. Doak, the consultant who prepared the site plan. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is comprised of two parcels located on the west side of Berrymans Lane, between Saffell Road and Chromine Road in Reisterstown. The two parcels contain a combined gross area of 11.314 acres, more or less, zoned R.C.4. At issue in this case is the existence of a 300-foot wide tract of land owned by the Baltimore Gas & Electric Company (BGE) that bisects the subject property. Testimony indicated that the subject property was originally part of a larger tract that was held intact as a single lot by John T. Nolan and was ultimately conveyed to C. Walter Porter on August 22, 1935. The property has

been held by the Porter family since that time and is now owned by James Cameron Porter. Furthermore, the record of the case discloses that there have been a series of out-conveyances over the years for public utility purposes. Originally, a lot of approximately 2.453 acres was conveyed to the Susquehanna Transmission Company of Maryland. Over the years, there have been additional conveyances to the successor in interest to Susquehanna Transmission Company of Maryland and that Successor in interest is identified as Baltimore Gas & Electric Company, the present provider of electric service to customers in Maryland.

As a result of these conveyances, the subject property has been bisected into two parts. As shown on the plan, the BGE strip is 300 feet wide and ranges in depth from 698 – 721 feet. The parcel to the east side of the BGE strip immediately adjacent to the Saffell Road/Berrymans Lane intersection contains a gross area of 6.214 acres and is improved with a single family dwelling known as 600 Berrymans Lane. In addition, there are a series of accessory structures on that portion of the property, including several garages, barns, sheds, and other agricultural type buildings. The parcel on the west side of the BGE strip contains 5.10 acres in area and is unimproved. A series of deeds were submitted into the record of the case outlining the conveyances to BGE. Also submitted were photographs of the site which show that the property is generally used for agricultural purposes. Indeed, the property owner apparently has the right to utilize a portion of the BGE strip for agricultural purposes, for so long as such use does not disturb the transmission towers and power lines that have been constructed on and across that strip.

Mr. Porter now comes before me seeking approval as set forth above to allow the subdivision of the western portion of the overall tract to create a second building lot. There is sufficient density under the R.C.4 regulations for the proposed lot, given the property's acreage. The proposed minor subdivision plan was submitted at the hearing and marked into evidence as Petitioner's Exhibit 2. As shown on the plan, the new lot (proposed Lot 2) will contain 1.5 acres in area and will be developed with a single-family dwelling. Mr. Porter will retain the remainder of that portion of the western tract and all of the property to the east of the BGE strip as a single lot (proposed Lot 1). Due to the R.C.4 conservancy area requirements set forth in Section 1A03 of the B.C.Z.R., special hearing relief is requested. Specifically, the proposed conservancy lot (Lot 1)

will include all of the acreage on the east side of the BGE strip, which, as noted above, encompasses the existing single family dwelling and outbuildings used in conjunction therewith, and the remaining 3.353 acres on the western tract. Due to the fact that the BGE strip divides the conservancy area, special hearing relief is requested to approve that the two parcels of land are contiguous for zoning purposes and that the proposed subdivision plan meets the requirements for a contiguous conservancy area.

Section 1A03.5 of the B.C.Z.R. sets out the requirements for the conservancy area in an R.C.4 zone. Subsection 1A03.5.A.1 thereof states that the conservancy area be within a contiguous tract, whenever possible. The words "whenever possible" indicate an intention of the Baltimore County Council that a single contiguous conservancy area is not mandated, but rather preferred when practical and possible. Thus, in my view, the conservancy area proposed in this case, albeit divided by the BGE strip is not prohibited by the express language provided in Section 1A03.5.A.1. Moreover, it appears that the conservancy area as proposed meets all of the other requirements for same as set out in the remainder of Section 1A03.5.

Notice is also taken of Section 1A01.3.B.1 of the B.C.Z.R. This Section relates to the use and subdivision of land zoned R.C.2. Admittedly, it is not expressly applicable to the subject case, in that the property at issue is zoned R.C.4. In any event, within Section 1A01.3.B.1 it is provided that properties divided by roads, rights-of-way or easements shall not be considered separate parcels of land. Interestingly, this language was adopted by Baltimore County for inclusion in the R.C.2 zoning regulations following the decision rendered by the Court of Special Appeals in the matter of Steven H. Gudeman, et al. v. People's Counsel for Baltimore County, (Unreported Opinion, No. 396, September Term, 1990). The property that was the subject in that case was zoned R.C.2 and was divided by a public road. The Court of Appeals held that the existence of the road transecting that property did not serve to change the existing one lot of record into two lots. Section 1A01.3.B.1 confirmed that holding insofar as R.C.2 zoned parcels.

The request in the subject Petition is consistent with such an interpretation. The bisection of the subject property by the BGE strip does not serve to create two lots of record. The

subject property was and remains a single lot of record; thus, the entire tract can be subdivided as proposed and the conservancy lot can be on both sides of the strip.

Finally, the definition of "subdivision" as set out in Section 101 of the B.C.Z.R. is of note. That Section defines that word as "The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more lots, plots or other divisions of land for the purpose, whether immediate or future, of building development for rental or sale." It is clear that the acquisition by BGE of the strip was not for the purpose of subdivision. BGE did not acquire the strip not transect the subject property for the purpose of building development for rental or sale. Thus, BGE's acquisition did not serve as a prior subdivision of this property.

For all of these reasons, I am persuaded that the Petition for Special Hearing should be granted. It is also to be noted that Wallace Lippincott, a representative of the Department of Environmental Protection and Resource Management (DEPRM), endorses the proposal. Mr. Lippincott has opined that the proposed subdivision plan and conservancy area is appropriate and meets the spirit and intent of the R.C.4 regulations.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County his day of October 2003 that the Petition for Special Hearing seeking a determination as to the contiguity of two parcels of land separated by an in-fee conveyance to BG&E and that these parcels as they exist under one deed description are considered a single tract for development and density purposes, and approval that the parcels as they exist would qualify as a contiguous conservancy area, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within

thirty (30) days of the date hereof.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

OZIII.

OHOFF RECE

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 27, 2003

Mr. James Cameron Porter 600 Berrymans Lane Reisterstown, Maryland 21136

RE: PETITION FOR SPECIAL HEARING
SW/Corner Berrymans Lane and Saffell Road, N/S Chromine Road
(600 Berrymans Lane)
4th Election District – 4th Council District
James Cameron Porter - Petitioners
Case No. 03-610-SPH

Dear Mr. 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Bruce E. Doak, Gerhold Cross & Etzel 320 E. Towsontown Boulevard, #100, Towson, Md. 21286 People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	600	Berrymans	Lane
		ently zoned	

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

To determine the contiguity of two parcels of land separated by an in-fee conveyance to BG % E, and that these parcels as they exist under one deed description are considered a single tract for development and density proposes. Also, that the parcels as they exist would qualify as a continous conservancy area.

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

Contract Purchaser/Lessee:

Signature		
Address		Telephone No
City	State	Zip Cod
Attorney For Petitioner:		
Name - Type or Print		
Signature		
Signature		
Signature		Telephone No

is the subject of this Petition.	owner(s)	or the	property	WHICE
Legal Owner(s):				

James Cameron Forter Signature Signature 410-833-3033 600 Berrymans Lane Telephone No. Address 21136 MD Reisterstown Zip Code State Representative to be Contacted: Scott A. Lindgren Gerhold, Cross & Etzel, Ltd. Name 410 823-4470 320 E. Towsontown Blvd #100 Telephone No. Address 21<u>286</u> Towson MD Zip Code State City OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Base No. 03-610-59H

REV 0115198

ORDER

Reviewed By ___

UNAVAILABLE FOR HEARING

Date



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone. (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

June 23, 2003

ZONING DESCRIPTION PORTER PROPERTY 600 BERRYMANS LANE

AREA #1

Beginning for the same in the intersection of the centerlines of Berrymans Lane and Saffell Road, running thence in or near the centerline of Saffell Road, 1) South 59 degrees 23 minutes 18 seconds West 321.47 feet to a point in or near the centerline of Saffell Road and on the east side of a Baltimore Gas and Electric Towerline, thence leaving Saffell Road and binding on the east side of the BG&E Towerline, 2) South 02 degrees 52 minutes 18 seconds West 698.82 feet to a point on the northwest side of Chromine Road, thence leaving the BG&E Towerline and binding on the northwest side of Chromine Road, 3) North 56 degrees 26 minutes 18 seconds East 648.71 feet, to a point in the paving of Berrymans Lane, thence leaving Chromine Road and running in the paving of Berrymans Lane, 4) North 24 degrees 28 minutes 02 seconds West 552.64 feet to the place of beginning.

Containing 6.214 Acres of land, more or less.

AREA #2

Beginning for the same at a point in or near the centerline of Saffell Road, 680 feet, more or less, from the center of Berrymans Lane, thence binding in or near the center of Saffell Road the two following courses and distances, viz; 1) South 59 degrees 23 minutes 18 seconds West 347.42 feet, and 2) South 79 degrees 55 minutes 18 seconds West 104.00 feet, thence leaving the center of Saffell Road and running, 3) South 11 degrees 30 minutes 40 seconds East 690.58 feet to a point on the northwest side of Chromine Road, thence binding on the northwest side of Chromine Road, 4) North 56 degrees 26 minutes 18 seconds East 272.93 feet to a point on the west side of a Baltimore Gas and Electric Company Towerline, thence leaving Chromine Road and binding on the west side of the BG&E Towerline, 5) North 02 degrees 52 minutes 18 seconds East 721.83 feet to the place of beginning.

X:\Porter\zoningdes.doe

03-610-5PH

Containing 5.100 Acres of land, more or less.

These descriptions only satisfy the requirements of the Office of Zoning and should not be used for conveyance purposes.



X:\Porter\zoningdes.doc

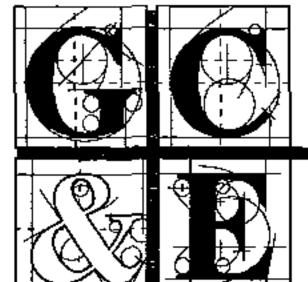
03-610-5PH

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT No. 25058 DATE ACTUAL 17/0L/2005 TIME 6/30/2003 15:37:12 rigi was WALKIN MEL MAH ECE IPT # 314141 6/30/2003 AMOUNT \$ RECEIVED 5 529 ZOMING VERIFICATION FROM: a no. 025058 Recet Tot \$65,00 65.00 CK 600 Berishars Lake fullime County, Maryland DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER CASHIER'S VALIDATION

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Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

L I M I T E D

CERTIFICATE OF POSTING

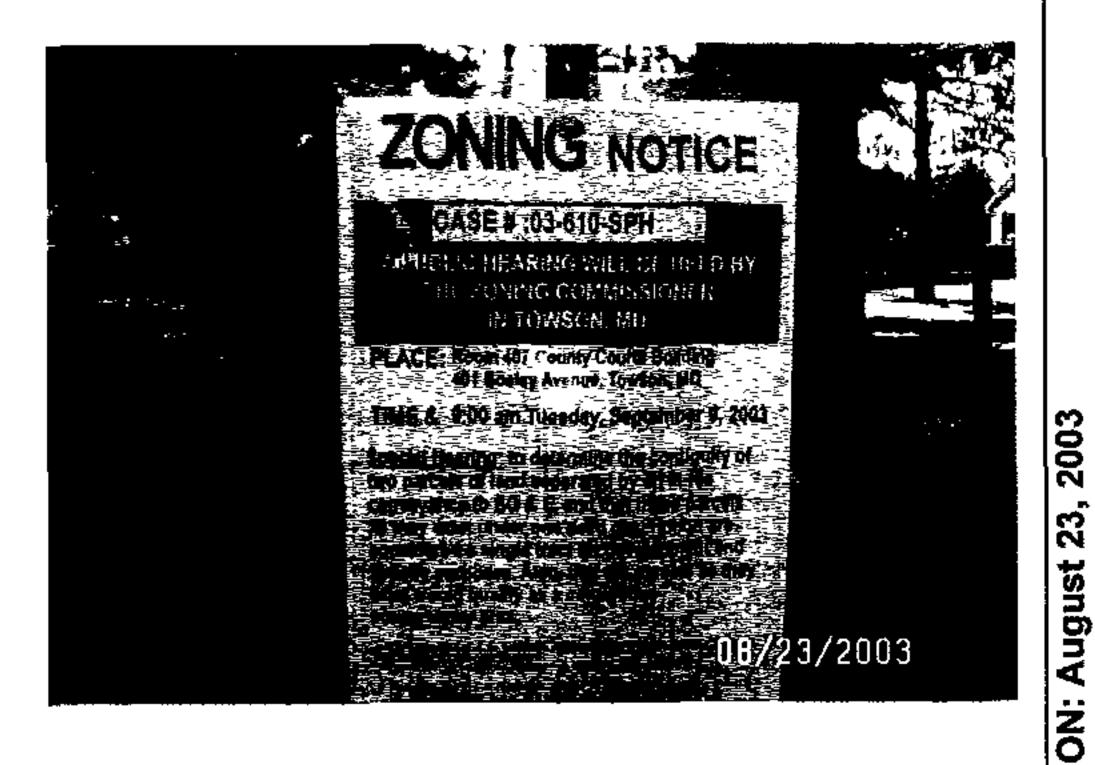
RE: CASE # 03-610-SPH PETITIONER/DEVELOPER: James Cameron Porter DATE OF HEARING: September 9, 2003

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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



LOCATION:

600 Berrymans Lane S/West intersection of Berrymans Lane and Saffell Road

DATE:

August 26, 2003/

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286

410-823-4470 PHONE 410-823-4473 FAX

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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows.

Case: #03-610-SPH

600 Berrymans Lane

S/west intersection of Berrymans Lane at Saffell Road.

4th Election District - 4th Councilmanic District

Legal Owner(s): James Cameron Porter

Special Hearing: to determine the contiguity of two parcels of land separated by an in-fee conveyance to BG & E, and that these parcels as they exist under one deed description are considered a single tract for development and density purposes. Also, that the parcels as they exist would qualify as a contiguous conservancy area Hearing: Tuesday, September 9, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

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.

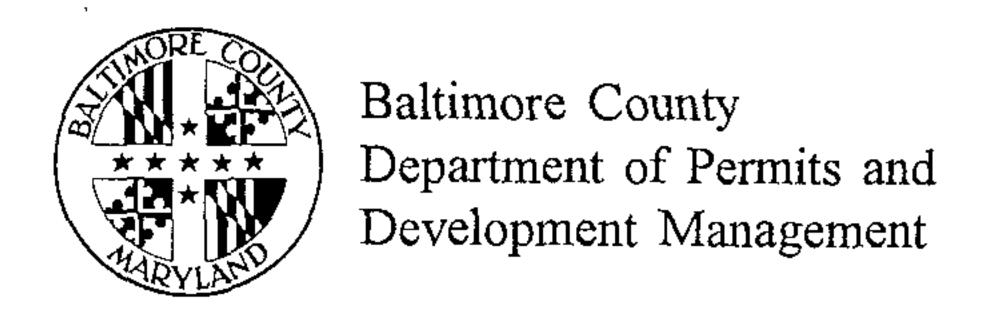
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

8/199 Aug. 21

CERTIFICATE OF PUBLICATION

<u>821</u> 3
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on 821 , 2003 .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
P Wilkings-

LEGAL ADVERTISING



10

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

Fax: 410-887-5708

July 8, 2003

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: 03-610-SPH

600 Berrymans Lane S/west intersection of Berrymans Lane at Saffell Road 4th Election District – 4th Councilmanic District Legal Owner: James Cameron Porter

Special Hearing to determine the contiguity of two parcels of land separated by an infee conveyance to BG & E, and that these parcels as they exist under one deed description are considered a single tract for development and density purposes. Also, that the parcels as they exist would qualify as a contiguous conservancy area.

Hearings:

Tuesday, September 9, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Multy Kotroco
Timothy Kotroco

Director

TK:klm

C: James Cameron Foster, 600 Berrymans Lane, Reisterstown 21136
Scott Lindgren, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., #100, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 25, 2003.

- (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, August 21, 2003 Issue - Jeffersonian

Please forward billing to:

James Cameron Porter 600 Berrymans Lane Reisterstown, MD 21136 410-833-3033

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: 03-610-SPH

600 Berrymans Lane S/west intersection of Berrymans Lane at Saffell Road 4th Election District – 4th Councilmanic District Legal Owner: James Cameron Porter

Special Hearing to determine the contiguity of two parcels of land separated by an infee conveyance to BG & E, and that these parcels as they exist under one deed description are considered a single tract for development and density purposes. Also, that the parcels as they exist would qualify as a contiguous conservancy area.

Hearings:

Tuesday, September 9, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

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

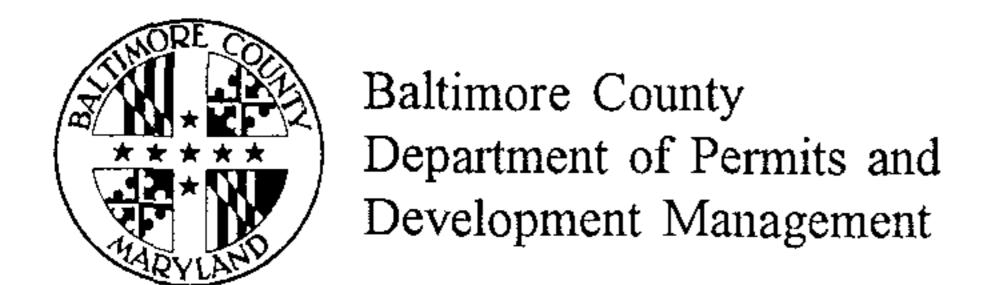
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 03-6/0-5PH Petitioner: -AMES CAMERON PORTER
Address or Location: 600 BERRYMANS LANE
PLEASE FORWARD ADVERTISING BILL TO: Name: JAMES CAMERON PORTER
Address: GOO BERRYMANS LANE
REISTERSTOWN, MD 21136
Telephone Number: <u>410-833 - 3033</u>



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

September 5, 2003

Mr. James Cameron Porter 600 Berrymans Lane Reisterstown, MD 21136

Dear Mr. Portre:

RE: Case Number: 03-610-SPH, 600 Berrymans Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 30, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

U. Callibal)

WCR:rlh

Enclosures

c: People's Counsei Scott Landgren, Gerhold, Cross & Etzel, 320 E. Towsontowe Blvd. #100, Towson 21286



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

July 2, 2002

ATTENTION: Rebecca Hart

Distribution Meeting_of: July 7, 2003

Item No.:

602**–(**610

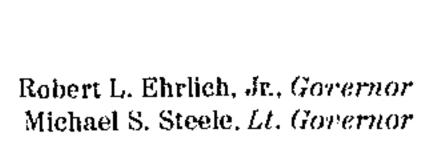
Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File





Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

JHP

MADYLAND BEPARTMENT OF TRANSPORTATION

Date: 7.7.03

Baltimore County

Item No. 610

RE:

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

Dear. Ms. Hart:

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,

f.f. Holl

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** July 28, 2003

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JUL 2 9 2003

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 03-610

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark Cumple

Section Chief: Kany Genearour

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 8, 2003

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 14, 2003 Item Nos. 602, 603, 604, 605, 606, 607, 608, 609, and 610

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING
	600 Berrymans Lane; SW Intersection of
	Berrymans Lane at Saffell Road
	4 th Election & 4 th Councilmanic Districts
	Legal Owner(s): James Cameron Porter
	Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

03-610-SPH *

*

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN People's Counsel for Baltimore County

RECEIVED

JUL 0 3 2003

Per..

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 3rd day of July, 2003, a copy of the foregoing Entry of Appearance was mailed to, Scott A Lindgren, Gerhold, Cross & Etzel, Ltd, 320 E. Towsontowne Boulevard, Suite 100, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

- Style. As a verb, to call, name, or entitle one. As a noun, the title or appellation of a person.
- Suable /s(y)úwəbəl/. Capable of being, or liable to be, sued. A suable cause of action is the matured cause of action.
- Suapte natura /s(y)uwæptiy nət(y)urə/. Lat. In its own nature. Suapte natura sterilis, barren in its own nature and quality; intrinsically barren.
- Sua sponte /s(y)úwe spontiy/. Lat. Of his or its own will or motion; voluntarily; without prompting or suggestion.
- Sub /səb/. Lat. Under; upon. For example: "sub judice" means "under judicial consideration" or in court and not yet decided, and "sublet" means to rent out something you yourself are renting.
- Subagent /sábèyjənt/. An under-agent; a substituted agent; an agent appointed by one who is himself an agent. A person appointed by an agent to perform some duty, or the whole of the business, relating to his agency. A person employed by an agent to assist him in transacting the affairs of his principal. But a mere servant of an agent is not a "subagent." Gulf Refining Co. v. Shirley, Tex.Civ.App., 99 S.W.2d 613, 615. A subagent is a person appointed by an agent empowered to do so, to perform functions undertaken by the agent for the principal, but for whose conduct the agent agrees with the principal to be primarily responsible. Restatement, Second, Agency, § 5. See also Agent.
- Subaltern /səbóltərn/səbəltərn/. An inferior or subordinate officer. An officer who exercises his authority under the superintendence and control of a superior.
- Sub-ballivus /səb-bəláyvəs/. In old English law, an underbailiff; a sheriff's deputy.
- Subchapter S corporation. A small business corporation permitted to be taxed as if it were an individual proprietorship. I.R.C. § 1371 et seq. An elective provision permitting certain small business corporations and their shareholders to elect to be treated for income tax purposes in accordance with the operating rules of §§ 1373–1379. Of major significance is the fact that Subchapter S status usually avoids the corporate income tax, and corporate losses can be claimed by the shareholders.
- Sub colore juris /sèb kəlóriy júrəs/. Under color of right; under a show or appearance of right or rightful power.
- Sub conditione /sab kandishiyówniy/. Upon condition. The proper words to express a condition in a conveyance, and to create an estate upon condition.

Subcontract. See Contract.

Subcontractor. One who takes portion of a contract from principal contractor or another subcontractor. Hardware Mut. Casuaity Co. v. Hilderbrandt, C.C.A. Okl., 119 F.2d 291, 297, 299. One who has entered into a contract, express or implied, for the performance of an act with the person who has already contracted for its performance. One who takes from the principal or prime contractor a specific part of the work undertaken by the principal contractor. Royal

- Indemnity Co. v. Kenny Constr. Co., C.A.III., 528 F.2d 184, 191.
- Sub curia /sèb kyúriya/. Lat. Under law.
- Sub disjunctione /sáb disjànkshiyówniy/. In the alternative.
- Subditus /sébdedes/. Lat. In old English law, a vassal; a dependent; any one under the power of another.
- Subdivide. To divide a part into smaller parts; to separate into smaller divisions. As, where an estate is to be taken by some of the heirs per stirpes, it is divided and subdivided according to the number of takers in the nearest degree and those in the more remote degree respectively.
- Subdivision. Division into smaller parts of the same thing or subject-matter. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development.
 - Resubdivision. The further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, but does not include conveyances so as to combine existing lots by deed or other instrument.
- Subflow. Those waters which slowly find their way through sand and gravel constituting bed of a stream, or lands under or immediately adjacent to stream. Maricopa County Municipal Water Conservation Dist. No. 1 v. Southwest Cotton Co., 39 Ariz. 65, 4 P.2d 369, 380.
- Subhastare /sabhæstériy/. Lat. In the civil law, to sell at public auction, which was done sub hasta, under a spear; to put or sell under the spear.
- Subhastatio /sabhæstéysh(iy)ow/. Lat. In the civil law, a sale by public auction, which was done under a spear, fixed up at the place of sale as a public sign of it.
- Subinfeudation /sàbinfyuwdéyshan/. The system which the feudal tenants introduced of granting smaller estates out of those which they held of their lord, to be held of themselves as inferior lords. As this system was proceeding downward ad infinitum, and depriving the lords of their feudal profits, it was entirely suppressed by the statute Quia Emptores, 18 Edw. I, c. I, and instead of it alienation in the modern sense was introduced, so that thenceforth the alienee held of the same chief lord and by the same services that his alienor before him held.
- Subirrigate /səbihrəgeyt/. To irrigate below the surface, as by a system of underground porous pipes, or by natural percolation through the soil.
- Subjacent support /səbjéysənt səpórt/. The right of land to be supported by the land which lies under it; distinguished from lateral (side) support. See also Support.
- Subject. Constitutional law. One that owes allegiance to a sovereign and is governed by his laws. The natives of Great Britain are subjects of the British

JOHN T. NOLAW Aug 22, 1935 CWBJR 361/92 C. WALTER PORTER DAD DIED

B. 1-1 SUSQUELLAMNA TRAUSMISSION Co. OF Mo. 2. 453 Ac. B. JEANETTE PORTOR COND. DOCKET WPC 1/83 JEPT 9, 1968 Der. 18, 1975 OTG 4924/596 EHK-SR 5606/ JAMES CAMERON PORTER · 0._826.4c. 1. 6/300 2.453AC B. JENGETTE FORTION BALTIMORE (7455 CONFIRMATORY ELECTRIC CO. 18 /z Ac. JUNE 17,1376 5 FE 1. 613AC JAMES CAMEROU FORTUR & SUZAWNE ENDRESS F88. 24, 1982 18 1/2 AC.

EXICUR 6376/838 SFE 2.454 AC. LAMES CAMPRON PORTUR

STREET LINE — A line which divides the right-of-way of a street from other property; a street right-of-way line. [Bill No. 111-1958]

STRIPTEASE BUSINESS — A commercial establishment where persons appear in a state of total or partial nudity in person. Such establishment shall, for example, include, but not be limited to, a restaurant, nightclub, dance club or social hall if such entertainment is provided as an accessory or principal use. A striptease business, including the building or portion thereof that contains or advertises the business, must be located at least 1,000 feet from a dwelling, church, park, child care center or school existing on the effective date of this legislation²⁴ and be arranged so that the interior is not visible from the outside. A striptease business may not operate between 2:00 a.m. and 6:00 a.m.

For the purpose of this definition, an establishment which is duly licensed by the Board of Liquor Commissioners for Baltimore County and which features striptease dancing, nudity or partial nudity as an accessory use shall not be considered a striptease establishment. except that it shall satisfy the setback limitation established hereinabove for a striptease business.

The one-thousand-foot distance requirement shall be considered an area requirement and, in addition to the authority and limitations set forth in Section 307.1 of these regulations, a variance may be granted if strict compliance with said setback would result in severe economic circumstances which are not the result of actions by the petitioner. [Bill Nos. 137-1990; 29-1998]

SUBDIVISION — The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more lots, plots or other divisions of land for the purpose, whether immediate or future, of building development for rental or sale, and including all changes in street or lot lines; provided, however, that this definition of a subdivision shall not include divisions of land for agricultural purposes. 25

SYSTEM OF RUBBLE DISPOSAL OR LAND RECLAMATION FOR PUBLIC OR PRIVATE USE — The services, facilities or properties used in connection with the disposal of rubble or land reclamation, unless these activities are limited to rubble generated by a single individual or business and disposed of on the same property where generated. While limited operation of a rubble landfill can be accessory to agricultural use, it is not a primary agricultural activity. [Bill No. 97-1987]

TAVERN — An establishment which has a Baltimore County Class D liquor license. A tavern which meets the criteria of nightclub, as defined in these regulations, shall be considered a nightclub. [Bill No. 110-1993]

TENNIS FACILITY — A single court, or two or more adjoining courts on a single lot, for playing tennis, paddleball, handball, squash, jai alai or other similar games or sports. [Bill No. 62-1978]

TOURIST HOME — A rooming house primarily for transient guests.²⁶

NTENTS TABLE

PREFACE

EXPLAN

Editor's Note: Bill No. 29-1998, which amended this definition, provided that it take effect March 20, 1998.

Editor's Note: The definition of "subdivision, cluster" which followed this definition was repealed by Bill No. 100-1970.

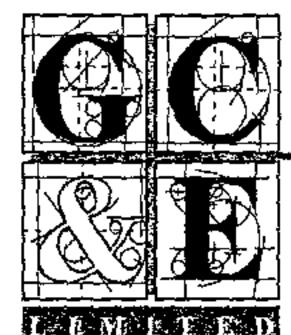
Editor's Note: The definition of "town" which followed this definition was repealed by Bill No. 3-1992.

PLE	4SE	PRINT	CL	EARL	Y
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CASE NAME	
CASE NUMBER_	
DATE	

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
· · · · · · · · · · · · · · · · · · ·			
BRUCE E. DOAK	320 E. TOWSONTOWN BLVO.	TOWSON MO 218-86	<u></u>
GERHOLD CROSS & ETZEL	<u> </u>		
JAMES C. PORTER	600 BERRYMANS LAWE	REISTERSTOWN DUISG	<u></u>
	<u> </u>	<u></u>	<u> </u>
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SEP - 9 2003

ZONING COMMISSIONER

TRANSMITTAL SHEET TO: FROM: Larry S. Bruce E. Doak COMPANY: DATE: 9/9/03 RE: TOTAL NO. OF PAGES INCLUDING COVER: Porter Property Hearing FAX NUMBER: PHONE NUMBER: **WE ARE TRANSMITTING:** ATTACHED DVIA MAIL X VIA MESSENGER ☐ UNDER SEPARATE COVER ☐ FOR REVIEW ☐ PRINTS ☐ VIA FAX ☐ PROPOSAL DESCRIPTIONS DECETION DRAWING ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ F.Y.I. QTY DATE ITEM DESCRIPTION copies deeds Conklin order copy

NOTES/COMMENTS:

Please call me with anything else you may need

IN RE: PETITION FOR VARIANCE

N & S/S Merrymans Mill Road, 1330' W of

Jarrettsville Pike

(2919, 2921 & 2923 Merrymans Mill Road)

10th Election District

3rd Council District

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 03-015-A

BEFORE T

The Estate of Walter Leroy Conklin Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, the Estate of Walter Leroy Conklin, through Nancy A. Conklin, Personal Representative, and their attorney, Theodore I. Potthast, Ir. The Petitioners request variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow existing accessory structures to remain located in the front and side yards of the properties known as 2921 and 2923 Merrymans Mill Road, in lieu of the required rear yard. In addition, variance relief is requested from Section 1A03.4.B.1.b of the B.C.Z.R. to permit the conservancy area on proposed Lot 3 to be 36% of the gross area in lieu of the required 70%. The subject property and requested relief are more particularly described on the site plan(s) submitted which were accepted into evidence and marked as Petitioner's Exhibits 1 and 2.

Appearing at the requisite public hearing in support of the request was Nancy A. Conklin, Personal Representative for the Estate of Walter Leroy Conklin, property owner. Also appearing were Scott A Lindgren, the Professional Land Surveyor who prepared the site plan for this property, and, Theodore J. Potthast, Jr., Esquire, attorney for the Petitioners. No residents from the surrounding locale appeared at the hearing, however, testimony was offered in opposition to the request from Bruce Seeley and Wally Lippincon, representatives of Baltimore County's Department of Environmental Protection and Resource Management (DEPRM), and from Lynn Lanham, from the County's Office of Planning.

This most unusual case comes before the Zoning Commissioner as a result of an attempt to bequeath property in accordance with the Last Will and Testament of Walter Leroy Conklin, now deceased. Apparently, the property was acquired by Mr. Conklin 65 years ago and has remained in the family. The property is an irregular shaped parcel located on both the north and south sides of Merrymans Mill Road in northern Baltimore County. That portion of the site on the north side of Merrymans Mill Road is unimproved and contains approximately 1.7 acres in area. The larger part of the property is located to the south of Merrymans Mill Road and contains approximately 13.8 acres in area. Collectively, the overall tract contains a gross area of 15.452 acres, more or less, zoned R.C.4.

The property is actually comprised of three parcels, which are more particularly described in the deeds for the land as recorded in the Land Records of Baltimore County. One parcel is designated as the "Remainder of the First Parcel" (recorded at OTG L/574/326) and is 1.73 acres in area. That parcel is unimproved. The next parcel is designated as the "Second Parcel" (recorded at 4594/326) and contains 1.9 acres in area. That parcel is bisected by Merrymans Mill Road and is likewise unimproved. The third parcel is identified as "Remainder" (recorded at L.McL.M. 896/419) and is the largest piece. This parcel contains 11.63 acres in area and is improved with three single-family dwellings identified as 2919, 2921 and 2923 Merrymans Mill Road.

The dwelling known as 2919 Merrymans Mill Road is a two-story dwelling that is occupied by Greg Conklin and his wife Amy, the grandson and grand-daughter-in-law of Walter Leroy Conklin, and the son and daughter-in-law of Daniel and Nancy Conklin. The second dwelling is known as 2921 Merrymans Mill Road and is a two-story dwelling that was occupied for a number of years by an unrelated individual, but is owned by Daniel Conklin. The third dwelling is a two-story stone structure known as 2923 Merrymans Mill Road. Donald Conklin and his wife, Carol, occupy this house. It is also to be noted that another child of the senior Mr. Conklin, Carol Conklin and her husband, Bruce Quinn, live nearby offsite.

The issue in this case is a determination of the appropriate property lines for the lots surrounding the three existing dwellings. As shown in the density calculations contained on the plan, the overall property is made up of three separate parcels totaling approximately 15 acres. Under the rights of subdivision for R.C.4 zoned land as contained in the B.C.Z.R., the size of the parcel and its zoning classification would yield four lots. There are but three lots proposed and apparently no plans for additional subdivision.

Testimony offered in support of the Petition was that the Conklin family wishes to reconfigure the lots so that each surviving family member has a roughly equal-sized lot. As shown on Petitioner's Exhibit 1, proposed Lot 1 will consists of 5.925 acres in area and contain the dwelling known as 2919 Merrymans Mill Road and encompass all of what is designated as the "Second Parcel" and a large portion of the "Remainder of the First Parcel." Lot 2 as proposed will consist of 3.955 acres in area and the dwelling known as 2921 Merrymans Mill Road. Lot 3 as proposed will contain 5.573 acres in area and the remaining portion of the "Remainder" lot as well as a small part of the "Remainder of the First Parcel" and the house known as 2923 Merrymans Mill Road.

In order to proceed with this proposal, there are two variances requested. The first relates to the location of certain accessory structures on the property. As shown on the site plan, the property features a series of small sheds and outbuildings that have apparently existed for many years. Due to the orientation of the dwellings and proposed lot lines, three of these structures will be located in either the front or side yards of the newly configured lots. Section 400.1 of the B.C.Z.R. requires that accessory structures be located in the rear yard; thus, variance relief is requested to legitimize their location. There was no opposition to this request. It was recognized that the buildings have existed in their present location for many years and to raze or relocate same would cause a practical difficulty and unreasonable hardship upon the applicant.

However, the second variance requested is contested by County agencies. Due to the desire of the Petitioners to equally divide the senior Mr. Conklin's property into three equally sized pieces, a variance is requested for the conservancy area. The R.C.4 zoning classification is a

watershed protection zone and under the R.C.4 regulations, the subdivision of R.C.4 zoned land requires the retention of a conservancy lot. This conservancy lot must equal at least 70% of the acreage of the overall tract. No doubt, it was the intent of these regulations to insure the preservation and protection of a large R.C.4 zoned parcel. Under the regulations, the remaining 30% could then be utilized for a more intense development scheme. The County representatives who were present oppose the Petitioner's request in the instant case. No doubt they fear the precedent that might be established by permitting what appears to be a significant variance. While one can scarcely imagine the Zoning Commissioner ever approving such a variance for proposed development, the issue presented in the instant case is most unique, given the circumstances. Specifically, there are three existing houses presently on the tract, all of which are occupied by family members. There is no additional development proposed or contemplated. Moreover, the plan shows that much of the overall tract is proposed to be located within forest buffer easement or forest buffer areas. In sum, although it is obvious that the letter of the law will not be followed the spirit of the ordinance most certainly will be. The Petitioners propose no new development, co new clearing, and a retention of the existing agricultural use of the property. The nearby water resource will not be threatened, given the fact that no new development or land use is proposed. Although cognizant of the concerns of the Office of Planning and Department of Environmental Protection and Resource Management, I cannot ignore conditions as they actually exist on the property. The proposed configuration of the three lots is appropriate, given the location of the existing dwellings. The variance relief granted herein is not intended to establish any precedent as to future implementation of the R.C.4 zoning regulations, particularly as they relate to adjacent properties. However, in this case, where three houses are in existence and three lots of record are designated and configured as shown on the plan, the grant of the variance is warranted. However, in granting the relief I will impose conditions to insure what I believe is the actual intent of the R.C.4 conservancy regulations. Specifically, there will be no further subdivision or residential development of this tract. Moreover, those areas of the property that are shown as being dedicated

for Forest Buffer easements shall be perpetually protected and 70% of the overall tract shall be dedicated as a conservancy area.

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.

- 1) The 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) There will be not further subdivision or residential development of the Conklin tract. A minimum of 70% of the overall tract shall be shown as conservancy, which may include those areas shown as forest buffer easement or forest conservation, and shall be approved by DEPRM.
- 3) Within sixty (60) days of the date of this Order, new deeds incorporating the relief granted herein shall be recorded in the Land Records of Baltimore County. Said deeds shall reference this case and set forth and address the terms and conditions set forth herein.
- 4) 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

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Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

<u>Go Back</u> View Map New Search

STR

Account Identifier:

District - 04 Account Number - 0416060375

Owner Information

Owner Name:

PORTER JAMES CAMERON

Use:

AGRICULTURAL

Mailing Address:

600 BERRYMANS LA

Principal Residence:

YES

REISTERSTOWN MD 21136

Deed Reference:

1) / 6376/ 838 2)

WEISTERSTOWN MID 21136							2)		
		······································		Location	& Structure Inf	ormation	······································		
600 BERR	Address YMANS LA			Zoning		1 B	egal Des 3.607 AC ERRYMAN 250 S NIC	WŚ	RD
Map 57	Grid 4	Parcel 73	Su	bdivision	Section	Biock	Lot	Group 80	Plat No: Plat Ref:
	ax Areas		A Ta	own d Valorem ax Class		٠ پهندستانگير		+ a combrat at base	
·	Primary S	tructure E 0000	Built		sed Area 18 SF		Land A	rea	County Use 33
	ries 2		Basement Type STANDARD UNIT		- Andrews	Exterior FRAME			
		····		V	alue Informatio	n			
			Base Value	Value As Of 01/01/2001	Phase-in Ass As Of 07/01/2001	essments As Of 07/01/2002	PRI	EFERÉNTI	AL LAND VALUE
Im	ıprovemei	nd: nts: tal:	54,720 82,030 136,750	54,720 85,750 140,470	137,990	139,230	IN	CLUDED 1	N LAND VALUE
Prefe	rential La	nd;	4,720	4,720	4,720	4,720			

Transfer Information					
Seiler: PORTER JAMES C A G USE 83-84 Type: NOT ARMS-LENGTH	Date: 03/12/1982 Deed1:	Price: \$0 Deed2:	<u>-</u> -		
Seller:	Date:	Price:			
Type:	Deed1;	Deed2:			
Seller:	Date:	Price:	· 		
Type:	Deed1:	Deed2;			

	······································	Exemption Information		
Partial Exempt Assessments	Code	07/01/2001	07/01/2002	
County	000	0	0	
State	000	0	0	
Municipal	000	0	0	

Tax Exempt: **Exempt Class:** NO

Special Tax Recapture: AGRICULTURAL TRANSFER TAX Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

Go Back View Map New Search

Account Identifier:

District - 04 Account Number - 0402001801

Owner Information

Owner Name:

BALTIMORE GAS & ELECTRIC CO

Use:

INDUSTRIAL

Mailing Address:

TAX ACCOUNTING UNIT

Principal Residence:

NO

PO 80X 1475

Deed Reference:

1) / 4924/ 596

PO BOX 1475

BALTIMORE MD 21203-1475

Location & Structure Information **Premises Address** Zoning **Legal Description** SAFFELL RD RC4 1.613 AC SS SAFFELD 400 W OF BERRYMANS LANE Map Grid Parcel Subdivision Section Block Lot Plat No: Group 73 Plat Ref: 81 Town **Special Tax Areas Ad Valorem** Tax Class **Primary Structure Built Enclosed Area Property Land Area**

Primary Structure Built Enclosed Area Property Land Area County Use

0000 1.61 AC 08

Stories Basement Type Exterior

Value Information

	Base	Value	lue Phase-in Assessments	
	Value	As Of	As Of	As Of
		01/01/2002	07/01/2001	07/01/2002
Land:	0	0	• •	,
Improvements:	0	0		
Total:	0	0	0	0
Preferential Land:	0	0	Ō	ō

Transfer Information

Seller: PORTER C WALTER Type: IMPROVED ARMS-LENGTH	Date: 10/01/1968 Deed1:	Price: \$21,500 Deed2:
Seiler;	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Code	07/01/2001	07/01/2002
County	000	0	0
State	000	0	0
Municipal	000	0	0
·			

Tax Exempt: Exempt Class:

ИО

Special Tax Recapture:

* NONE *

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Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search**

Account Identifier:

District - 04 Account Number - 0402001803

Owner Information

Owner Name:

BALTIMORE GAS & ELECTRIC CO

Use:

INDUSTRIAL

Principal Residence:

NO

Mailing Address:

TAX ACCOUNTING UNIT

Deed Reference:

1) / 4924/ 596

PO BOX 1475

BALTIMORE MD 21203-1475

Location & Structure Information

Premises Address

SAFFELL RD

Zoning RC4

Legal Description

.826 AC SS SAFFELL R

700 W OF BERRYMANS LANE

Grid Map Parcel 73

Primary Structure Built

Town

Block Lot Group Plat No:

Plat Ref: 81

Special Tax Areas

Ad Valorem Tax Class

Subdivision

Section

Property Land Area

.82 AC

County Use

0000 **Stories**

Basement

Type

80 Exterior

Value Information

Base Value **Phase-in Assessments** Value As Of As Of As Of 01/01/2002 07/01/2001 07/01/2002 Land: **Improvements:** Total: **Preferential Land:**

Enclosed Area

Transfer Information

PORTER C WALTER Seller: IMPROVED ARMS-LENGTH Type: Seller: Type: Seller:

Date: 10/01/1968 Deed1:

\$21,500 Price:

Deed2: Date: Price: Deed1: Deed2:

Date: Deed1: Price: Deed2:

Exemption Information

Partial Exempt Assessments Code 07/01/2001 07/01/2002 County 000 State 000 Municipal 000

Tax Exempt:

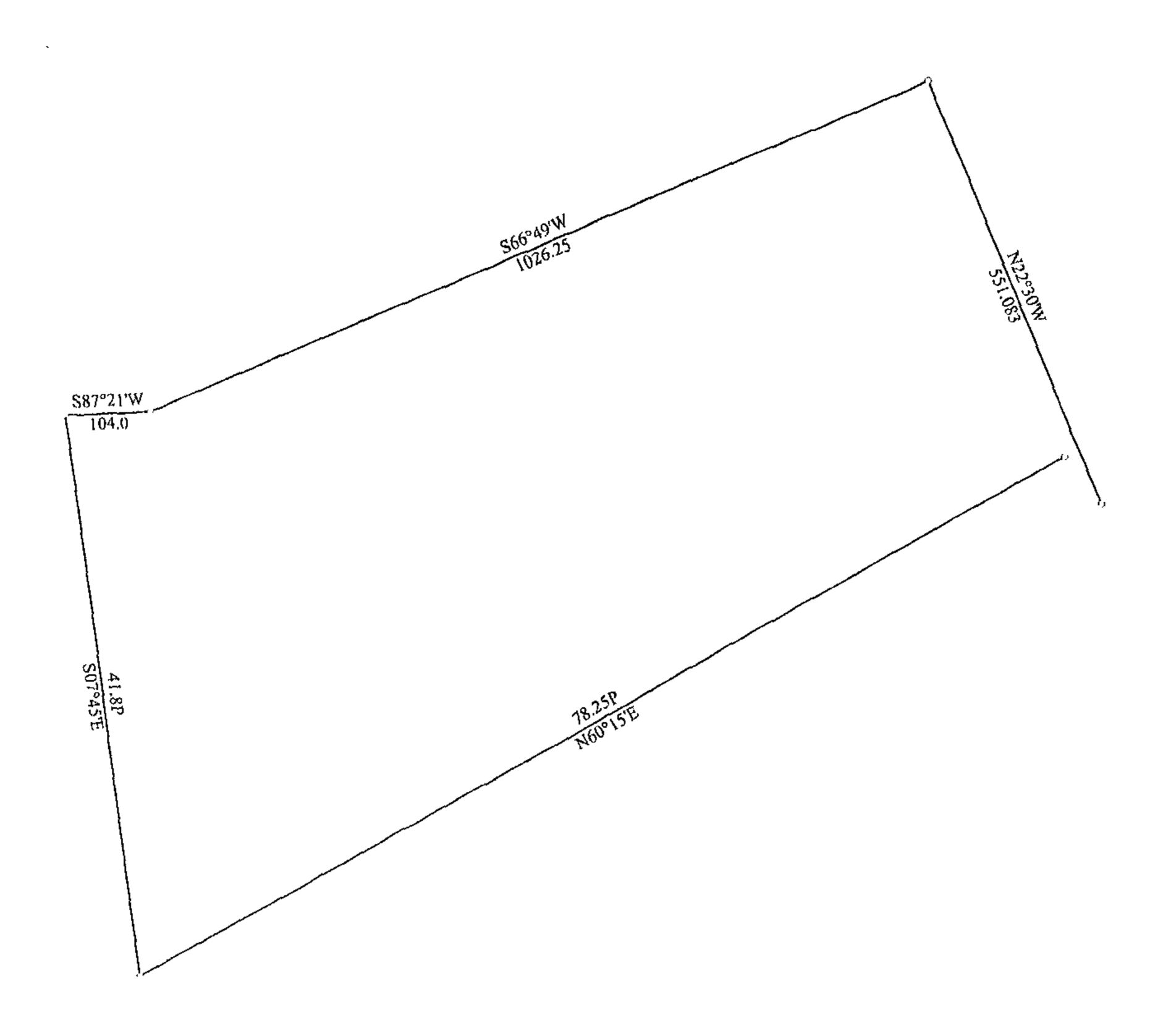
Type:

Exempt Class:

NO

Special Tax Recapture:

* NONE *



002=S66.49W 1026.25

003=S87.21 W 104.0 004=S07.45E 41.8P

STATE OF MARYLAND, COUNTY OF BALTIMORE, SOT.

An inquisition taken in the Circuit Court for Baltimore County on the First day of May, 1931, on the caths of the Jurors whose names are hereto subscribed and seals affixed, being duly impanelled and swern to justly and impartially assess the damages caused by the construction of an electric light and power line over the property of John T. Nolan and Catherine Molan, his wife, situate in the Fourth Election District of Baltimore County; said electric light and power line to be constructed by The Susquehanna Transmission Company of Maryland for use in supplying the public with electric light and power.

The right of way for said electric light and power line is described

Beginning for the same at Station 1429+48.6 in the conter line of the right of way of The Sunquehanna Transminnion Company of Maryland, as now located, at a distance of 484490 feet northeasterly from the beginning of the N. 602° E. 762 parches line of the land described in the deed from Thos. H. Millikin and wife to John T. Nolan and wife dated October 6, 1911, and recorded among the Land Records of Baltimore County in Liber. W.P.C. No. 384, folio 453, etc., said point of beginning also being in the center of a 35 foot road; and running the name and binding reversely on said line and in the center of said road, as now surveyed, S. 56°-35' W. 93.84 feet to the west erly side of said right of way, thence binding on the westerly side of said right of way and running parallel to and 75 feet distant at right angles from said center line, N. 50-00 R. 718:59 feet to intersect the 8. 66°-49' W. 1026 feet 5 inches line. thence binding reversely on said line, as now surveyed, No 5904 31' E. 89.92 feet to a point in the center line of said right of way, said point being at Station 1436+65.4, thence continuing said course and binding reversely on said line, as now autrely N. 59°-31' R. 89.92 feet to the easterly side of said right of way, thence binding on the easterly side of said right of way: and running parallel to and 75 feet distant at right and the from said center line, S. 3°-00' W. 707.01 feet to interest the Nat6028nEar782:perches"line first above mentiched haches binding reversely on said line, as now surveyed, S. 56°465° W. 93.24 feet to the place of beginning. Containing 2.454 46744 of land, more or less.

The courses in this description are referred to True Meridian.

Being part of the land which by deed dated October 6.

1911, and recorded among the Land Records of Baltimore
County in Liber W.P.C. No. 384, folio 455, etc., was conveyed
by Thos. H. Mullikin and wife to John T. Nelan and wife in
fee simple.

one chamission tower, and no more, it to be erected on the said right of way, together with all necessary foundations for its support and a ground wire to be buried not less than twenty inches beneath the surface of the right of way. The tower and foundation are to be limited to a space thirty-two feet by thirty-two feet, and no more. The tower is to be erected in the center of the right of way at a point 90.4 feet southerly from the northern end of said right of way.

The right of way is outlined in red and the location of the tower is shown in green on blueprint marked "File No. 60-B-174," attached hereto and made a part hereof. The maximum width of the cross arms to be attached to the tower, on which the wires will be strung, will be 56 feet. The wires shall be at least thirty feet above the ground at all places. Five wires, and no more, are to be attached to the cross arms and strung over the right of way.

That part of the right of way which is not occupied by the transmission line tower may be farmed by the property owners, or used by them
in any manner which does not interfere with the tower or the wires and
their proper maintenance, but no buildings or structures of any kind are
to be erected by the property owners on the right of way.

Any damage done to crops in the construction or maintenance of the said transmission line shall be paid for by The Susquehanna Transmission. Company of Maryland at the fair market value prevailing at the time of the damage.

The Susquehanna Transmission Company of Maryland is to have the right to cut down and trim all trees and brush on the right of way and twenty feet edjacent thereto on either side, which might at any time interfere with or be liable to interfere with, or to fall upon the electric light and power wires.

The Jurors aforesaid, having entered upon and exemined the said property and heard evidence introduced before them by the parties interested ed, do say that they estimate, determine and value the damages which John T. Nolan and Catherine Nolan, his wife, will sustain by the construction of said electric light and power line at \$3,000.00.

IN WITNESS WHEREOF the subscribers, the Jarors aforesaid, have set their hands and seals on the day and year first written.

(sgd.)	William A. Reynolds	(SEAL)
#	Michael Stachowski	(SEAL)
11	Chas. E. Stansbury	(SEAL)
**	Morris Saval	(SEAL)
Ħ	George Odensoss	(SRAL)
Ħ	Herman H. Northrup	(SEAL)
17	C. J. Langenfelder	(SEAL)
Ħ	Daniel J. Talbott	(SHAL)
11	John L. Mullaney	(SHAL)
10	John H. Gehring	(SEAL)
tt	Edward K. Baker	(SEAL)
1 7	Geo. J. Skipper	(SEAL)
		•

Copied by DD-6/23/33

Sec.

And Charles

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WHEREAS, the said party of the third part, by its original indenture dated February 1, 1919, and recorded among the Mortgage Records of Baltimore County in Liber W.P.C. No. 555, Solio 1, etc., and twenty-nine (29) indentures supplemental thereto, the last being dated August 1, 1967, and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4791, folio 361, etc., conveyed to the said party of the second part, Trustee, for the uses and purposes therein set forth, all the property of the said Baltimore Gas and Electric Company then owned or thereafter to be acquired by it; and

whereas, in order to vest the title to the property hereinafter described in the said party of the second part, as Trustee under said original indenture dated February 1, 1919, and indentures supplemental thereto, it is now proposed to grant and convey the property hereinafter described directly to the said party of the second part, as such Trustee, and to the said party of the third part, subject, in all respects, to the right, title and interest of the said party of the second part, as such Trustee.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of the premises and the sum of Five (\$5.00) Dollars, and other valuable considerations, this day paid, receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said Bankers Trust Company, Trustee under the aforesaid original indenture dated February 1, 1919, and indentures supplemental thereto, and its successors in said trust, for the uses and purposes and upon the trusts in said indentures set forth, and, subject to the interest and estate so vested in Bankers Trust Company, Trustee, and said saltimore Gas and Electric Company, its successors and assigns, in fee simple, all the parcels of land situate in the -Fourth- Election District of Baltimore County, State of Maryland and according to a survey made by Dollenberg Brothers dated January 24, 1961 and described as follows, that is to say:-





BEGINNING for the first (Parcel 1) for the 100 feet wide right of way at a point in the last line of a parcel of land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes East 518.12 feet, measured along said last line, from a stone at the beginning of said line, said place of beginning also being at a point on the east side of an existing transmission line right of way, 150 feet wide, acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85 and running thence with and binding on a part of the last line of the aforesaid parcel of land conveyed by Nolan to Porter and binding on the center of a 33 Foot Road as laid out in said deed and now known as Chromine Road, North 56 degrees 34 minutes East 124.29 feet, thence leaving said road and outline and running for a line of division now made parallel with the east side of the aforesaid transmission line right of way, 150 feet wide, and distant 100 feet easterly therefrom, measured at a right angle thereto, North 3 degrees 00 minutes East 698.82 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 311.68 feet, measured along said line, from the beginning thereof, thence running with and binding on a part of said second line, said second line being the common boundary between the herein named parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, South 59 degrees 31 minutes West 119.90 feet to intersect the east side of the aforesaid transmission line right of way, 150 feet wide, and thence leaving said road and binding on the east side of said right of way, South 3 degrees 00 minutes West 706.49 feet to the place of beginning.

Containing 1.613 Acres of land more or less.

BEGINNING for the second (Parcel 2) for the 150 feet wide right of way at a point in the last line of a parcel of land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower, to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes East 424.90 feet, measured along said last line, from a stone at the beginning of said line, said place of beginning also being in the center line of an existing transmission line right of way, 150 feet wide, and at the beginning pointof said right of way as described in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1 folio 85 and running thence and binding reversely on a part of the last line of the aforesaid parcel of land conveyed by Nolan to Porter and binding on the center of a 33 Foot Road as laid out in said deed and now known as Chromine Road, South 56 degrees 34 minutes West 93.22 feet to the west side of said transmission line right of way, 150 feet wide, thence leaving said Chromine Road and binding on the west side of said right of way and running parallel with and distant 75 feet westerly, measured at a right angle, from the center line of said right of way, North 3 degrees 00 minutes East 717.99 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 611.42 feet, measured along said line, from the beginning thereof, thence binding reversely on a part of said second line, said second line being the common boundary between the herein named parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, North 59 degrees 31 minutes East 89.92 feet to a point in the center line of said transmission line right of way, 150 feet wide thence continuing to bind reversely on a part of said second line and within the right of way of said Saffell Road, North 59 degrees 31 minutes East 89.92 feet to the east of said transmission line right of way, thence leaving said Saffell Road and binding on the east side of said right of way and running parallel with and distant 75 feet easterly, measured at a right angle, from the center line of said right of way, South 3 degrees 00 minutes West. 706.49 feet to intersect the last line of said parcel of land conveyed by Nolan to Porter and thence binding reversely on a part of said last line and binding on the center of the aforesaid 33 foot Road, South 56 degrees 34 minutes West 93.22 feet to the place of beginning.

Containing 2.453 Acres of land more or less.

The courses in the above descriptions aremferred to the true meridian as established in the survey of the above referred to right of way of the Susquehanna Transmission Company of Maryland.

BEGINNING for the third (Parcel 4) for the 50 feet wide right of way at a point in the last line of a parcel of land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower, to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes East 269.53 feet, measured along said last line, from a stone at the beginning of said line and running thence with and binding on a part of said last line and binding on the center of a 33 Foot Road as referred to in said deed and now known as Chromine Road, North 56 degrees 34 minutes East 62.15 feet to intersect the west side of an existing transmission line right of way, 150 feet wide, acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85, thence leaving said road and outline and binding on the west side of said existing transmission line right of way, 150 feet wide, North 3 degrees 00 minutes East 717.99 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 611.42 feet, measured along said second line from the beginning thereof, thence running with and binding on a part of said second line, said line being the common boundary between the herein named parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, South 59 degrees 31 minutes West 59.95 feet and thence leaving said road and outline and running for a line of division now made parallel with the west side of the aforesaid transmission line right of way, 150 feet wide, and distant 50 feet westerly therefrom, measured at a right angle thereto, South 3 degrees 00 minutes West 721.82 feet to the place of beginning.

Containing 0.826 of an Acre of land more or less.

Being part of the land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 961, folio 92 was conveyed by John T. Nolan, widower, to C. Walter Porter and B. Jeanette Porter, his wife.

The 150 feet wide right of way herein secondly described is the same right of way acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85.

TOGETHER with the right to have access at all times, using existing roads as far as practicable, for the construction, operation and maintenance of towers, poles, structures, wires, cables, conduits, gas pipes or other facilities upon, over or under said parcels of land, and together with the right to trim or cut down and remove all trees within 75 feet of parcels 1 & 4 as shown on the plat attached hereto which might at any time, in the sole judgment of the parties of the second and third parts, or either of them, their successors and assigns, or the successors and assigns of either of them, be liable to interfere with or fall on any of the facilities of the party of the third part, its successors or assigns.

RESERVING, however, unto the said parties of the first part, their heirs and assigns, the right to cross said parcels of land and extend roads and public utility facilities acrose said parcels of land anywhere except within fifty (50) feet of any structure of the said party of the third part, and if such roads or facilities interfere with the use of said parcels of land by the said party of the third part, it will relocate them, and the right to farm and use the same in any other manner as long as such other use, in the sole judgment of the parties of the second and third parts, or either of them, their successors and assigns, or the successors and assigns of either of them, will not interfere with the construction, operation and maintenance of the party of the third part's existing or future facilities, but there shall not be creeted any buildings or structures thereon by the parties of the first part; any crops which may be damaged on land adjacent to said parcels of land because of such construction, operation and maintenance shall be paid for at prevailing market prices by the party of the third part.

TOGETHER with any, all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD said parcels of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtentances and advantages thereto belonging or appertaining, unto and to the proper use and heretit of the said SAGEES TRUST COMPANY, Trustee under the aforesaid of ginal indenture of Pebruary 1, 1919, and indentures supplemental thereto, and its successors in said trust, for the uses and purposes and upon the trusts in said indentures set forth, in fee simple.

TO HAVE AND TO HOLD said parcels of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtentures and advantages thereto belonging or appertaining, unto and to the proper

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use and benefit of the said BALTIMORE GAS AND ELECTRIC COMPANY, its successors and assigns, subject to the interest and estate so vested in the Bankers Trust Company, Trusted, in fee simple.

AND the said parties of the first part hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite.

WITNESS the hands and seals of the within named parties of the first part.

WITNESS:

BARBARA A. MUNDER

C. Walter Porter

(SEAL).

BARBARA A. MUNDER

B. Jeanette Porter

STATE OF MARYLAND, BALTIMORE CITY/COUNTY

, TO WIT:

I HEREBY CERTIFY that on this 9th day of September

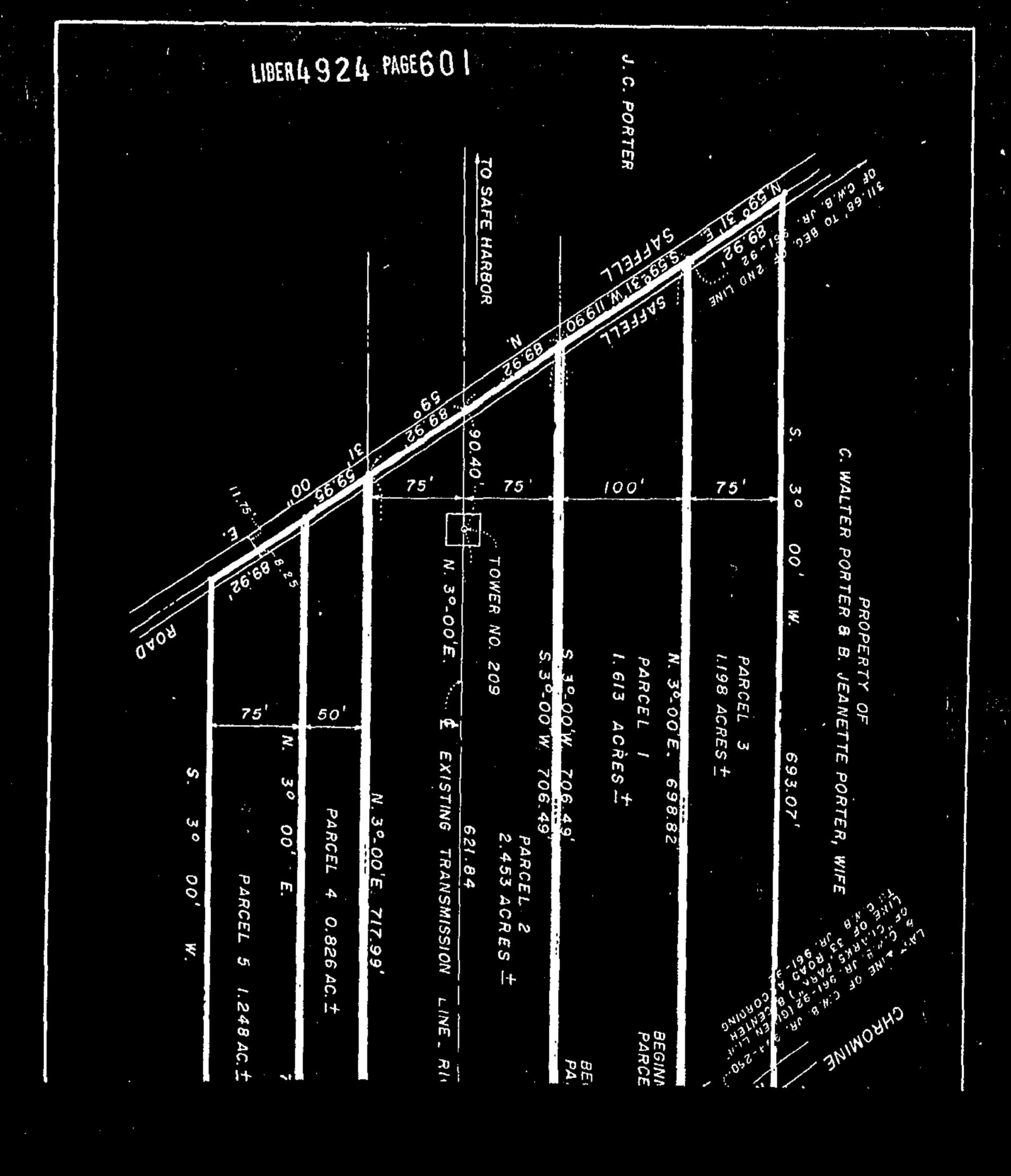
me, a Notary Public of said State, personally appeared C. WALTER PORTER and B. JEANETTE PORTER, his wife, parties of the first part, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, and in my presence signed and sealed the same.

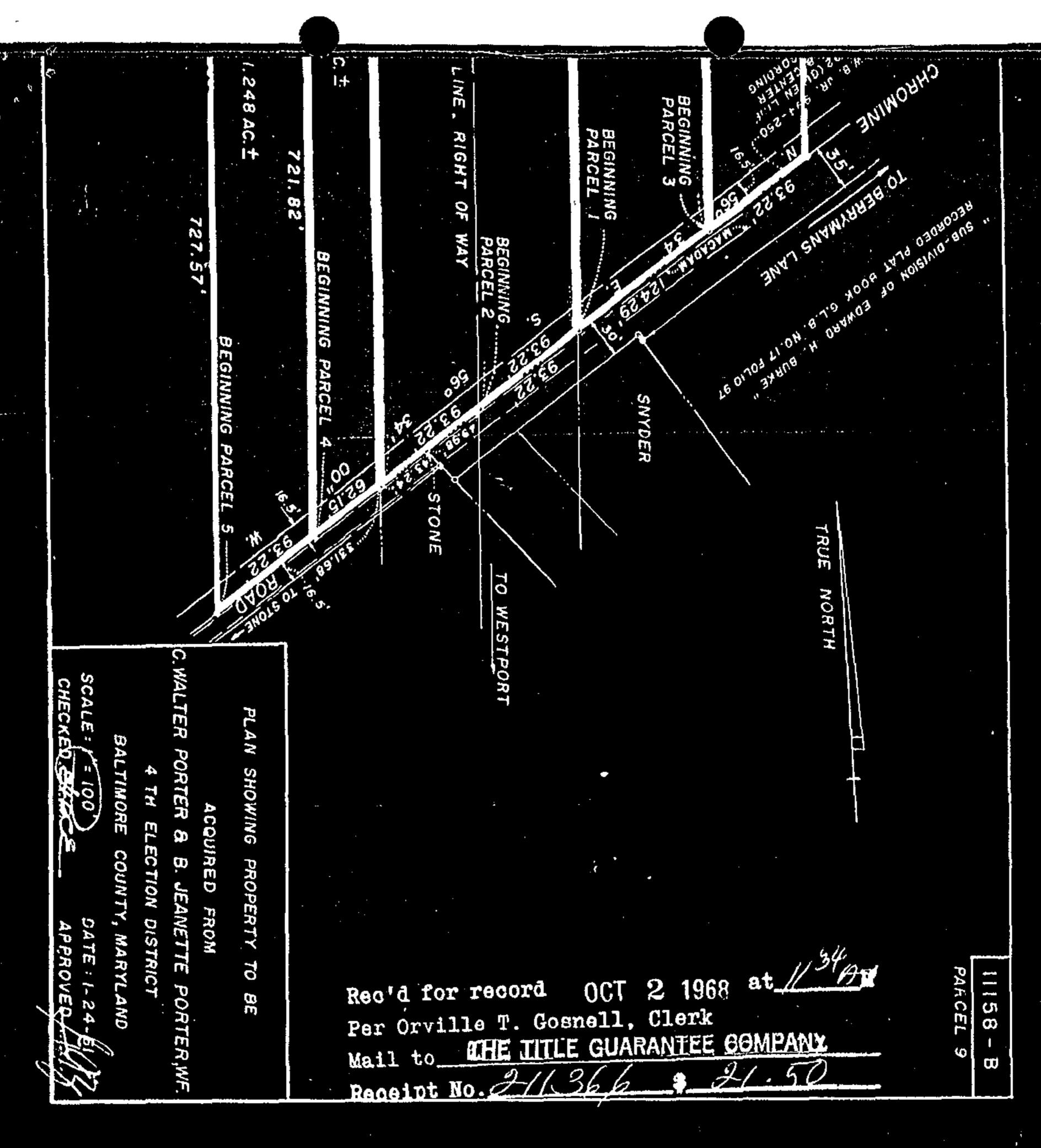
WITNESS my hand and Notarial Seal.

BARBARA A MUNDER

My commission expires: June 30, 1969

Notary Public





NO CONSIDERATION NO STAMPS - NO TRANSPER TA

THIS COMPIRMATORY DEED, made this 17th day of June in the year one thousand hine hundred and seventy-six, by and between B. JEANNETTE PORTER, of Baltimore County, in the State of Maryland, of the first part; and JAMES CAMBRON PORTER, of the County and State aforesaid, of the second part.

WHEREAS, heretofore, by Deed dated December 18, 1975 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5606, folio 122, the said B. Jeannette Porter conveyed to the said James Cameron Porter all that property described therein as containing eighteen and one-half acres of land, more or less; and

WHEREAS, through inadvertence, said Deed failed to recite and except certain off-conveyances by said Grantor of a portion of said property; and

WHEREAS, the said Grantor desires to confirm the intention of said Grantor to convey to the Grantee the property remaining in said tract after the conveyance by said Grantor of certain parcels as hereinafter described.

NOW, THEREFORE, THIS CONFIRMATORY DEED WITNESSETH, that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said B. JEANNETTE PORTER does hereby grant and convey unto the said JAMES CAMERON PORTER, his heirs and assigns, in fee simple, all that tract or lot of ground situate, lying and being in the Pourth Blection District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a stake on the east side of the county road leading from Reisterstown to "Soldiers Delight" and known as "Berryman's Lane" said point being where formerly stood two chestnut trees, and being the beginning point of the

> 6-22.76 Walter R. Richardson

TRANSFER TAX NOT REQUIRED

Director of Finance

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tract of land as conveyed by and described in a Deed from James P. Baugher and Others to Reuben W. Hare, dated April 17th, 1908, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 327 Folio 282 &c., thence with and on the first line of said Deed north twenty-two and one-half degrees west five hundred and fifty-one feet one inch to a point at the end of north sixty-six degrees and forty-nine minutes east, ten hundred and twenty-six feet three inches line mentioned in a Deed of a right of way from Somerville Mc. Comas and others to Brnest L. Cook and others, dated July 24th, 1909, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 358 Polio 69 &c., thence following the said right of way with the use thereof in common the two following courses, reversely, south sixty-six degrees and forty-nine minutes, west, ten hundred and twenty-six feet and three inches south, eighty-seven degrees and twenty-one minutes west, one hundred and four feet to intersect the south seven and three-fourths degrees east, eighty perches line mentioned in the Deed from James P. Baugher and others to Reuben W. Hare, above referred to; thence on said line south seven and three-fourths degrees east, forty-one and eight-tenths perches to a stone at the end thereof and to the given line of "Clark's Park" in the centre of a thirty-three foot road; thence in the centre of said road north sixty and one-fourth degrees east, seventy-eight and one-fourth perches to the place of beginning.

Containing eighteen and one-half acres of land, more or

less.

BEING the same tract of land which by Deed dated August 22, 1935, was granted and conveyed by John T. Nolan unto C. Walter Porter and B. Jeannette Porter, his wife, as tenants by the entireties, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 961, folio 92. The said of Porter having and records of Porter having and records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having a provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Land Records of Baltimore Porter having and provided among the Baltimore Porter having Porter having since departed this life on February 16, 1973.

> SAVING AND EXCEPTING from the hereinabove described tract of land all those parcels conveyed by Deed dated September 9, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4924 follo 596 from C. Walter Porter and Balleannette Porter, his wife to Bankers Trust Company, and Baltimore Gas and Electric Company, said parcels being more Baltimore cas and block as follows:

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BEGINNING for the first (Parcel 1) for the 100 feet wide right of way at a point in the last line of a parcel of land which by a Deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes East 518.12 feet, measured along said last line, from a stone at the beginning of said line, said place of beginning also being at a point on the east side of an existing transmission line right of way, 150 feet wide, acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife, dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85 and running thence with and binding on a part of the last line of the aforesaid parcel of land conveyed by Nolan to Porter and binding on the center of a 33 Poot Road as laid out in said deed and now known as Chromine Road, North 56 degrees 34 minutes Bast 124.29 feet, thence leaving said road and outline and

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running for a line of division now made parallel with the east side of the aforesaid transmission line right of way, 150 feet wide, and distant 100 feet easterly therefrom, measured at a . right angle thereto, North 3 degrees 00 minutes Rast 698.82 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 311.68 feet, measured along said line, from the beginning thereof, thence running with and binding on a part of said second line; said second line being the common boundary between the herein named & parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, South 59 degrees 31 minutes West 119.90 feet to intersect the east side of the aforesaid transmission line right of way, 150 feet wide, and thence leaving said road and binding on the east side of said right of way, South 3 degrees 00 minutes West 706.49 feet to the place of beginning.

Containing 1.613 Acres of land more or less.

150° 1

BEGINNING for the second (Parcel 2) for the 150 feet wide right of way at a point in the last line of a parcel of land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower, to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes best 424.90 (feet) measured along said last line, from a stone at the beginning of said line, said place of beginning also being in the center line of an existing transmission line right of way, 150 feet wide, and at the beginning point of said right of way as described in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1 folio 85 and running thence and binding reversely on a part of the last line of the aforesaid parcel of land conveyed by Nolan to Porter and binding on the center of a 33 Foot Road as laid out in said deed and now known as Chromine Road, South 56 degrees 34 minutes West 93.22 feet to the west side of said transmission line right of way, 150 feet wide, thence leaving said Chromine Road and binding on the west side of said right of way and running parallel with and distant 75 feet westerly, measured at a right angle, from the center line of said right of way, North 3 degrees 00 minutes East 717.99 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 611.42 feet, measured along said line, from the beginning thereof, thence binding reversely on a part of said second line, said second line being the common boundary between the herein named parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, North 59 degrees 31 minutes East 89.92 feet to a point in the center line of said transmission line right of way, 150 feet wide thence continuing to bind reversely on a part of said second line and within the right of way of said Saffell Road, North 59 degrees 31 minutes East 89.92 feet to the east of said transmission line right of way, thence leaving said Saffell Road and binding on the east side of said right of way and running parallel with and distant 75 feet easterly, measured at a right angle, from the center line of said right of way, South 3 degrees 00 minutes West 706.49 feet to intersect the last line of said parcel of land conveyed by Nolan to Porter and thence binding reversely on

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a part of said last line and binding on the center of the afore-said 33 Poot Road, South 56 degrees 34 minutes West 93.22 feet to the place of beginning.

Containing 2.453 Acres of land more or less.

The courses in the above descriptions are referred to the true meridian as established in the survey of the above referred to right of way of the Susquehanna Transmission Company of Maryland.

BEGINNING for the third (Parcel 4) for the 50 feet wide right of way at a point in the last line of a parcel of land which by a deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 961 folio 92 was conveyed by John T. Nolan, widower, to C. Walter Porter and wife, said point being distant North 56 degrees 34 minutes Bast 269.53 feet, measured along said last line, from a stone at the beginning of said line and running thence with and binding on a part of said last line and binding on the center of a 33 Poot Road as referred to in said deed and now known as Chromine Road, North 56 degrees 34 minutes East 62.15 feet to intersect the west side of an existing transmission line right of way, 150 feet wide, acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85, thence leaving said road and outline and binding on the west side of said existing transmission line right of way, 150 feet wide, North 3 degrees 00 minutes East 717.99 feet to a point in Saffell Road and to intersect the second line of the aforesaid parcel of land which was conveyed by Nolan to Porter at a point distant South 59 degrees 31 minutes West 611.42 feet, measured along said second line from the beginning thereof, thence running with and binding on a part of said second line, said line being the common boundary between the herein named parties of the first part and J. Carl Porter and wife and also binding within the right of way of said Saffell Road, 20 feet wide, South 59 degrees 31 minutes West 59.95 feet and thence leaving said road and outline and running for a line of division now made parallel with the west side of the aforesaid transmission line right of way, 150 feet wide, and distant 50 feet westerly therefrom, measured at a right angle thereto, South 3 degrees 00 minutes West 721.82 feet to the place of beginning.

Containing 0.826 of an Acre of land more or less.

The 150 feet wide right of way herein secondly described (Parcel 2) is the same right of way acquired in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland versus John T. Nolan and wife dated May 1, 1931 and recorded in the Circuit Court for Baltimore County in Condemnation Docket W.P.C. No. 1, folio 85.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same

belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages, thereto belonging or appertaining unto and to the proper use and benefit of the said JAMES CAMERON PORTER, his heirs and assigns, in fee simple.

AND the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor.

TEST:

STATE OF MARYLAND,

TO WIT:

I HEREBY CERTIFY, that on this 3 day of June 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for HOWARD COUNTY, personally appeared B. Jeannette Porter known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and mealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official

02#1**** MS82@3" 25-55 KE. 2245854 **** B285622 37-55 K.L

200'4 for record JUN 22 1976 st.,

For Mast H. Kahldne, Jr. - £10:

LIBER6376 PAGE838

FEE-SIMPLE DEED. CODE -City or County

SEE 5-64-6-324

NO CONSIDERATION

NO TRANSFER TAX

NO TITLE SEARCH

This Deed, Made this

24th day of Fellmann

in the year one thousand nine hundred and crighty two

, by and between

JAMES CAMERON PORTER and SUZANNE ENDRESS PORTER, his wife

Baltimore County

in the State of Maryland, of the first part, and

of the second part.

297150d ****12.00

2971500# ****12.00. 38 12-82

Witnesseth, That in consideration of the sum of zero consideration

the said JAMES CAMERON PORTER and SUZANNE ENDRESS PORTER, his wife,

do

grant and conver unto the said

Brees Breeze & This Property is

heirs and assigns, in fee simple, all that tract or lots

of ground, situate, lying and being in

Baltimore County, Maryland

, aforesaid, and described as follows, that is to say:~

Beginning for the same at a stake on the east side of the county road leading from Relateratown to "Soldiers Delight" and known as "Derryman's Lane" said point being where formerly stood two chestnut trees, and being the beginning point of the tract of land as conveyed by and described in a Deed from James P. Baigher and others to Reuben W. Hare, dated April 17, 1908, and recorded among the Land Records of Daltimore County in Liber W.P.C. No. 327, Folio 282 &c. thence with and on the first line of said Deed Dhorth twenty-two and one-half degrees west five hundred and fifty-one feet one inch to a point at the end of north sixty-six degrees and forty-nine minutes east, ten hundred and twentysix feet three inches line mentioned in a Deed of a right of way from Somerville Mc. Comas and others to Ernest L. Cook and others, dated July 24, 1909, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 358, Folio 69 &c., thence following the said right of way with the use thereof in common the two following courses; reversely, Zsouth sixty-six degrees and forty-nine minutes west, ten hundred and twenty-six feet and three inches Bouth, eighty-seven degrees and twenty-one minutes west, one hundred and four feet to intersect the south seven and three-fourths degrees east, eighty perches line mentioned in the Deed from James P. Baugher and others to Reuben W. Hare, above referred to; thence on daid line south seven and three-fourths degrees east, forty-one and eight tenths perches to a stone at the end thereof and to the given line of "Clark's Park" in the centre of a thirty-three foot road; thence in the centre of said road horth sixty and one-fourth degrees east, seventy-eight and one-fourth perches to the place of beginning. Containing eighteen and one-half acres of land, more or less.

Saving and excepting from the hereinabove described tract of land, al(1) of that right of way containing Two and Four Hundred Fifty-four Thousandth (2.454) acres of land, more or less, embraced in the Condemnation Proceedings of the Susquehanna Transmission Company of Maryland vs. John T. Nolan and Catherine Nolan, dated May 6, 1931, and recorded in the Circuit Court for

Baltimore County, in Condemnation Docket 1, Follo 85.

(OVER)

TRANSFER TAX NOT REQUIRED Director of Finance BALTIMORE COUNTY, MARYLAND Per Abane Date 3/12/32 Sec. 11-85-7

2870 220

BEING the same tract of land which was by Deed dated December 18, 1975, was granted and conveyed by B. Jeanette Porter unto James Cameron Porter and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5606, Folio 122, and

BEING the same tract of land which was made subject to a Confirmatory Deed dated June 17, 1976, by B. Jeanette Porter unto James Cameron Porter and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr.

AND FURTHER BEING the same tract of land which by Deed dated April 9, 1980 was granted and conveyed by James Cameron Porter to James Cameron Porter and Suzanne Endress Porter and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6155, Folio 482.

5 HOULD HAVE FERNTINED

15 646-525 CONFILMATORED.

LAIGHADE, G

S. H. W. The Asp. H.

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Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appartaining unto and to the proper use and benefit of the said

JAMES CAMERON PORTER,

his

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and the they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors

TEST:

SUZENNE ENDRESS PORTER

STATE OF MARYLAND, CITY OF BALTIMORE

, to wit:

I HEREBY CERTIFY, That on this in the year one thousand nine hundred and eighty-two

before me, the subscriber,

a Notary Public of the State of Maryland, in and for

aforesaid.

the City personally appeared

JAMES CAMERON PORTER and SUZANNE ENDRESS PORTER, his wife,

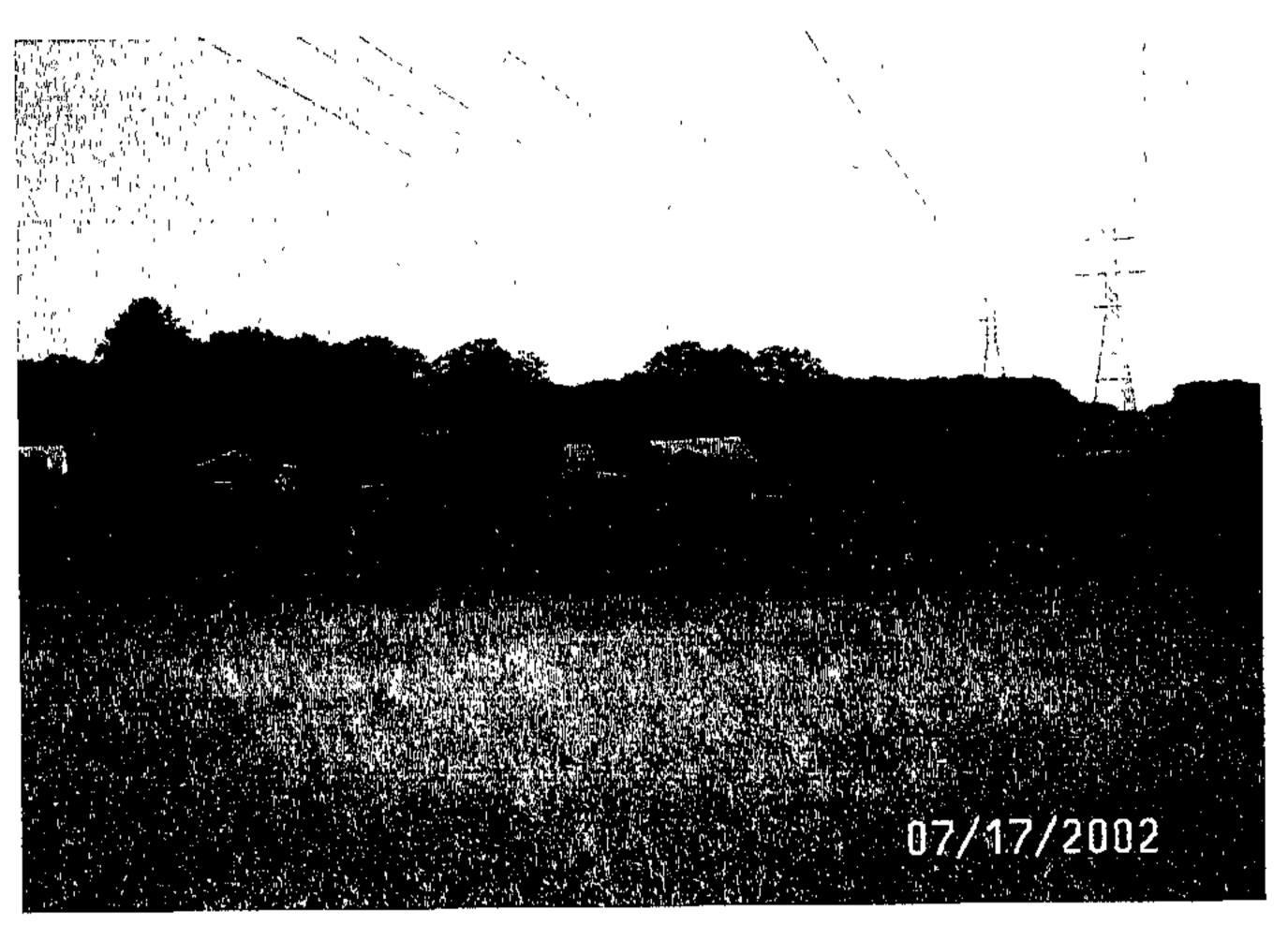
the above named grantors ,and they acknowledged the foregoing Deed to be As Witness my hand and Notarial Seal.

Notary Public.

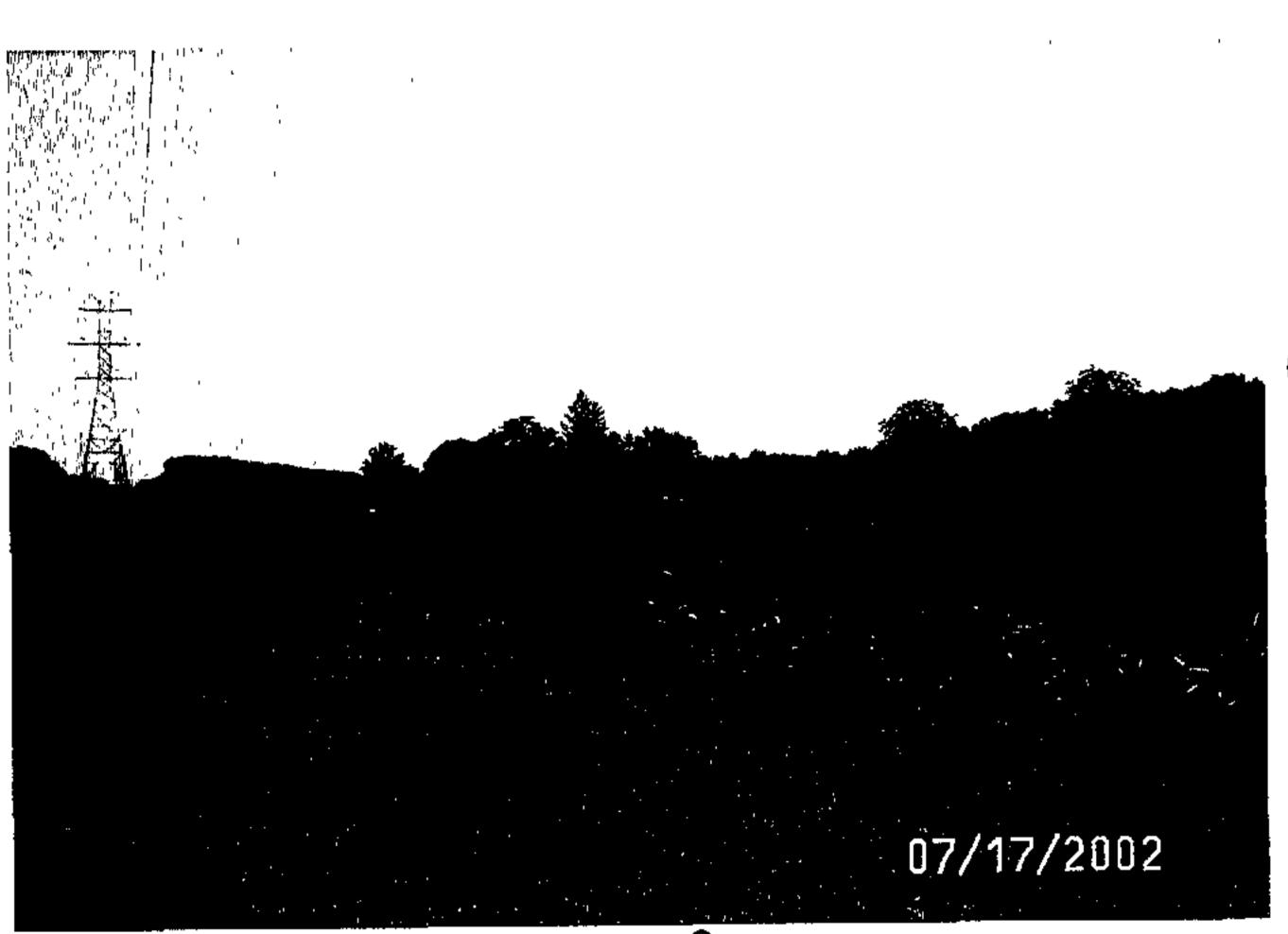
My Commission expires Per Elmer H. Eshling, Jr.

Receipt |





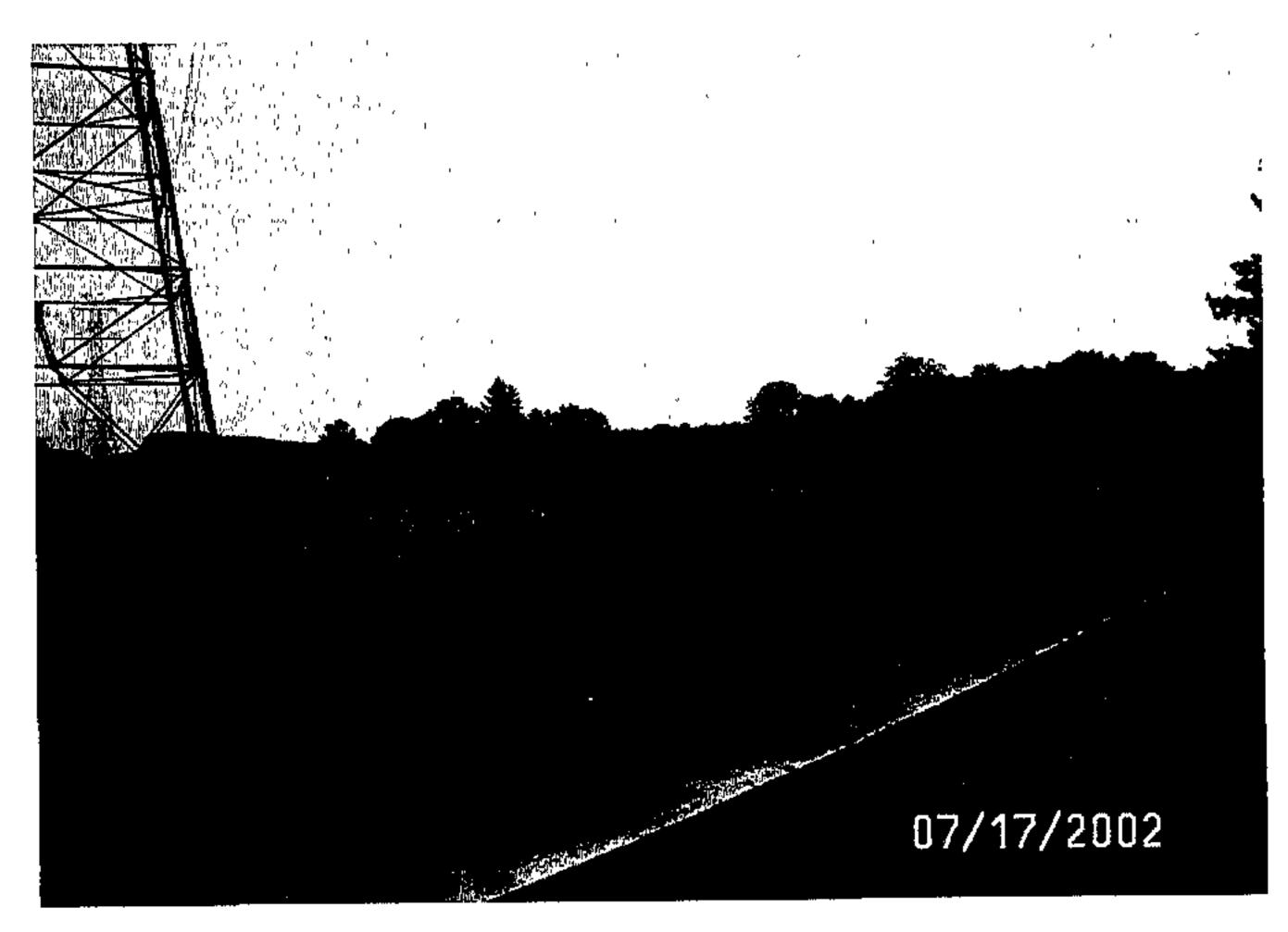


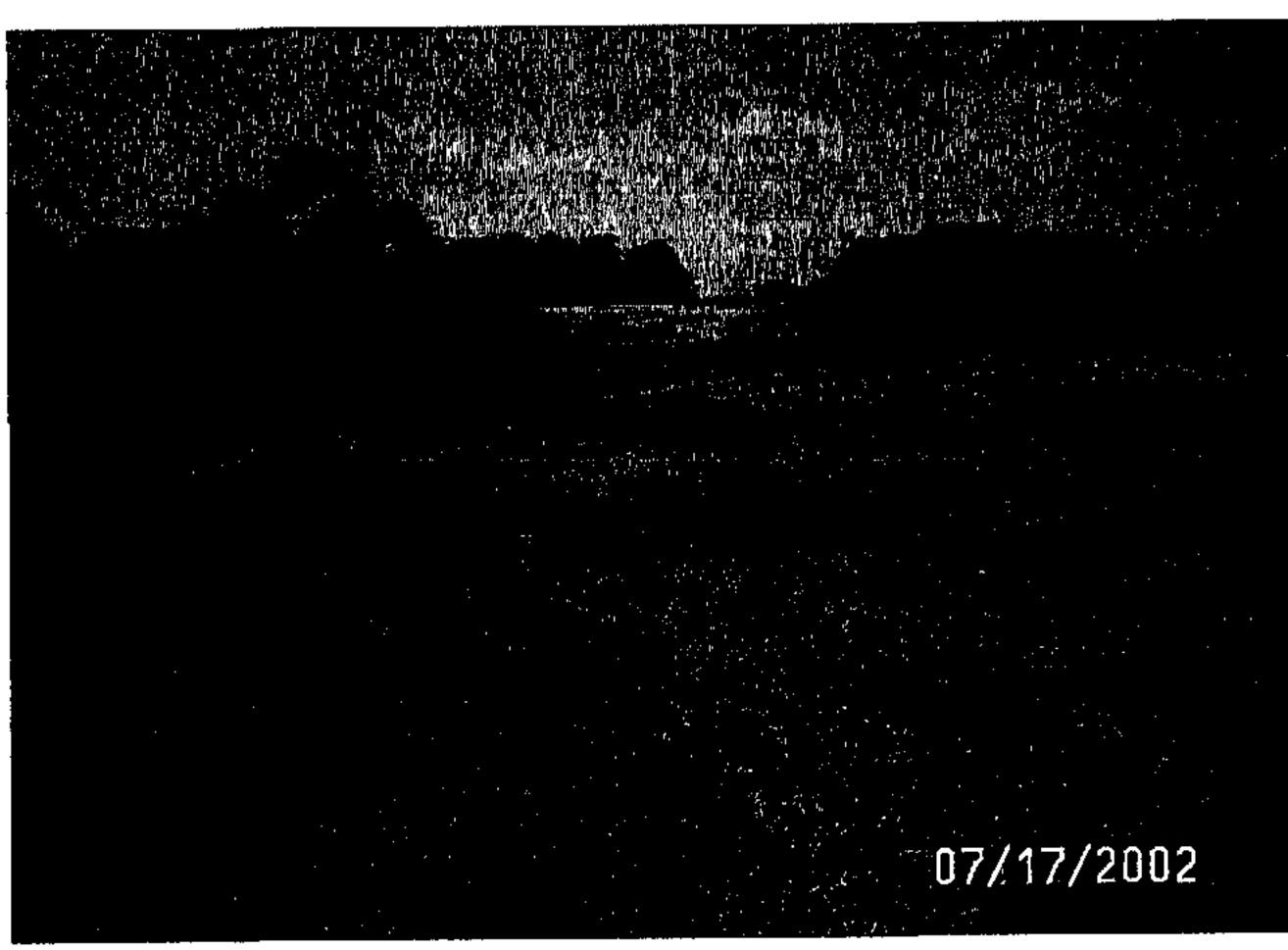


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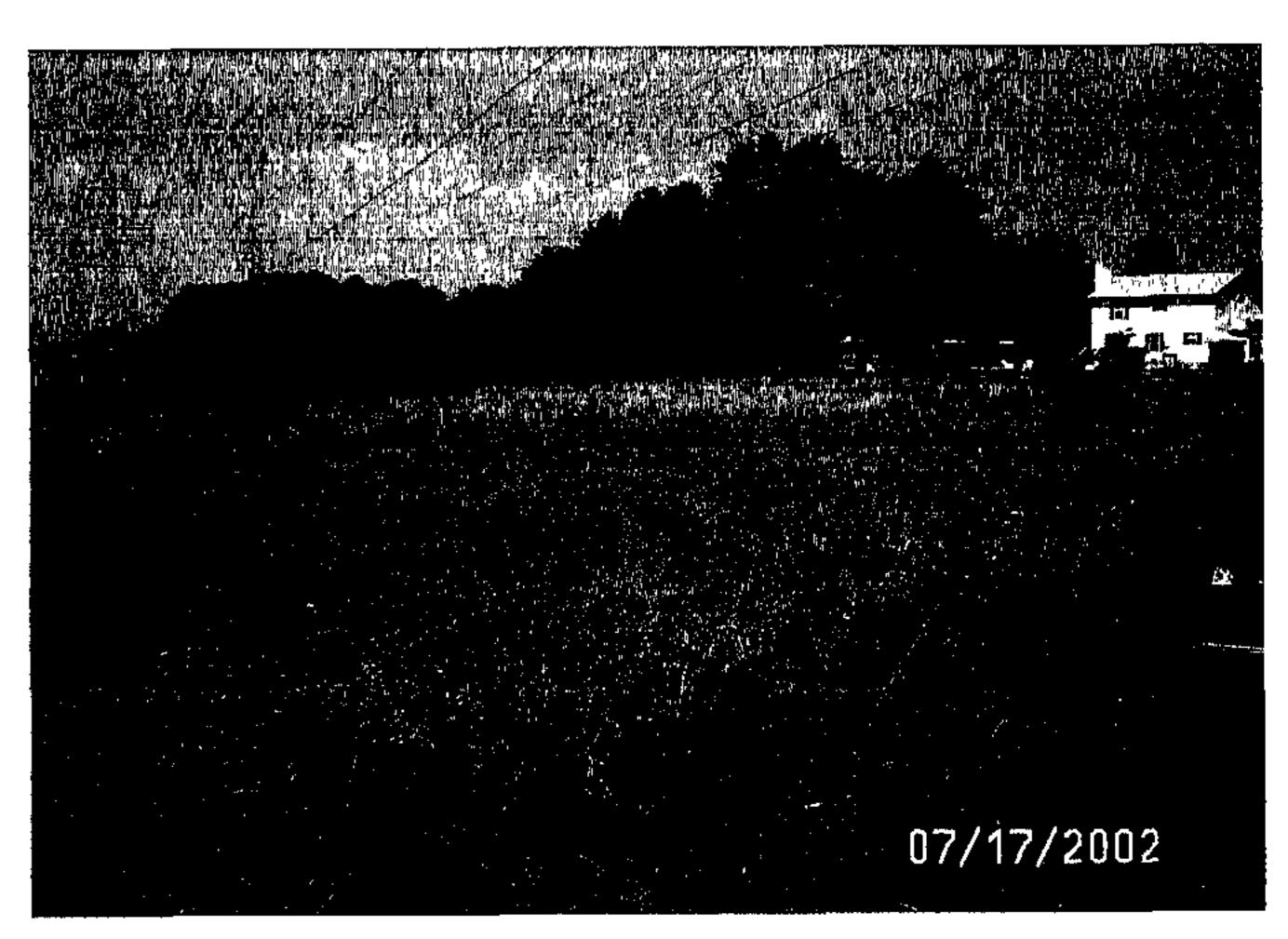






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
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


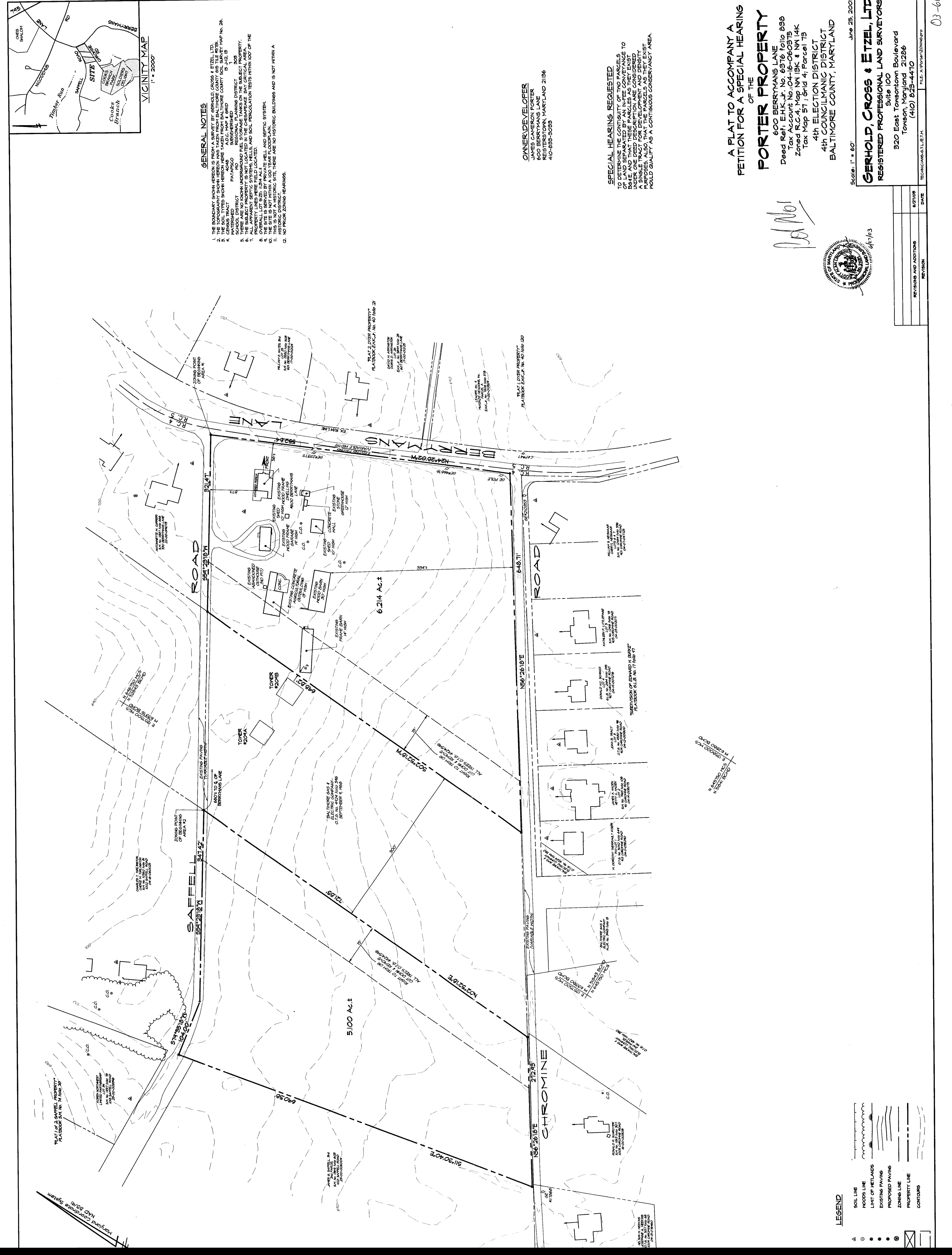


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