PER RECEIVED FOR FILLING

IN RE: PETITION FOR SPECIAL HEARING

S/S Old Frederick Road, 408' W of the c/l

Orpington Road

(5413 Old Frederick Road)

1st Election District

1st Council District

Scott K. Fendlay, et al Petitioners

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 04-249-SPH

•

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Scott K. Fendlay, Donna L. Fendlay, and Dan K. Fendlay. The Petitioners request a special hearing to approve the continuation of an existing nonconforming access to the existing single-family dwelling on proposed Lot 2 through a parking lot on an adjacent property, and to approve and establish nonconforming setbacks for existing buildings. The subject property and requested relief are more particularly shown on the site plan submitted, which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioners were Bruce D. Burton, the Professional Engineer who prepared the site plan for this property, and F. G. Basso, Developer. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Old Frederick Road, between Baltimore National Pike (Maryland Route 40) and Academy Road in Catonsville. The property contains a gross area of 0.547 acres (23,808 sq.ft.), more or less, zoned R.O. and is improved with a one-story dwelling known as 5413 Old Frederick Road, and a detached garage.

As shown on the site plan, the subject property has a relatively narrow width, (approximately 72 feet), but a substantial depth of nearly 300 feet. The existing house is set back a significant distance from Old Frederick Road. Additionally, the house is oriented so that the rear of

the dwelling faces Old Frederick Road. Under existing deeds, access to the property is provided by way of a driveway that leads from Old Frederick Road through the adjacent property owned by Frederick Villa Realty, LLC. Apparently, an easement for this access has existed for many years within the relevant deeds recorded in the Land Records of Baltimore County. It is the orientation and location of this access that drives the need for the special hearing.

In this regard, the Petitioners are desirous of subdividing the property to create two lots. As shown on the site plan, proposed Lot 1 will be located immediately adjacent to Old Frederick Road and access will be directly from that public street. Lot 1 will contain 6,238 sq.ft. in area and is proposed to be developed with a single-family dwelling, which will face Old Frederick Road. There are no zoning variances required for that construction and proposed Lot 1 meets all area and bulk regulations. The existing house and garage will be retained as part of Lot 2, which will contain the balance of the site, or 15,412 sq.ft.

The Petitioners request relief to recognize and continue the existing access through the easement on the adjacent property. Secondly, the Petitioners request relief to establish nonconforming setbacks for the existing buildings. In this regard, the existing dwelling is located approximately 3 feet from the east side property line. Additionally, the detached garage is located in the front yard of proposed Lot 2 and immediately abuts the west side property line. Testimony and evidence in this regard is that these structures are very old and were built prior to 1945, when the first set of zoning regulations were enacted in Baltimore County. In fact, it appears that most of the buildings in this neighborhood are over 100 years old.

Nonconforming uses are defined in Section 101 of the B.C.Z.R. and regulated by Section 104 thereof. Frequently, the nonconforming designation is used to grandfather an otherwise illegal use. In this case, it is clear that the means of access and location of existing buildings on the subject property have existed since prior to the first zoning regulations in Baltimore County. Moreover, the dwelling is occupied and the property continues to be used residentially. I am easily persuaded that the means of access and building locations are nonconforming. Additionally, there were no adverse Zoning Advisory Committee comments

submitted by any County review agency. Thus, it appears that relief can be granted without detrimental impact to adjacent properties or the surrounding locale.

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.

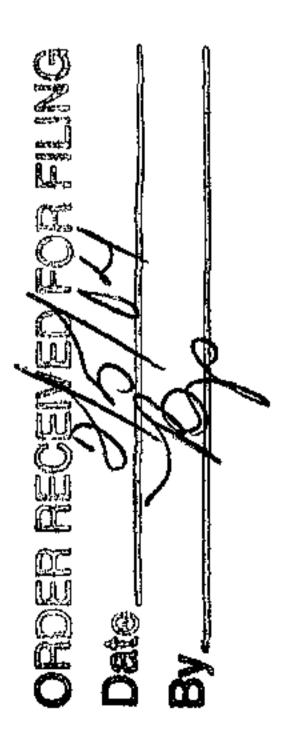
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of February 2004 that the Petition for Special Hearing to approve the continuation of an existing nonconforming access to the existing single-family dwelling on proposed Lot 2 through a parking lot on an adjacent property, and to approve and establish nonconforming setbacks for the existing buildings, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

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 fo



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

February 5, 2004

Mr. Scott K. Fendlay 603 Academy Road Baltimore, Maryland 21228

RE: PETITION FOR SPECIAL HEARING
S/S Old Frederick Road, 408' W of the c/l Orpington Road
(5413 Old Frederick Road)

1st Election District — 1st Council District
Scott K. Fendlay, Donna L. Fendlay and Don K. Fendlay - Petitioners
Case No. 04-249-SPH

Dear Mr. Fendlay:

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. Dan K. Fendlay

320 Stratford Road, Baltimore, Md. 21228

Mr. Bruce D. Burton, 9250 Rumsey Road, #106, Columbia, Md. 21045

Mr. F. G. Basso, 1100 Weddel Avenue, Baltimore, Md. 21227

People's Counsel; Case File



Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at 5413 Old Frederick Road which is presently zoned R/O (Residential

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 made a part nereor, nereby pention for a opcoint the Country, to determine whether or not the Zoning Commissioner should approve Control Unitary of Gusting

NOW-CONFERMING THE CHISTUNG HOUSE ON PROPOSED LOT 472 THROWELL THE PARKING LOT OF THE ADJACOUT TRUPESTE, AND TO ESTABLISH NON-CONFORMING SENSBULSOF GUISTING Bunding,

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.

	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
N/A	Scott K. Fendlay & Donna L. Fendlay Name - Type or Print
Name - Type or Print	Name - Type or Print Donna L. Fandla
Signature	Signature Dan K. Fendlay Home: 410-788-5671 /
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature HOME: 410-455-9139 Work: 410-477-2159 C
<u>Attorney For Petitioner:</u>	WO3 Academy Road 410-530-7743 Address Telephone No.
Name - Type or Print	Baltimore, MD 21228
Signature	City State Zip Code Representative to be Contacted:
Company	Dino Basso Name
	1100 Weddel Ave. 410-536-0886
Address Telephone No.	Address Baltimore, MD 21227
Cky State Zip Code	City State Zip Code
	OFFICE USE ONLY
244	ESTIMATED LENGTH OF HEARING
Case No. <u>64-4594</u>	UNAVAILABLE FOR HEARING
Re	viewed By 877 Date 1-14-05
KEW 4/15/48	11 COO OC 95

ADDENDUM TO PETITION FOR SPECIAL HEARING #5413 OLD FREDERICK ROAD

. . . .

- PROPERTY INFORMATION: The subject property is located on the south side of Old Frederick Road between St. Agnes Lane and Orpington Road. The property consists of 0.547 acres and is zoned RO (Residential Office). The property is improved by a one (1) story frame dwelling with an attached carport and a one (1) story detached frame garage. The existing dwelling derives vehicular access to Old Frederick Road through the adjacent Frederick Villa parking lot via an easement of record. Parking is provided for the property by an onsite gravel parking area. The Petitioner plans to retain all existing improvements as described. The site is served by all public utilities. The local area is comprised of multiple zones including commercial and residential uses. The area immediately north of the property is presently zoned BM-CCC (Business Major -Commercial Community Core) and improved by a shopping center with multiple business/commercial users. The property east of the site is zoned RO (Residential Office) and improved by the Frederick Villa Professional Center. The majority of the office suites are occupied by medical practitioners. Ancillary use of the property to the south of the property is the Frederick Villa Nursing Home. The property west of the site is residentially zoned D.R.5.5. This undeveloped property contains a two (2) story frame dwelling and frame outbuildings in a general state of disrepair.
- 2. PETITIONER'S PROPOSAL AND REQUEST: Petitioners desire to subdivide the property, creating two (2) lots. One lot will contain the existing improvements and maintain access via the Frederick Villa parking lot. This lot will continue to be used residentially. The new lot fronting Old Frederick Road will derive direct access from Old Frederick Road and will also be used residentially. The site uses are permitted as a matter of right, as limited in the D.R.5.5 zone, in accordance with Section 204.3.A.1 of the Baltimore County Zoning Regulations. In order to create the planned subdivision, the Petitioner requests approval of the following non-complying zoning items through the Special Hearing process.
 - (1) Permit the existing residential dwelling located on Lot 2 to extend into the ten (10) foot minimum side yard.
 - (2) Permit the existing detached garage located on Lot 2 to exist in the FRONT syard.

ZONING DESCRIPTION FOR #5413 OLD FREDERICK ROAD

Beginning at a point in the center of Old Frederick Road which is a future sixty (60) foot right-of-way at the approximate distance of 408 feet west of the centerline of Orpington Road which is fifty (50) feet wide, thence running along the west side of a lane or roadway of irregular width, (1) South 25°14'40" West 270.61 feet, thence leaving the west side of said lane or roadway, (2) North 64°45'20" West 14.85 feet, (3) South 25°15'40" West 97.40 feet, (4) North 84°07'10" West 57.56 feet, (5) North 25°52'50" East 63.00 feet, (6) North 23°23'10" East 72.50 feet, (7) North 25°30'10" East 234.63 feet to the center of Old Frederick Road and binding along the center thereof, (8) South 78°26'10" East 71.81 feet to the place of beginning containing 0.547 acres more or less. Also known as #5413 Old Frederick Road and located in the First Election District, First Councilmanic District.

Pilesoused ZONING DESCRIPTION FOR NEW LOT 1

Beginning at a point 30.90 feet from the center of Old Frederick Road of the previously described whole tract entitled "Zoning Description For #5413 Old Frederick Road", thence running along the west side of the above previously described lane or roadway, (1) South 25°14'40" 101.29 feet, thence leaving the west side of the said lane or roadway for two new lines of division (2) North 64°45'20" West 67.29 feet and (3) North 25°30'10" East 84.70 feet to the south side of the future sixty (60) foot right-of-way line of Old Frederick Road and running along the right-of-way South 78°26'10" East 68.87 feet to the place of beginning containing 0.1432 acres more or less.

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The Zoning Countingsioner of Balintove County, by authority of the Zoning Act and Regulations of Balintove County will hold a public hearing in Towson, Marviand on Case: #04-249-SPH 5413 Old Frederick Road S/side of Old Frederick Road S/side of Old Frederick Road 18413 Old Frederick Road 18814 Wednester 184 Election District 184 Councilmanic District 18413 Owner(s) Scott, Donna and Dan Fendlay Special Hearing: to permit a continuation of existing nonconforming access to existing house on proposed Lot #2 Conforming access to existing house on proposed Lot #2 conforming setbacks of existing buildings. Mednesday, February 4, 2004 at 9:00 a.m. in Room 1866, County Office Building, 111 W. Chesapeake

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 C645700

E OF PUBLICATION

11211 2000t

that the annexed advertisement was published THIS IS TO CERTIFY,

in the following weekly newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing once in each of G

M The Jeffersonian

- ☐ Arbutus Times
- Catonsville Times
 - Towson Times
- Times Owings Mills
- NE Booster/Reporter News North County

Welman

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Petitioner/Developer: SCO++ AND Date of Hearing/Closing: FEB 409 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Becky Hart {(410) 887-3394} 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: OLD FREDRICK RD The sign(s) were posted on .5 .5 .8 (Month, Day, Year) Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)





TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 20, 2004 Issue - Jeffersonian

Please forward billing to:

Scott Fendlay 603 Academy Road Baltimore, MD 21228

410-455-9139

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: 04-249-SPH

5413 Old Frederick Road

S/side of Old Frederick Road, 408 feet west of the centerline of Orpington Road

1st Election District -- 1st Councilmanic District

Legal Owners: Scott, Donna and Dan Fendlay

Special Hearing to permit a continuation of existing non-conforming access to existing house on proposed Lot #2 through the parking lot of the adjacent property, and to establish the non-conforming setbacks of existing buildings.

Hearing: Wednesday, February 4, 2004 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

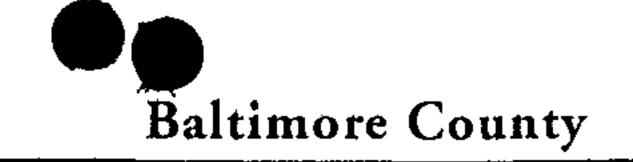
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

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





James T Smith, Jr, County Executive Timothy M Kotroco, Director

December 23, 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: 04-249-SPH

5413 Old Frederick Road

S/side of Old Frederick Road, 408 feet west of the centerline of Orpington Road

1st Election District – 1st Councilmanic District

Legal Owners: Scott, Donna and Dan Fendlay

Special Hearing to permit a continuation of existing non-conforming access to existing house on proposed Lot #2 through the parking lot of the adjacent property, and to establish the non-conforming setbacks of existing buildings.

Hearing: Wednesday, February 4, 2004 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Scott, Donna, Dan Fendlay, 603 Academy Road, Baltimore 21228 Dino Basso, 1100 Weddel Avenue, Baltimore 21227

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 20, 2004.

- (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.



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:
Petitioner: Scott FENDLAY, DONNIA FENDLAY, DAN FENDLAY Address or Location: 603 Acmosmy RD. BALTO. MD. 21228
PLEASE FORWARD ADVERTISING BILL TO: Name: Scott FENDARY Address: 603 ACHOEMY Ro. BALTO. MD. 21228
Telephone Number: 410-455-9139

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

January 30, 2004

Scott F. Fendlay & Donna L. Fendlay 320 Stratford Road Baltimore, Maryland 21228

Dear Mr. And Ms. Fendlay:

RE: Case Number: 04-249-SPH, 5413 Old Frederick Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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, Call Richall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:clb

Enclosures

c: People's Counsel
Dino Basso 1100 Weddel Avenue Baltimore 21227



Visit the County's Website at www.baltimorecountyonline.info



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

December 9, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: December 8, 2003

Item No:

249,/256-266

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. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12.9.03

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

RE:

Baltimore County

Item No. 249

JRA

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,

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

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case 04-249

DATE: December 18, 2003

RECEIVED

DEC 1 8 2003

ZONING COMMISSIONER

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:

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

DATE: December 24, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

SUBJECT:

Zoning Advisory Committee Meeting

For December 15, 2003 Item Nos (24), 256, 257, 258, 260, 261, 262, 264, 265, and 266

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

RWB:CEN:jrb

cc: File

PETITION FOR SPECIAL HEARING RE:

5413 Old Frederick Road; S/side of Old

Frederick Rd, 408' W c/line of Orlington Rd*

1st Election & 1st Councilmanic Districts

Legal Owner(s): Scott K & Donna L &

Dan Fendlay

FOR

BEFORE THE

BALTIMORE COUNTY

ZONING COMMISSIONER

04-249-SPH

Petitioner(s)

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

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 12th day of December, 2003, a copy of the foregoing Entry of Appearance was mailed to, Dino Basso, 1100 Weddel Avenue, Baltimore, MD 21227, Representative for Petitioner(s).

RECEIVED

DEC 17 2013

PETER MAX ZÍMMERMAN

People's Counsel for Baltimore County

THIS DEED, made this 2nd day of fully, in the year one thousand nine hyndred and seventy-six, by and between, ISAAC GOLDMAN and JACK TUCKER, tenants in common, of the first part, and FREDERICK VILLA PROFESSIONAL CENTER, a Maryland General Partnership, party of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, Isaac Goldman and Jack Tucker, tenants in common, do hereby grant and convey unto the said FREDERICK VILLA PROFESSIONAL CENTER, a Maryland General Partnership, and its assigns, in fee simple, all that real estate described in EXHIBIT A attached hereto and made a part hereof.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the right, 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. Bud 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 FREDERICK VILLA PROFESSIONAL CENTER, a Maryland General Partnership, in fee simple.

WITNESS the signature of said Grantors by their hands hereto affixed.

WITNESS:

Wavid Loudes

TRANSFER TAX NOT REQUIRED

Walter R. Richardson

Director of Finance

Right So - E

ASMIC GOLDMAN

GRANTORS

04-249-5761

LIBER5652 MGE302

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, personally appeared ISAAC GOLDMAN and JACK TUCKER, the within named Grantors, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within peed, and they acknowledged, the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

PUBLIC

My Commission Expires:

04249 SPU

LIBERB652 PAGE303

BEGINNING for the same at an iron pipe on the northwest side of the property now being described at the end of the South 64° 35' 50" East 14.85 foot line from a fence post as described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, Co-partners, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42,

Thence North 25° 24' 10" East 248.95 feet to the southwest-most corner of a highway widening strip along Old Frederick Road as recorded in the Land Records of Baltimore County in Liber 5535, Folio 444 in a deed from Isaac Goldman and Jack Tucker to Baltimore County and as shown on the Right of Way Acquisition Plat No. 75-088-2 recorded in the last mentioned deed.

Thence with the southmost right of way line of Old

South 81° 54' 50" East 14.61 foat

Thence by a curve to the left with a radius of 530 feet, an arc length of 171.72 feet as defined by a chord with a bearing of south 88° 48' 15" West and a length of 170.97 feet to a point 177.20 feet from the beginning of the fourth line of the deed recorded in Liber O.T.G. 5366. Folio 42.

Thence continuing said fourth line as now surveyed,

South 84° 07' 53" East 5.72 feet to the end of the said

Thence leaving Old Frederick Road,

South 290 09' 55" West 507.46 feet to a point,

of division, Thence at right angles to the last line, for a new line

North 60° 50' 05" West 235.09 feet to a point on the northwest outline of the entire tract described in Liber O.T.G. 5366, Folio 42, thence running on part of the said outline,

North 60° 41' 43" East 49.40 feet to the end of said mentioned deed:

South 84° 30' 10" East 57.56 feet North 24° 52' 40" East 97.40 feet South 64° 35' 50" East 14.85 feet

to the point of beginning.

OSOI++++ MONOMENZ Containing 1.7 acres more or less.
OSOI++++ Phonema DL-L- Total

Being part of the entire tract of land described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42.

Per Elmer II. Kahline, Jrya Clerk
Nail to John J. Janes Recuipt No. 10.52

EASEMENT AGREEMENT

This Easement Agreement made as of this 2nd day of

July . 1976, by and between FREDERICK VILLA NURSING

CENTER (hereinafter "Nursing Center") a Maryland general

partnership and FREDERICK VILLA PROFESSIONAL CENTER (hereinafter

"Professional Center") a Maryland general partnership and

consented to by Arundel Federal Savings and Loan Association

of Baltimore City (hereinafter "Arundel"):

WITNESSETH:

WHEREAS, Nursing Center is the owner in fee simple absolute of land and premises, lying and being in the County of Baltimore, State of Maryland, known herein as Section 1, more fully described in Exhibit 1 annexed hereto and by this reference incorporated herein subject to a first mortgage from Arundel to Nursing Center for a loan in the principal amount of \$900,000.00; and

WHEREAS, Professional Center is the owner in fee simple absolute, of the land and premises situate, lying and being in the County of Baltimore, State of Maryland known herein as Section 2 and more fully described in Exhibit 2 annexed hereto and by this reference incorporated herein; and

WHEREAS, Nursing Center and Professional Center in order to improve their respective properties and provide for maximum use of same desire to establish certain easements, restrictions, and obligations affecting Section 1 and Section 2 as more fully hereinafter set forth.

0505++++ 205046H5 87-T- JUL -7-76 24-8050

TRANSFER TAX NOT REQUIRED

Walter R. Richardson
Director of Finance

Authorized Signature

· -- LIBERS 6 5 2-PAGE 3 0 5

NOW THEREFORE to the aforementioned ends the parties hereto do agree as follows:

- (1) Nursing Center and Professional Center do hereby grant, bargain, sell and convey, each to the other a mutual, reciprocal, non-exclusive, and perpetual appurtenant easement, right of way, license, right, and privilege of passage and use, both pedestrian and automotive, for purposes of ingress and egress, on, over, and upon any and all roadways, now or hereafter constructed on said Section 1 and Section 2.
- (2) The parties hereto, their successors and assigns or others from time to time owning the fee of either Section 1 or Section 2 may permit their respective tenants, sub-tenants, occupants of the facilities on said respective Sections, employees, and business invitees of themselves and of such others, to use the easement areas created by this Agreement for the purposes hereinbefore set out.
- (3) Nursing Center and Professional Center hereby covenant and agree that each will, at its own expense and maintain in good order and repair all readways located on its Section.
- obligations hereunder shall be construed as running with the land and shall be perpetual. This agreement shall create privity of contract and/or estate with and among all grantees of all or any part of section 1 or Section 2, their heirs, executors, administrators, successors, or assigns. In the event of breach, or attempted or threatened breach by either party of any of the terms, covenants, and conditions hereof, the other owner shall be entitled, forthwith, to full and adequate relief by injunction and all other available legal and equitable remedies, and any deed, lease, assignment, conveyance, or contract made in

violation of this agreement shall be null and void and shall create no rights whatsoever. All costs and expenses of any such suit or proceedings shall be assessed against the defaulting party.

(5) The provisions of this Easement Agreement may be abrogated, modified, rescinded, or amended in whole or in part only with the consent of all of the owners of Section 1 and Section 2 and of each and every mortgages or beneficiary under any recorded mortgage or deed of trust covering all or any part of Section 1 or Section 2 by declaration in writing, executed, and acknowledged by all such owners, mortgagees, and with respect to deeds of trust, the trustees (but not the beneficiary of any deeds of trust), duly recorded among the Land Records of Baltimore County, Maryland; and this Easement Agreement may not otherwise be abrogated, modified, rescinded or amended in whole or in part.

IN WITNESS WHEREOF, the parties hereto have duly executed these presents under seal the day and year first above written.;

WITNESS: Warrd xamyder

ATTEST:

Ass T South

FREDERICK VILLA NURSING CENTER TACK TUCKER, Partitle DOLC-(ALL LERAL) ISAAC GOLLMAN, Partner FREDERICK VILLA PROFESSIONAL CENTER By: Do Vo Qo_(SEAL) GACK TUCKER Partner ISAAC GOLDMAN. Portner ARUNDEL FEDERAL SAVINGS AND ASSOCIATION OF BALTIMORE CIT By: ma Que l'imand M. RICHMOND FARRING. Ed

Vice Presi

LIBERS 052 PAGES 07

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 2nd day of July

1976, before me, the subscriber, a Notary Public in and for
the State and City/County aforesaid, personally appeared

JACK TUCKER and ISAAC GOLDMAN, Partners in the Partnership known
as FREDERICK VILLA NURSING CENTER on behalf of the said Partnership, and did acknowledge the aforegoing Easement Agreement
bearing date on the 2nd day of July, 1976, to be the act
and deed of said Partnership.

AS WITNESS my harman motarial seal.

PUBI.N

My Commission expires:

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 2rd day of fully 1976, before me, the subscriber, a Notary Public in and for the State and City/County aforesaid, personally appeared JACK TUCKER and ISAAC GOLDMAN, Partners in the Partnership known as FREDERICK VILLA PROFESSIONAL CENTER on behalf of the said Partnership and did acknowledge the aforegoing Easement Agreement bearing date on the 2rd day of July , 1976, to be the act and deed of said Partnership.

As WITNESS my hand, and Notarial Seal

My Commission expires

July 1, 1278

- 4 -

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STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 2 day of CVIA 1976, before me, the subscriber, a Notary Public in and for the State and City/County aforesaid, personally appeared M. RICHMOND FARRING, Executive Vice President, on behalf of ARUNDEL FEDERAL SAVINGS AND LOAN ASSOCIATION OF BALTIMORE CITY and did acknowledge the aforegoing Easement Agreement bearing date on the 2nd day of July 1976, to be the act and deed of said Corporation.

As WITNESS my hand and Notarial Seal

217811

CARL A. MULY

Notary Pull

My Commission expires:

EXHIBIT 1

Beginning for the same at a point on the fifth and southeasternmost property line of a deed from RAD. Inc. to Isaac Goldman and Jack Tucker. Co-partners, trading as of 507.45 feet from the beginning of the fifth or South 290 55" West 899.45 feet line, at the point of division between a 1.7 acro tract fronting on old Froderick Road and Thence continuing on the said last mentioned line.

to an iron pipe, Thongo

391.99 Faet

to an iron pipe, Thenco

252.43 Foet

South 10° 48' 20"West

to a point on the northeast side of a highway widening strip of Academy Road (Formerly Nunnery Lane) as described and indicated in the Land Records of Baltimore County in Drawing # 75-088-1, which point is 3.54 feet from the end of the deed line in Liber O.T.G. 5366 Folio 42.

Road with a curve to the left with a radius of 2,030 feet and an arc length of 68.66 feet to a point, as defined by a as now surveyed.

Thence,

to a point, Thence

521.84 Feet

to an iron pipe, Thence

81.03 Feet

South 880 40' 00" East

to an iron pipe found at the end of the third (last) or
South 60° 41' 43" West 105.55 feet line of that parcel
of land which by deed dated December 29, 1964 and recorded
among the LAND Records of Baltimore County, Maryland in
Liber R.R.G. 4408 Folio 259 was granted and conveyed by
Robert G. Morris and Myrtle Irma Morris, his wife, to

Thence binding reversely along all of the said

North 60° 41' 43" East
to the southwesternmost corner of the 1.7 acre tract,

mentioned parcel and reversely along that line,

to the point of boginning.

235.09 Pest

more or loss.

Being part of the entire tract containing 5.325 to Isaac Goldman, et al in Liber O.T.G. 5366 Folio 42.

BEGINNING for the same at an iron pipe on the northwest side of the property now being described at the end of the South 640 35. 50" East 14.85 foot line from a fence post as described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, Co-partners, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42,

Thence North 25° 24' 10" East 248.95 feet to the southwestmost corner of a highway widening strip along old Frederick Road
as recorded in the Land Records of Baltimore County in Liber 5535,
Folio 444 in a deed from Isaac Goldman and Jack Tucker to Baltimore
County and as shown on the Right of Way Acquisition Plat No. 75-088-2

Prederick Road, Thence with the southmost right of way line of Old

South 810 54' 50" East 14.61 feet

an arc length of 171.72 feet as defined by a chord with a bearing of 80uth 880 48' 15" West and a length of 170.97 feet to a point recorded in Liber O.T.G. 5366, Folio 42.

Thence continuing said fourth line as now surveyed,

line, South 84° 07' 53" East 5.72 feet to the end of the said

Thence leaving old Frederick Road,

South 290 09' 55" West 507.46 feet to a point,

of division, at right angles to the last line, for a new line

northwest outline of the entire tract described in Liber O.T.G.

North 60° 41' 43" East 49.40 feet to the end of said mentioned deed:

South 84° 30' 10" East 57.56 feet South 24° 52' 40" East 97.40 feet 97.40 feet 14.85 feet

to the point of beginning.

Containing 1.7 acres more or less.

deed from RAD. Inc. to Isaac Goldman and Jack Tucker, trading me Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42.

Rec'd for record JUL 7.1978 at American Francisco Clork
Vall to Alexa June Land Constitution Recognition of the Constitution o

8 B ;

THIS DEED, made this 30th day of april. in the year one thousand nine hundred and seventy-three, by and between RAU, INC., a body corporate duly incorporated ands: the lage of the State of Caryland, of the first part, and CAAC GOLDMAN and Jack TYCKER, co-partners, trading as FREDERICK VILLA MASSIAN CENTER, of the lacond wart.

witnesseth, That in cusiveration of sum of Five Dollars (\$5:00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Rad, Inc., a body corporate duly incorporated under the laws of the State of Maxy and does hereby grant and convey unto the said lasac Gollarn and Jack Tucker, co-partners, trading as Frederick Villa Nursing Center, as remante in partnership, their assigns, the survivor of them, and the survivor a heirs and assigns, in fee simple, all that real estate described in EXHIBIT A attached hereto and made a part hereof.

TOGETHER with the buildings and seprevenents thereupon erected, made or being, and all and every the rights, alloys, ways, waters, privileges, appurtenances and advantages, to the same belowing, or anywise appertaining.

described and mentioned, and hereby intended to be conveyed; agether with the rights, privileges, appurtenances and advantages thereto belonging or appertuining uner and to the proper use and benefit of the said Isaac Goldman and Jack Tucker, co-partners, trading as Frederick Villa Nursing Center, as tengets in partnership, their assigns, the survivor of them, and the survivor's being and assigns, in fee simple.

AND the said party of the first for homely covenants that it has not done or suffered to be done any set, matter or thing whatsoever to encumber the property hereby conveyed; that is will warrant specially the property ground; and that it will execute such further assurances of the same as may be required.

WITNESS the someture of said corporate Grantor by the hard of its duly authorized officer, and its corporate seal hearts afriend.

EXCEN & MEXCEN
ATTORNETO AND
MODULACIO AT LAW
GALTINGRE, MO.

Allinston Market 13

By: W. Calvin Waskey, Jr.

J.C.O. Mica President

STATE OF MARYLAND, CITY OF SALTIMORE, to wit:



THERBY CERTIFY that on this work way of April, 1973, before me, the subscript, a Notary Public of the State of Maryland, in and for the City of Baltimore, particularly map and A. CALVIA WASKEY, JR., Vice President of RAD, INC., a body corporate duly incorporated under the laws of the State of Maryland, the within mand Grantor, known to me (or satisfactority proven) to be the person whose norm is subscribed to the within Dasd, and he acknowledged, on behalf of mand corporate Grantor, the foregoing Dasd to be its corporate act.

AS WITHESS my hand with Nothing the found.

PUBLIC TO THE

My Commission expires: July lst, 1974

TRUE IN THE COURTY that the within instrument was present by at upider the auterviews of the anderstand of the anderstand to provide before the Court of Acuation Mary land.

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MESSER & MESSER
ATTORNEYS AND
COUNSULLONG AT LAW
DALTIMORS, MP.

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EXHIBIT A

ALL THAT lot of ground situate, lying and being in the First District of Baltimore County, State of Maryland, and described as follows:

BEGINNING FOR THE SAME at an iron pipe found at the beginning of the Fourth or North 84 degrees 07 minutes 10 seconds West 143.39 foot line of that parcel of land which by Deed dated June 15, 1962 and recorded among the Land Records of Baltimore County, Maryland in Liber W.J.R. No. 4004 at Folio 389 was granted and conveyed by Michael J. Potthast and Mary Elizabeth Potthast, his wife, to Linwood P. Anderson and Helen N. Anderson, his wife; and running thence binding reversely along all of the Third and Second lines of said parcel of land the two (2) following courses and distances as now surveyed, viz:

(1) North 24 degrees 52 minutes 40 seconds Bast 97.40 feet to a

fence post, and

(2) South 64 degrees 35 minutes 50 seconds East 14.85 feet to an iron pipe on the westernmost line of a lane; thence binding along the westernmost line of said lane and reversely along all of the First line

of said parcel of land, as now surveyed

North 25 degrees 24 minutes 10 seconds Bast 270.60 feet to a railroad spike found in the centerline of the Old Frederick Road; Thence running in the bed of said Old Frederick Road as laid out and now existing and binding reversely along all of the Tenth (Last) line of said parcel of land as now surveyed

South 84 degrees 36 minutes 40 seconds Bast 182.92 feet to a nail; thence leaving said Old Frederick Road and binding reversely along all of the Ninth and Bighth lines of said parcel of land the two (2) following

courses and distances, as now surveyed, viz.:

(1) South 29 degrees 09 minutes 55 seconds West 899.45 feet to an

iron pipe and

(2) North 60 degrees 50 minutes 05 seconds West 252.43 feet to an iron pipe on and distant 314.04 feet from the beginning of the First or South 10 degrees 48 minutes 20 seconds West 575.12 feet line of that parcel of land which by Deed dated December 29, 1964 and recorded among the Land Records of Baltimore County, Maryland in Liber R.R.G. 4408 at Folio 245 was granted and conveyed by Robert Morris and Myrtle Irma Morris, his wife, to Linwood P. Anderson and Helen N. Anderson, his wife; thence binding along part of said First line to the end thereof

South 10 degrees 48 minutes 20 seconds West 261.08 feet to a point on the northeasternmost line of Nunnery Lane; thence binding along the northeasternmost line of said Nunnery Lane as laid out and now existing and along all of the Second Line of said last abovementioned parcel of

bnal

North 49 degrees 07 minutes 16 seconds West 66.60 feet; thence leaving said Numbery Lane and binding along all of the Third and Fourth Line of said parcel of land the two (2) following courses and distances, viz:

(1) North U8 degrees 23 minutes 26 seconds Bast 528.88 feet, and

(2) South 88 degrees 40 minutes 00 seconds Bast 81.03 feet to an iron pipe found at the end of the Sixth or North 88 degrees 17 minutes West 98.00 feet line of the Firstly abovementioned parcel of land; thence continuing the same course binding reversely along all of said Sixth Line, as now surveyed,

South 88 degrees 40 minutes 00 seconds East 98.00 feet to an iron pipe found at the end of the Third (Last) or South 60 degrees 41 minutes 43 seconds West 105.55 feet line of that parcel of land which by Deed dated December 29, 1964 and recorded among the Land Records of Baltimore County, Maryland in Liber R.R.G. 4408 folio 259 was granted and conveyed by Linwood P. Anderson and Helen N. Anderson, his wife, to Robert G. Morris and Myrtle Irma Morris, his wife; thence binding reversely along all of said Third Line

North 60 degrees 41 minutes 43 seconds Bast 105.55 feet to a point on and distant 85.83 feet from the end of the abovementioned Fourth Line of the Firstly abovementioned parcel of land; thence binding reversely along part of said Fourth Line as now surveyed to the beginning thereof

South 84 degrees 30 minutes 10 seconds Bast 57.56 feet to the point of beginning; CONTAINING 5.325 acres of land more or less.

BBING all of the property which by Deed dated August 19th, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4911, folio 75 was granted and conveyed by William F. McDonald and Edward Pierson, Trustees, and Linwood P. Anderson and Helen N. Anderson unto Rad, Inc., a body corporate of the State of Maryland, the Within named Grantor.

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AND AND TAKE TAKE

DEED PURSUANT TO LIQUIDATION OF PARTNERSHIP

THIS DEED, dated December 3/4, 1985, from Frederick Villa Professional Center, a Maryland General Partnership acting through its partners, Jack Tucker and The Estate of Isaac Goldman (Frederick Villa Professional Center, Jack Tucker and The Estate of Isaac Goldman as Partners are nereinafter collectively referred to as "Grantor"), to Jack Tucker and The Estate of Isaac Goldman ("Grantees").

Grantees are original partners of Frederick Villa Professional Center, a Maryland General Partnership (the "Partnership").

The Partnership is being voluntarily liquidated.

Pursuant to the Partnership Agreement, the property and assets of the Partnership, which include the property described below, are to be distributed and conveyed to the Grantees in consideration of liquidation of the Partnership.

That for no consideration other than the liquidation of the Partnership, the Grantor grants and conveys:

- (A) A two-thirds interest as tenant in common to The Estate of Isaac Goldman; and
- (B) A one-third interest as tenant in common to Jack. Tucker;

their personal representatives, successors and assigns, in fee simple, all that property located in Baltimore County, Maryland and more particularly described on Schedule A annexed hereto.

Together with the improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances, and advantages belonging or appertaining thereig.

To have and hold the property hereby conveyed as follows: a two-thirds interest as tenant in common unto The Estate of Isaac Goldman; and a one-third interest as tenant in common to Jack Tucker; their personal representatives, successors and assigns, in fee simple.

The Grantor covenants to warrant specially the property hereby conveyed, and to execute such further assurances of the property as may be requisite.

Witness the execution and seal hereof by Jean Goldman and Pora Schwartz, Co-Personal Representatives of the Estate of Isaac Goldman, and Jack Tucker, in their capacity as Partners of the

STATE DEVARIATION OF

ASSESCMALTS & TAXATION

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04-249-Sta

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Partnership.

WITNESS:

Louis F. Friedman

REPRESENTATIVE OF THE ESTATE. OF ISAAC GOLDMAN

Louis F. Friedman

DORA SCHWARTZ, CO-PERSONAL REPRESENTATIVE OF THE ESTATE OF ISAAC GOLDMAN

Beverly Eisenberg

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

on this 31985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Jack Tucker, who acknowledged himself to be a Partner of Frederick Villa Nursing Home, and that they, as such Partner, being authorized to do so, executed the foregoing Deed for the purposes therein contained by signing, in my presence, as such Partner.

WITNESS my hand and Notarial Seal.

Notary Public - Beverly Eisenberg

My Commission Expires: July 1, 1986.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 3/ day of December, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Jean Goldman, who acknowledged herself to be Co-Personal Representative of the Estate of Isaac Goldman, and who further acknowledged such Estate to be a Partner of Frederick Villa Nursing Home, and that she, as such Co-Personal Representative, being authorized to do so, executed the foregoing Deed for the purposes therein contained by

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signing, in my presence, on behalf of such Partner.

WITNESS my, hand and Notarial Seal.

Notary Public - Beverly Elsenberg

My Commission Expires: July 1, 1986.

STATE OF MALYLMEN, COUNTY OF BALTIMORIE, to wit:

I HEREBY CERTIFY that on this of day of December, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Dora Schwartz, who acknowledged herself to be Co-Personal Representative of the Estate of Isaac Goldman, and who further acknowledged such Estate to be a Partner of Frederick Villa Nursing Home, and that she, as such Co-Personal Representative, being authorized to do so, executed the foregoing Deed for the purposes therein contained by signing, in my presence, on behalf of such Partner.

WITNESS my hand and Notarial Seal.

Notary Public - Louis F. Friedman

My Commission Expires:

4902/11-13

BEGINNING for the same as an iron pipe on the northwest's de of the property now being described as the stant of the South 34° 75' 50" hash 19.80 foot line from a ferral pour as described in a deed from HAD, 198 to Isaat to man and Jack Tucker, do-parkners, treplant as brederick Villa Nursing Canter and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, 19910 42,

Thence Morth 207 24' 10" East 248.95
Leet to the southwestmost corner of a
highway widening strip along Old Frederick
load as recorded in the Land Records of
haltimore County in Liber 5535, Folio 444
In a deed from Laar Soldman and Jack Tucker
to Baltimore County and as shown on the Right
of way Acquisition Plat No. 75-088-2 recorded
in the last mergioned deed.

Thence with the southmost right of way line of Old Frederick Road,

South 81" 514 50" Wast 14.61 feet

radius of 530 feet on and length of 171.72 feet as defined by a chord with a bearing of touch 88° 48' \[\] \[\] \[\] \] \[\] \] \[\] \[\] \[\] \] \[\] \[\] \[\] \] \[\] \[\] \[\] \[\] \[\] \[\] \[\] \] \[

Thehus continuing said fourth line as

South 84° 07' 53" Bast 6.72 feet to the and of the said trops,

There's leaving Old Treferick Road,

South 49° 09' 55" West 507.46 feet to a

in thence at right hautes to the last line, for a new threight division,

North 60° 50' 65' West 135.09 feet to a point on the northwest entire of the entire arithmetal of the entire arithmetal of the entire them. Appending the following of the said outline,

end of said line, thence along the following the courses in the last mentioned deed:

South 84° 30' 10" East 57.56 feet North 24° 52' 40" East 97.40 feet South 64° 35' 50" East 14.85 feet

to the point of beginning.

of the second of the second

Containing 1.7 acres more or less.

Being part of the entire tract of land described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.C. 5366, Folio 42.

Being the same lot of ground which by Deed dated
July 2, 1976, and recorded among the Land Records of Baltimore
County in Liber E.H.K., Jr. 5652, Folio 301, was granted and conveyed
to Frederick Villa Professional Center, a Maryland general
partnership.

Address Left - Relievel 15

DEED

This Deed, made this 28th day of Maryland General Partnership, party of the first part, and Donna L. Fendlay, Scott K. Fendlay, and Danny Fendlay, parties of the second part;

Witnesseth, that in consideration of \$153,900.00 and other good and valuable consideration, the receipt whereby is hereby acknowledged, the said party of the first part do(es) grant and convey unto Donna L. Fendlay, Scott K. Fendlay, and Danny Fendlay, parties of the second part, as joint tenants with rights of surivorship and not as tenants in common, and all their personal representatives and assigns, in fee simple all that piece or parcel of land situate, lying and being in Baltimore County, Maryland and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING the same property which by Deed dated March 3, 1997 and recorded March 5, 1997 among the Land Records of Baltimore County in Liber 12065, Folio 334, which was granted and conveyed by Cardinal William H. Keeler, Roman Catholic Archbishop of Baltimore, a corporation sole of the State of Maryland, unto the Grantor(s) herein.

And the said party of the First covenant that it will warrant specially the property conveyed; and that it will execute such further assurances of said land as may be requisite.

Witness the hands and seals

Golden Oaks Ge	er, Athorized G nevel Partnershi	eneral Parti P	er for	•	
STATE OF	Md.		•		
COUNTY OF	Bulto				
Reitberger, Au	28th day of / the u thorized General	7apch ndersigned Partner for	2002, before officer, pe	me, <u>Rus</u> rsonally app General Parts	Seared Henry
to me (or satis	sfactorily proven strument and acki) to be the	Derson(s) who	ose name(s) s	subscribed to

In Witness Whereof, I hereunto set my hand and official seal.

NOTARY PUBLIC

TEST:

My commission expires:

purposes therein contained.

I certify that this instrument has been prepared under the supervision of an attorney approved to practice before the court of appeals.

Derrick M. Quick, MD Attorney at Law

Return to:

Richard H. Rosario 1045 Taylor Avenue, Ste. 103 Baltimore, Maryland 21286 410-494-8524

BEGINNING for the same in the center of Old Frederick Road at beginning of the land described in a Deed from George Hofferbert to Edgar L. Bennett and Mary L. Bennett dated December 7. :339, and recorded among the Land Records of Baltimore County in Liker C.W.B., Jr., No. 1984, folio 100, and running thence with and binding on the outlines of said land and on the outline of the land described in a Dead from William Bennett to Edgar Bennett dated July 14, 1934, and recorded among the Land Records aforesaid in Liber C.H.B., Jr., No. 1039, folio 574, and along the west side of a line or roadway of irregular width. 1) South twenty-five degrees for teen minutes forty seconds West (5 25° 14' 40" W) passing over a pipe on the south side of Old Frederick Road two hundred seventy and sixty one-hundredths feat thence leaving the west side of said roadway and still binding on the outlines of the attrementioned lands the three following courses and distances 2) North sixty-four degrees forty-five minutes twenty seconds West lourneen and eighty-five one-hundredths feet (N 64° 45' 20" W 14.45') to a fence post. 3) South twenty-five degrees fifteen millies forty seconds West ninety-seven and forty one-hundredths (ext (5 25° 15' 40" W 97.40') to a fence corner and 4) North eighty-four degrees seven minutes ten seconds West fifty-seven and filty-six one-hundredths feet (84° 07' 10" W 57.56') to the end of the lifth line of the land described in a Deed from Mary A. Lee and husband to Christian J. Eitemiller and wife date October 5, 1905 and recorded among the aforementioned Land Records in Liber W.P.C. No. 291 folio 168, and running thence reversely on the fifth, fourth and third lines of said land, 5) North twenty-five degrees (1:17-cwo minutes fifty seconds East saxty-three feet (N 25° 52' 50" £ 63'), 6) North twenty-three degrees twenty-three minutes ten seconds East seventy-two and fifty one-hundredths feet (N 23° 23' :: " E 72.50') and 7) North twenty-five degrees thirty minutes ten seconds East two hundred thirty-four and sixty-three one hundredths !e+: !N 25. 30. 10. E 234.63.) to the center of the Old Frederick Road aforesaid and running thence with and binding on the center thereof. 8) South seventy-eight (legrees twenty-six minutes ten neconds East seventy-one and eighty-one one-hundredths feet (\$ 78" 25' 10" E 71.81') to the place of beginning. The improvements being known as 5413 Old Frederick Road.

rogether with the right to use the above mentioned lane or readway of irregular width being from twelve feet to seventeen feet in width along the first line of the above described property for the use in connection of the owners and occupants of this property and the owners and occupants of the land adjoining thereto along said first line above referred to.

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Rudnick LLP 6225 Smith Avenue Baltimore, Maryland 21209-3600 Attn: Jonathan J. Landau, Esquire

SPECIAL WARRANTY DEED

THIS DEED, made this 2444 day of February, 2003, by JEAN SCHREIBMAN 67k/a JEAN GOLDMAN ("Schreibman") and THE ESTATE OF ISAAC GOLDMAN ("The Estate of Isaac Goldman", Schreibman and The Estate of Isaac Goldman are collectively, "Grantor") to FREDERICK VILLA REALTY, LLC, a Maryland limited liability company (successor by conversion to Frederick Villa Associates Limited Partnership, a Maryland limited partnership) ("Grantee").

WITNESSETH, for \$10.00 and other valuable consideration, Schreibman, being record title holder as to a one-third tenant in common interest, and The Estate of Isaac Goldman, being record title holder as to a two-thirds tenant in common interest, the said Schreibman and The Estate of Isaac Goldman, being nominees of Grantee, having already granted and conveyed equitable interest in and to the Grantee herein at and for the actual consideration of \$1,350,000.00, do hereby grant and conveye to Grantee, its successors and assigns, in fee simple, all of Grantor's right, title and interest in that land and real property lying and situated in Baltimore County, Maryland known as \$411 Old Frederick Road and more particularly described in Exhibit A attached hereto and made a part hereof.

TOGETHER with any and all structures, improvements and fixtures thereon and thereto, and any and all easements, rights of way and use, waters and other advantages and appurtenences belonging or in any way appertaining thereto.

TO HAVE AND TO HOLD that above-granted and described property unto Grantee, its successors and assigns, in see simple.

AND GRANTOR covenants to warrant specially the property herein described and conveyed (subject to those restrictions, liens and other matters of record) and agrees to execute such further assurances as may be necessary.

AS WITNESS the hand and seal of Grantor.

WITNESS:

Han Schreibman Ika Jean Goldman

Jean Schreibman i

Jean Schreibman f/k/a Jean Goldman, Co-Personal Representative of The Estate of

COMMERCENTRE WEST STE. 200 1777 RESTERSTOWN ROAD PRESVILLE, MD 21208

isaac Goldman

Dora Schwartz, Co-Personal Representative of The Estate of Isaac Goldman

STATE OF FLORIDA

) SS:

CITY/COUNTY OF Pelme Beach

I HEREBY CERTIFY that on this 24 day of February, 2003, before me, the subscriber, a Notary Public, personally appeared Jean Schreibman f/k/a Jean Goldman, personally known (or satisfactorily proven) to me to be the person who executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Şeal.

My Commission expires: 7-14-06

STATE OF FLORIDA

CITY/COUNTY OF Palm Buck

I HEREBY CERTIFY that on this 24 day of February, 2003, before me, the subscriber, a Notary Public, personally appeared Jean Schreibman f/k/a Jean Goldman, who acknowledged herself to be the Co-Personal Representative of The Estate of Isaac Goldman, and that she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Bublic

Notary Public

My Commission expires: 7-14-36

CITY/COUNTY OF Palm Beach

STATE OF FLORIDA

I HEREBY CERTIFY that on this 34 day of February, 2003, before me, the

subscriber, a Notary Public, personally appeared Dora Schwartz, who acknowledged herself to be the Co-Personal Representative of The Estate of Isaac Goldman, and that she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Scal.

My Commission expires: 7-14-06

Notary Public

STATE COMMISSION NUMBER

CONTROL NOTARION

COMMISSION NUMBER

CONTROL NOTARION

COMMISSION NUMBER

ALLY 14.2008

CERTIFICATE

This instrument has been prepared by the undersigned, an attorney licensed to practice before the Court of Appeals in Maryland.

Jonathan J. Landau

Exhibit A

Legal Description

BEGINNING for the same at an iron pipe on the northwest side of the property now being described at the end of the South 64° 35′ 50″ East 14.85 foot line from a tence post as described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, Co-partners, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42,

Thence North 25° 24' 10" East 248.95 feet to the southwestmost corner of a highway widening strip along Old Frederick Road as recorded in the Land Records of Baltimore County in Liber 5535, Folio 444 in a deed from Isaac Goldman and Jack Tucker to Baltimore County and as shown on the Right of Way Acquisition Plat No. 75-088-2 recorded in the last mentioned deed.

Thence, with the southmost right of way line of Old Frederick Road,

South 81° 54' 50" East 14.61 feet

Thence by a curve to the left with a radius of 530 feet an arc length of 171.72 feet as defined by a chord with a hearing of South 88° 48' 15" East and a length of 170.97 feet to a point

177.20 feet from the beginning of the fourth line of the deed recorded in Liber O.T.G. 5366, Folio 42.

Thence containing said fourth line as now surveyed,

South 84° 07' 53" East 5.72 feet to the end of the said line.

Thence leaving Old Frederick Road,

South 29° 09' 55" West 507.46 feet to a point,

Thence at right angles to the last line, for a new line of division,

North 60° 50' 05" West 235.09 feet to a point on the northwest outline of the entire tract described in Liber O.T.G. 5366, Folio 42, thence running on part of the said outline,

North 60° 41' 43" East 49.40 feet to the end of said line, thence along the following three courses in the last mentioned deed:

South 84° 30' 10" East 57.56 feet North 24° 52' 40" East 97.40 feet South 64° 35' 50" East 14.85 feet

to the point of beginning.

Containing 1.7 acres more or less.

Being the same lot of ground which by Deed dated December 31, 1985, and recorded among the Land Records of Baltimore County in Liber 7064, Folio 712, was granted and conveyed by Frederick Villa Professional Center acting through its partners, Jack Tucker and The Estate of Isaac Goldman, and by Deed dated December 31, 1985, and recorded among the Land Records of Baltimore County in Liber 7064, Folio 717, was granted and conveyed by Jack Tucker to Jean Goldman.

DEED

THIS DEED, made this grand day of March. 1997, by and between Cardinal William H. Keeler, Roman Catholic Archbishop of Baltimore, a corporation sole of the State of Maryland ("Grantor"), and Golden Oaks General Partnership ("Grantee").

WITNESSETH, that in consideration of the sum of \$175,000, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, and Grantee's successors and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, State of Maryland, and more particularly

BEGINNING for the same in the center of Old Frederick Road at the beginning of the land described in a Deed from George Hofferbert to Edgar L. Bennett and Mary L. Bennett dated December 7, 1939, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr., No. 1084, folio 100, and running thence with and binding on the outlines of said land and on the outline of the land described in a Deed from William Bennett to Edgar Bennett dated July 14, 1934, and recorded among the Land Records aforesaid in Liber C.W.B., Jr., No. 1039, folio 574, and along the west side of a lane or roadway of irregular width, 1) South twenty-five degrees fourteen minutes forty seconds West (S 25° 14' 40" W) passing over a pipe on the south side of Old Frederick Road two hundred seventy 2 (5 to and sixty one-hundredths feet thence leaving the west side of said lane or roadway and still binding on the outlines of the aforementioned lands the three following courses and distances 2) North sixty-four degrees forty-five minutes twenty seconds West fourteen and eighty-five one-hundredths feet (N 64° 45' 20" W 14.85') to a fence post, 3) South twenty-five degrees fifteen minutes forty seconds West ninety-seven and forty one-hundred:hs feet (S 25° 15' 40" W 97.40') to a fence corner and 4) North eighty-four degrees seven minutes ten seconds West fifty-seven and fifty-six one-hundredths feet (84° 07' 10" W 57.56') to the end of the fifth line of the land described in a Deed from Mary A. Lee and husband to Christian J. Eitemiller and wife date October 5, 1905 and recorded among the aforementioned Land Records in Liber W.P.C. No. 291 folio 168, and running thence reversely on the fifth, fourth and third lines of said land, 5) North twenty-five degrees fifty-two minutes fifty seconds East sixty-three feet (N 25° 52' 50" E 63'), 6) North twenty-three degrees twenty-three minutes ten seconds East seventy-two and fifty one-hundredths feet (N 23° 23' 10" E 72.50') and 7) North twenty-five degrees thirty minutes ten seconds East two hundred thirty-four and sixty-three one hundredths feet (N 25° 30' 10" E 234.63') to the center of the Old Frederick Road aforesaid and running thence with and binding on the center thereof, 8) South seventy-eight degrees twenty-six minutes ten seconds East seventy-one and eighty-one one-hundredths feet (S 78° 26' 10" E 71.81') to the place of beginning. The improvements being known as 5413 Old Frederick Road.

AGRICULTURAL TRANSFER TAX NOT APPLICABLE

SIGNATURE DATE //F, HECEIVED FUR TRANSFER State Department of Assessments & Taxation for Baltamore County

TOGETHER with the right to use the above mentioned lane or roadway of irregular width being from twelve feet to seventeen feet in width along the first line of the above described property for the use in connection of the owners and occupants of this property and the owners and occupants of the land adjoining thereto along said first line above referred to.

BEING the same lot of ground which by Deed dated April 18, 1973 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6835 Folio 039 was granted and conveyed from Naomi F. Lewis to the Most Reverend William D. Borders, Roman Catholic Archbishop of Baltimore, a corporation sole of the State of Maryland; the Most Reverend William D. Borders having been succeeded as Roman Catholic Archbishop of Baltimore by Cardinal William H. Keeler.

TOGETHER with the buildings and improvements thereupon erected, made or Leing, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed unto and to the proper use and benefit of the Grantee, and the Grantee's successors and assigns, in fee simple.

AND the Grantor covenants that Grantor has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that Grantor will warrant specially further assurances of the same as may be requisite.

WITNESS the hand and seal of the Grantor.

WITNESS:

Rose Morie m' Mally

Cardinal William H. Keeler, Roman Catholic Archbishop of Baltimore, a corporation sole of the State of Maryland

State of Maryland, County of Baltimore, to wit:

I HEREBY CERTIFY, that on this 24 day of Julian, 1997, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Cardinal William H. Keeler, Roman of Maryland, known to me (or satisfactorily proven) to be the

person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be such individual's act in the capacity so set forth, and in my presence signed and sealed the

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public mi Mally

My Commission Expires: July 24, 494

THIS IS TO CERTIFY that the within instrument was prepared by the undersigned, an attorney admitted to practice before the Court

AFTER RECORDING, PLEASE RETURN TO: Friedman & Friedman 409 Washington Avenue, Suite 900 Towson, Maryland 21204

PcDocs#7153



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

Go Back View Map New Search

Account Identifier:

District - 01 Account Number - 1700008577

Owner Information

Owner Name:

FREDERICK VILLA REALTY LLC

Use:

COMMERCIAL

Mailing Address:

5411 OLD FREDERICK RD **BALTIMORE MD 21229-2195** Principal Residence:

NO

Deed Reference:

1) /17610/ 181

2)

Location & Structure Information

Premises Address

5411 OLD FREDERICK RD

Zoning RO

Legal Description

1.7 AC SS

OLD FREDERICK RD 1300 E ACADEMY RD

Мар Grid Parcel Sub District 95 21 418

Primary Structure Built

1977

Subdivision

Section

Block Lot

Group Plat No:

82 Plat Ref:

Special Tax Areas

Town **Ad Valorem**

Tax Class

Enclosed Area 24,530 SF

Property Land Area 1.70 AC

County Use 06

Stories

Basement

Type

Exterior

Value Information

Base **Value**

Value As Of 01/01/2003 191,700

Phase-in Assessments As Of As Of

07/01/2002

07/01/2003

Land: Improvements: Total: Preferential Land:

191,700 1,380,400 1,572,100

Class

1,599,000 1,790,700

1,572,100

1,644,966

Transfer Information

Seller: ESTATE OF ISAAC GOLDMAN Type: IMPROVED ARMS-LENGTH

Seller: FREDERICK VILLA PROFESSIONAL NOT ARMS-LENGTH

Type: Seller:

Type:

Tax Exempt:

Exempt Class:

Date: Date:

03/03/2003 Deed1: /17610/ 181 01/02/1986 Deed1: / 7064/ 717

Price: \$1,350,000 Deed2: Price: \$0

Deed2:

Date: Deed1:

Price: Deed2:

Exemption Information

Partial Exempt Assessments County State

000 000 Municipal 000

NO

07/01/2002 0 0

07/01/2003

Special Tax Recapture:

* NONE *

http://sdatcert3.resiusa.org/rp_rewrite/results.asp?Map=95&Parcel=418&town=&county=04... 4/14/03

After Recording Return To: Piper Rudnick LLP 6225 Smith Avenue Baltimore, Maryland 21209-3600 Attn: Jonathan J. Landau, Esquire

SPECIAL WARRANTY DEED

THIS DEED, made this 24th day of February, 2003, by JEAN SCHREIBMAN 1/k/a JEAN GOLDMAN ("Schreibman") and THE ESTATE OF ISAAC GOLDMAN ("The Estate of Isaac Goldman", Schreibman and The Estate of Isaac Goldman are collectively, "Grantor") to FREDERICK VILLA REALTY, LLC, a Maryland limited liability company (successor by conversion to Frederick Villa Associates Limited Partnership, a Maryland limited partnership) ("Grantee").

WITNESSETH, for \$10.00 and other valuable consideration. Schreibman, being record title holder as to a one-third tenant in common interest, and The Estate of Isaac Goldman, being record title holder as to a two-thirds tenant in common interest, the said Schreibman and The Estate of Isaac Goldman, being nominees of Grantee, having already granted and conveyed equitable interest in and to the Grantee herein at and for the actual consideration of \$1,350,000.00, do hereby grant and convey; to Grantee, its successors and assigns, in fee simple, all of Granter's right, title and interest in that land and real property lying and situated in Baltimore County, Maryland known as 5411 Old Frederick Road and more particularly described in Exhibit A attached hereto and made a part hereof.

TOGETHER with any and all structures, improvements and fixtures thereon and thereto, and any and all easements, rights of way and use, waters and other advantages and appurtenences belonging or in any way appertaining thereto.

TO HAVE AND TO HOLD that above-granted and described property unto Grantee, its successors and assigns, in fee simple.

AND GRANTOR covenants to warrant specially the property herein described and conveyed (subject to those restrictions, liens and other matters of record) and agrees to execute such further assurances as may be necessary.

AS WITNESS the hand and seal of Grantor.

WITNESS:

Han Schreibman Eka Jean Goldman

Jean Schreibman f/k/a Jean Goldman, Co-Personal Representative of The Estate of

COMMERCENTRE WEST STE. 200
1777 RESTERSTOWN ROAD
PRESVILLE, MD 21208

Isaac Goldman

Like Marine

Dora Schwartz, Co-Personal Representative of The Estate of Isaac Goldman

STATE OF FLORIDA

) SS:

CITY/COUNTY OF Pelox Black

I HEREBY CERTIFY that on this of day of February, 2003, before me, the subscriber, a Notary Public, personally appeared Jean Schreibman f/k/a Jean Goldman, personally known (or satisfactorily proven) to me to be the person who executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

My Commission expires: 7-14-06

) SS:

STATE OF FLORIDA

CITY/COUNTY OF Palm Buch

I HEREBY CERTIFY that on this A day of February, 2003, before me, the subscriber, a Notary Public, personally appeared Jean Schreibman 1/k/a Jean Goldman, who acknowledged herself to be the Co-Personal Representative of The Estate of Isaac Goldman, and that she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Bublic

Notary Public

My Commission expires: 7-14-06

STATE OF FLORIDA

\ 00.

CITY/COUNTY OF Palox Beach

OF FLORE MY COMMISSION ENTERS
OF FLO

I HEREBY CERTIFY that on this 24 day of February, 2003, before me, the

Coct. 249. SRO

subscriber, a Notary Public, personally appeared Dora Schwartz, who acknowledged herself to be the Co-Personal Representative of The Estate of Isaac Goldman, and that she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

My Commission expires: 7-14-06

Notary Public

Notary Public

NEW YORKS

DOI:30764

NY COMMISSION SHAPES

GF FLOW MY COMMISSION SHAPES

CERTIFICATE

This instrument has been prepared by the undersigned, an attorney licensed to practice before the Court of Appeals in Maryland.

Jonathen J. Landau

Exhibit A

Legal Description

BEGINNING for the same at an iron pipe on the northwest side of the property now being described at the end of the South 64° 35' 50" East 14.85 foot line from a tence post as described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, Co-partners, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42,

Thence North 25° 24' 10" East 248.95 feet to the southwestmost corner of a highway widening strip along Old Frederick Road as recorded in the Land Records of Baltimore County in Liber 5535, Folio 444 in a deed from Isaac Goldman and Jack Tucker to Baltimore County and as shown on the Right of Way Acquisition Plat No. 75-088-2 recorded in the last mentioned deed.

Thence, with the southmost right of way line of Old Frederick Road,

South 81° 54' 50" East 14.61 feet

Thence by a curve to the left with a radius of 530 feet an arc length of 171.72 feet as defined by a chord with a hearing of South 88° 48' 15" East and a length of 170.97 feet to a point

04.249. Sty

177.20 foot from the beginning of the fourth line of the doed recorded in Liber O.T.G. 5366, Folio 42.

Thence containing said fourth line as now surveyed,

South 84° 07' 53" East 5.72 feet to the end of the said line.

Thence leaving Old Frederick Road,

South 29° 09' 55" West 507.46 feet to a point,

Thence at right angles to the last line, for a new line of division,

North 60° 50' 05" West 235.09 feet to a point on the northwest outline of the entire tract described in Liber O.T.G. 5366, Folio 42, thence running on part of the said outline,

North 60° 41' 43" East 49.40 feet to the end of said line, thence along the following three courses in the last mentioned deed:

South 84° 30' 10" East 57.56 feet North 24° 52' 40" East 97.40 feet South 64° 35' 50" East 14.85 feet

to the point of beginning.

Containing 1.7 acres more or less.

Being the same lot of ground which by Deed dated December 31, 1985, and recorded among the Land Records of Baltimore County in Liber 7064, Folio 712, was granted and conveyed by Frederick Villa Professional Center acting through its partners, Jack Tucker and The Estate of Isaac Goldman to Jack Tucker and The Estate of Isaac Goldman, and by Deed dated December 31, 1985, and recorded among the Land Records of Baltimore County in Liber 7064, Folio 717, was granted and conveyed by Jack Tucker to Jean Goldman.



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

Go Back View Map New Search

Account Identifier:

District - 01 Account Number - 0119715680

Owner Information

Owner Name:

FENDLAY DONNA L

Use:

COMMERCIAL

Mailing Address:

FENDLAY SCOTT K

5413 OLD FREDERICK RD

BALTIMORE MD 21229-2125

Principal Residence:

NO

Deed Reference:

1) /17833/ 358

	·	Location	& Structure In	formation								
Premises Address 5413 OLD FREDERICK	RD	Zoning RO		Legal Description LT SS OLD FREDERICK 5413 OLD FREDERICK RD 1300 E ACADEMY ROAD								
Map Grid Par 95 21 10		bdivision	Section	Block	Lot	Group 82	Plat No: Plat Ref:					
pecial Tax Areas		Town Ad Valorem Tax Class										
	ucture Bullt 00		ed Area 14 SF	_	perty Land Area 23,808.00 SF			County Us 06				
Stories	Base	ement		Туре			Exterior					
		Va	due Informati	on				······································				
Lan	Base Value d: 85,600	As Of 01/01/2003	Phase-In Ass As Of 07/01/2002	sessments As C 07/01/200	•							
Improvement Tota Preferential Land	s: 120,200 d: 205,800	138,600 224,200	205,800 0	211,93	11,933 0							
		Trai	nsfer Informat	ion		<u></u>	······································					
eller: GOLDEN OAK ype: IMPROVED AF	S GENERAL PARTN	ERSHIP		te: 04/11/ ed1: /17833			ice: \$1 ed2:	53,900				

Type:	IMPROVED ARMS-LENGTH	Date: 04/11/2003 Price: \$153,900 Deed1: /17833/ 358 Deed2:	
Seller: Type:	MOST REVEREND WILLIAM D BORDERS " IMPROVED ARMS-LENGTH	Date: 03/05/1997 Price: \$175,000 Deed1: /12065/ 334 Deed2:	
Seller: Type:	LEWIS NAOMI F IMPROVED ARMS-LENGTH	Date: 12/07/1984 Price: \$87,500 Deed1: / 6834/ 39 Deed2:	
			

		Exemption Information	·	
Partial Exempt Assessments	Class	07/01/2002	07/01/2003	
County	000	0	0	
State	000	0	0	
Municipal	000	0	0	

Tax Exempt: **Exempt Class:**

NO

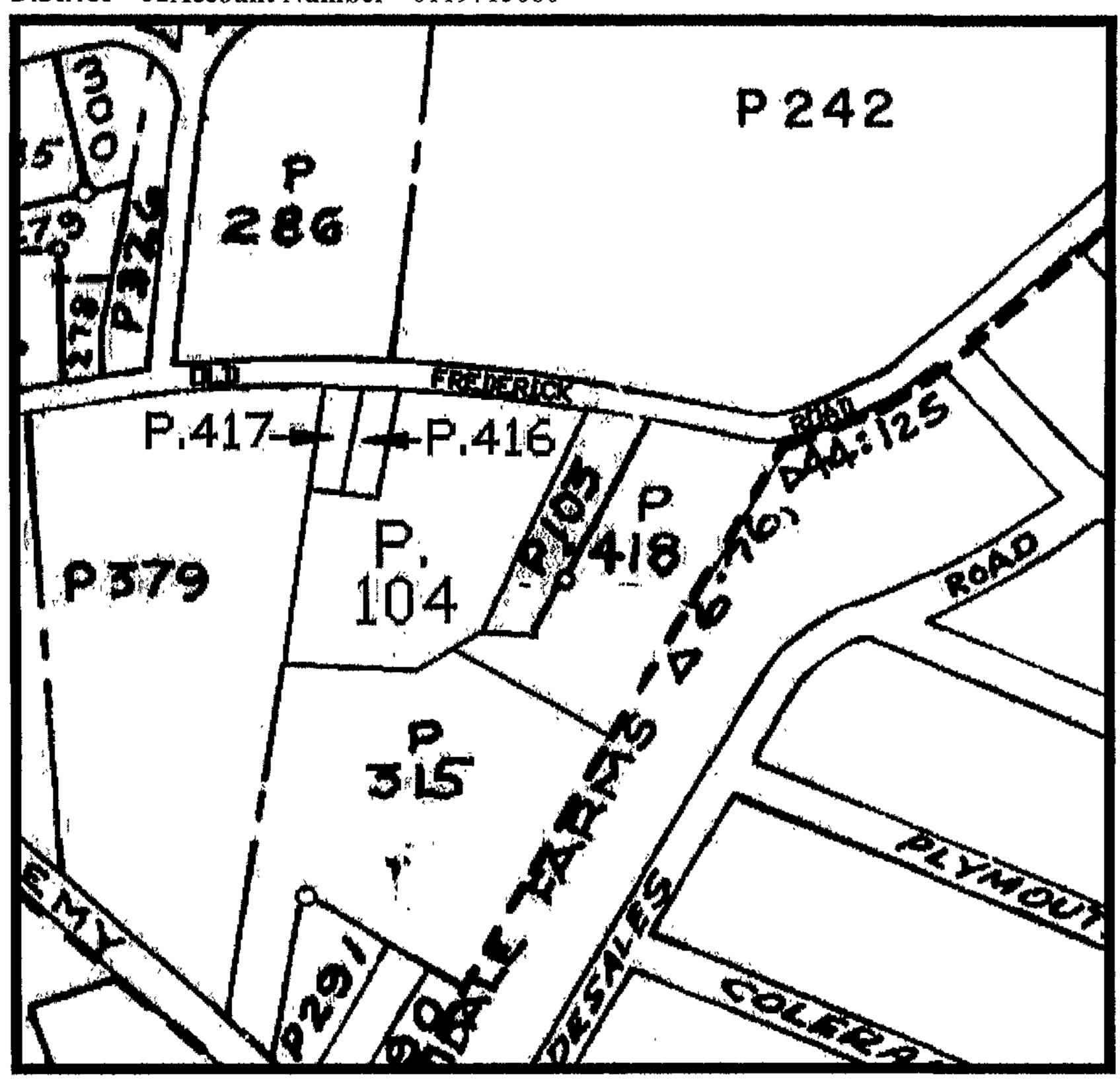
Special Tax Recapture:

* NONE *

http://sdatcert3.resiusa.org/rp_rewrite/results.asp?Map=95&Parcel=103&town=&county=04&... 6/3/03

Go Back View Map New Search

District - 01Account Number - 0119715680



Property maps provided courtesy of the Maryland Department of Planning ©2001. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state,md.us

http://sdatcert3.resiusa.org/rp_rewrite/maps/showmap.asp?countyid=04&accountid=01+0119... 4/14/03

(94749-SPA.

DEED

This Deed, made this 29th day of Maryland General Partnership, a Maryland General Partnership, party of the first part, and Donna L. Fendlay, Scott K. Fendlay, and Danny Fendlay, parties of the second part;

Witnesseth, that in consideration of \$153,900.00 and other good and valuable consideration, the receipt whereby is hereby acknowledged, the said party of the first part do(es) grant and convey unto Donna L. Fendlay, Scott K. Fendlay, and Danny Fendlay, parties of the second part, as joint tenants with rights of surivorship and not as tenants in common, and all their personal representatives and assigns, in fee simple all that piece or parcel of land situate, lying and being in Baltimore County, Maryland and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING the same property which by Deed dated March 3, 1997 and recorded March 5, 1997 among the Land Records of Baltimore County in Liber 12065, Folio 334, which was granted and conveyed by Cardinal William H. Keeler, Roman Catholic Archbishop of Baltimore, a corporation sole of the State of Maryland, unto the Grantor(s) herein.

And the said party of the first covenant that it will warrant specially the property conveyed; and that it will execute such further assurances of said land as may be requisite.

Witness the hands and seals

TEST:		
Mach	r, Mithorized General Partner for	
Golden Daks Gene	r, Mithorized General Partner for eyel Partnership	
STATE OF	Md.	
COUNTY OF	Bulto	
	00th - Much 2003	Ruscoll 11
C) Gen	28th day of March, 2008, before me, the undersigned officer, personal	ly appeared Henry
Beitherner, Auth	horized General Partner for Golden Oaks General factorily proven) to be the person(s) whose na	I Latelletziith viinau
the within inst	trument and acknowledged thatne executed	d the same for the
purposes therein	n contained.	
In Witness	s Whereof. I hereunto set my hand and offic	ial seal.
	Million Section Indicated and Street of the Section	•
	July Sell N. G.	
MAINUI LAACEA	MOU BI - 2	
My commission e	xpires:	
	2 6 The country	
	THE PUBLISHED	
I certify an attorney app	that this instrument has been prepared under proved to practice before the court of appeal	the supervision of s.
	1 Lemes	
	Derrick M. Quick, MD	Attorney at Law
Return to:	Richard H. Rosario	
444 0 444444	1045 Taylor Avenue, Ste. 103	
	Baltimore, Maryland 21286 410-494-8524	

EXHIBIT A

File No. 030797

BEGINNING for the same in the center of Old Frederick Road at beginning of the land described in a Daed from George Hofferbert to Edgar L. Bennett and Mary L. Bennett dated December 7. :339, and recorded among the Land Records of Baltimore County in Liker C.W.B., Jr., No. 1084, folio 100, and running thence with and binding on the outlines of said land and on the outline of the land described in a Deed from William Bennett to Edgar Bennett dated July 14, 1934, and recorded among the Land Records aforesold in Liber C.N.B., Jr., No. 1939, folio 574, and along the west side of a lane or roadway of irregular width, 1) South twenty-five degrees fourteen minutes forty seconds Wust (S 25° 14' 40" W) passing over a pipe on the south side of Old Frederick Road two hundred seventy and sixty one-hundredths feat thence leaving the west side of said lare or readway and still binding on the outlines of the atorementioned lands the three following courses and distances 2) North sixty-four degrees forty five minutes twenty seconds West low-reen and eighty-five one-hundredths feet (N 64° 45' 20" W 14.45') to a fence post, 3) South twenty-five degrees fifteen mil. Les forty seconds West ninety-seven and forty one-hundredths [evil (5 25° 15' 40" W 97.40') to a fence corner and 4) North eighty-four degrees seven minutes ten seconds West fifty-seven and filty-six one-hundredths feet (84° 07' 10" W 57.56') to the end of the fifth line of the land described in a Deed from Mary A. Lee and husband to Christian J. Eitemiller and wife date October 5, 1905 and recorded among the aforementioned Land Records in Liber W.P.C. No. 291 folio 168, and running thence reversely on the fifth, fourth and third lines of said land, 5) North twenty-five degrees (ilty-cwo minutes fifty seconds East Sixty-three feet (N 25° 52' 50" £ 63'), 6) North twenty-three degraes twenty-three minutes ten seconds East seventy-two and fifty one-hundredths feet (N 23° 23' :: " E 72.50') and 7) North twenty five degrees thirty minutes ten seconds East two hundred thirty-four and sixty-three one hundredths (att (N 25° 30' 10" E 234.63') to the center of the Old Frederick Road aforesaid and running thence with and binding on the center thereof, B) South seventy-eight degrees twenty-six minutes ten seconds East seventy-one and eighty-one one-hundredths feet (S 78° 25' 10" E 71.81') to the place of beginning. The improvements being known as 5413 Old Frederick Road.

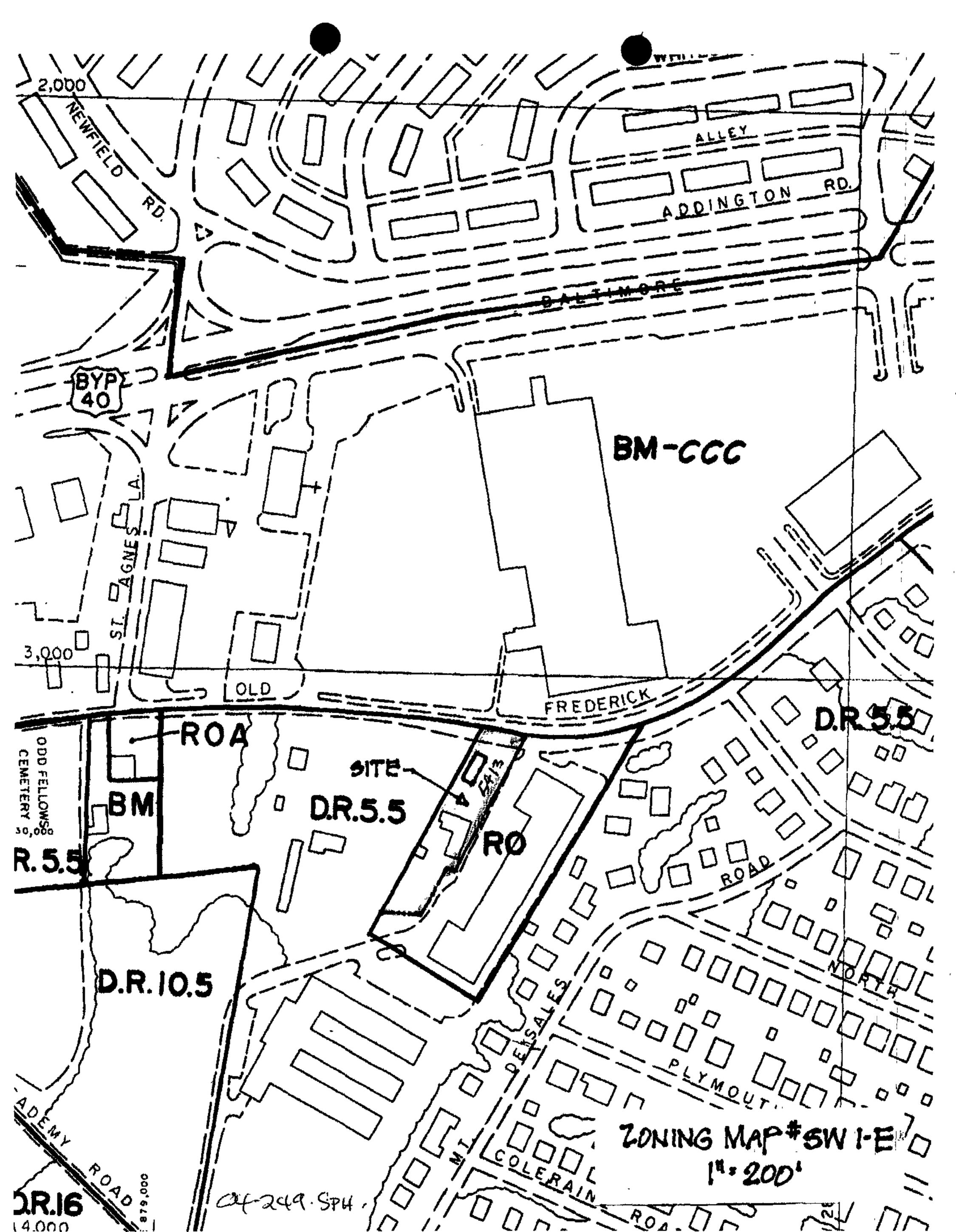
TOGETHER with the right to use the above mentioned lane or readway of irregular width being from twelve feet to seventeen feet in width along the first line of the above described property for the use in connection of the owners and occupants of this property and the owners and occupants of the land adjoining thereto along said first line above referred to.

RL
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PRI
SEI
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J7a

CASE NUMBER

PETITIONER'S SIGN-IN SHEET

E- MAIL	Bourton Ideine, net											
CITY, STATE, ZIP	BALLO MO 21045 BALLO MO 21227										• • • • • • • • • • • • • • • • • • • •	
SS	9250 RUMSEY RO #106 1100 WEDDEL MIE.											
.	BEUCE D'BURTON PE											





LOT I ALONG OLD FREDERICK ROAD



ROAD



ACROSS OLD FREDERICK ROAD TOWARDS SHOPPING CENTER

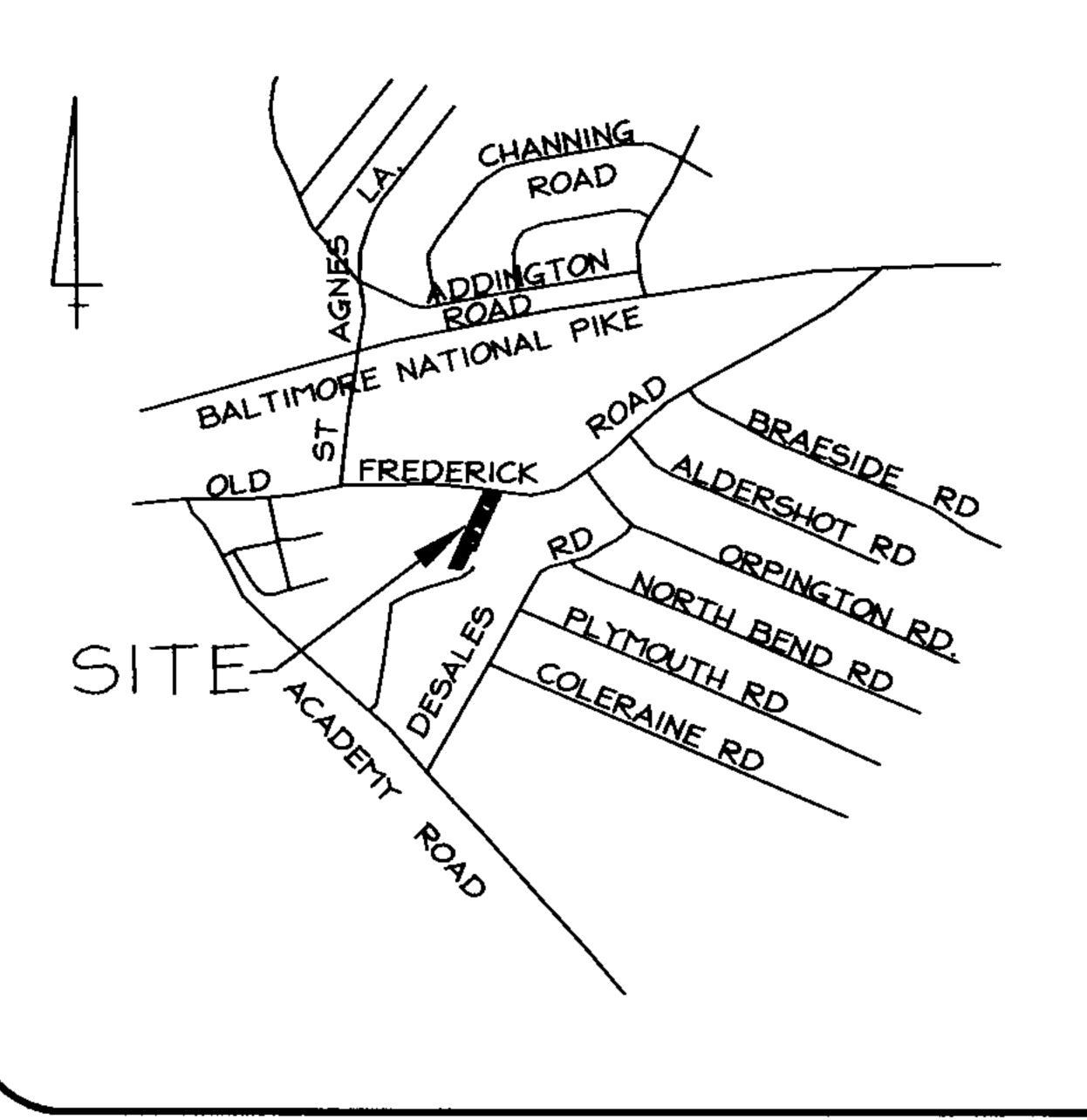


Y EXISTING DWEL-LING ON LOT 2

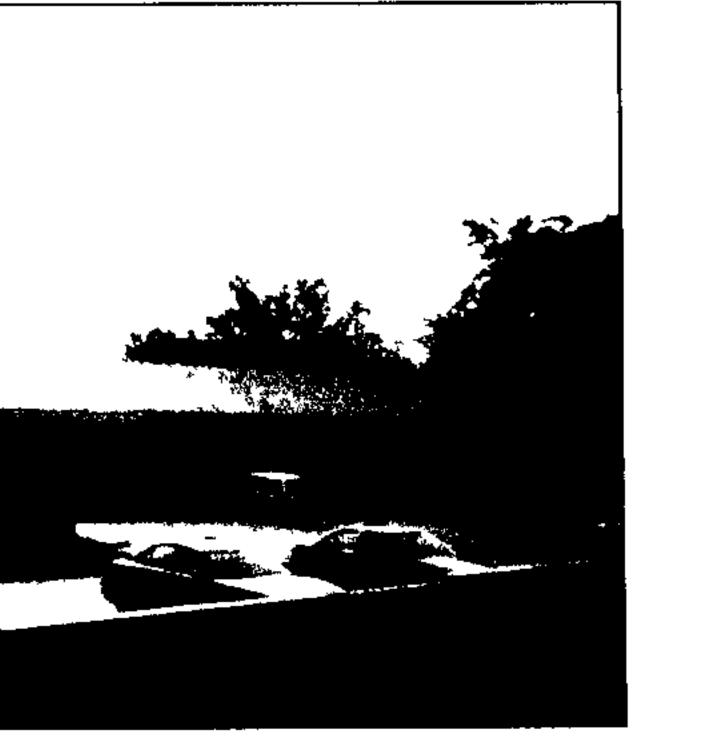


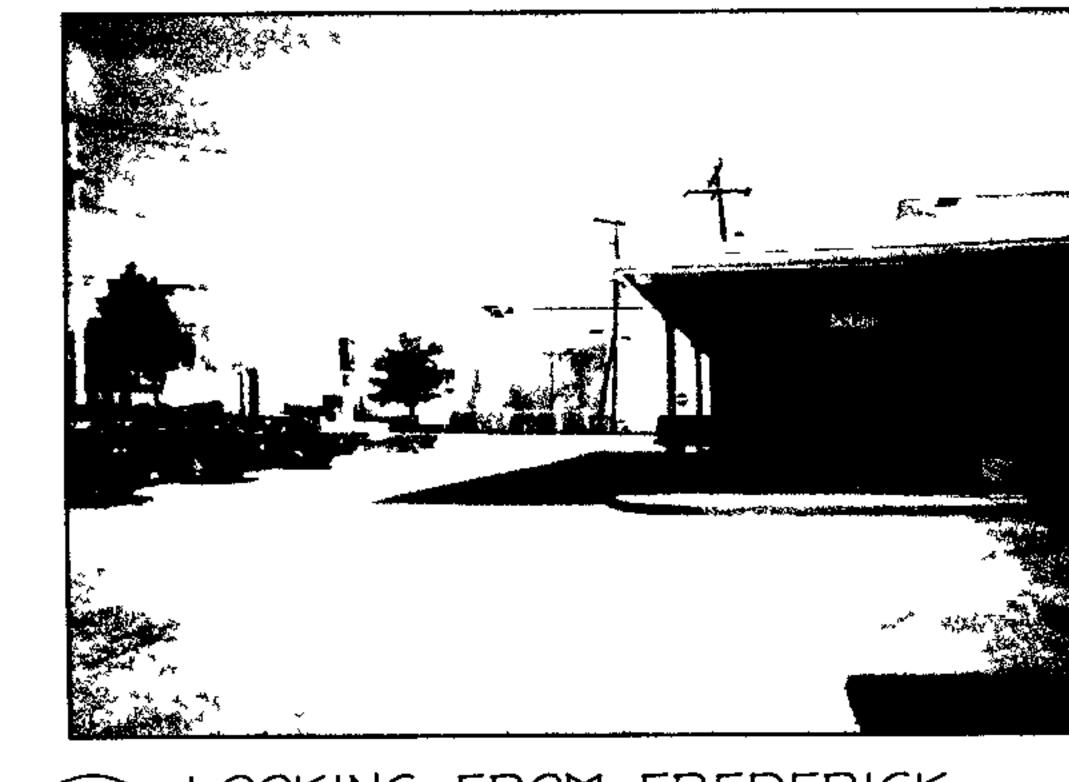


LOOKING FROM LOT I TOWARDS

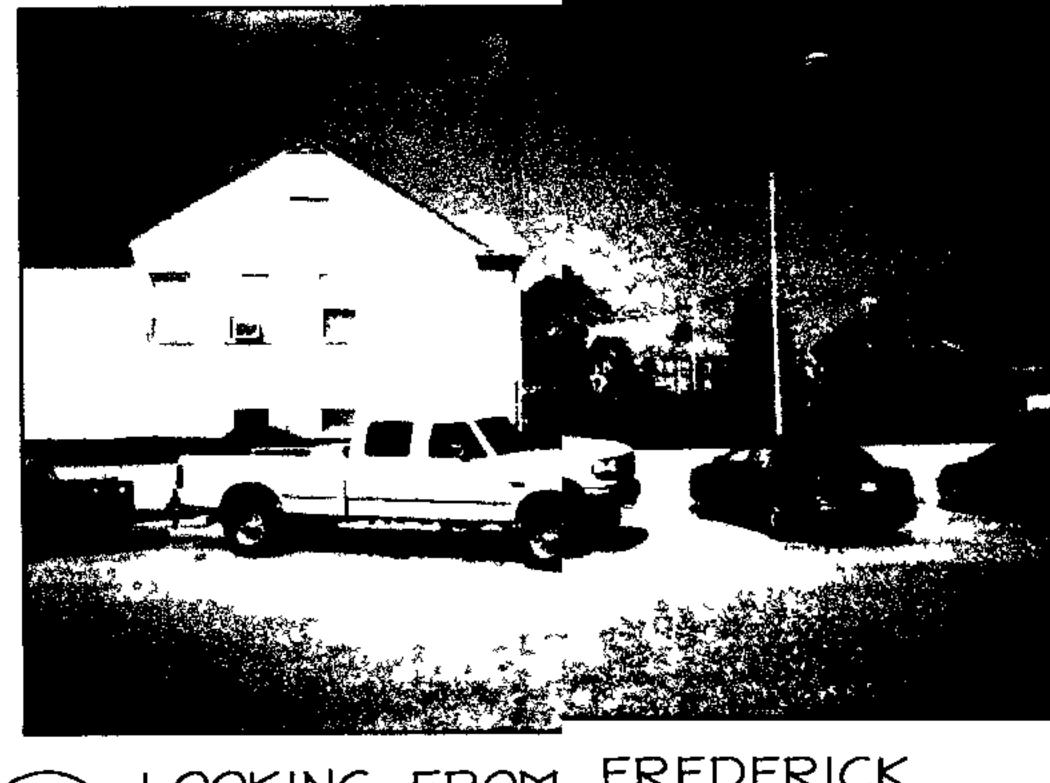


1'' = 1000'









___ LOOKING FROM FREDERICK



LOOKING FROM FREDERICK VILLA PARKING LOT TOWARDS EXISTING DWELLING AND GARAGE ON LOT 2



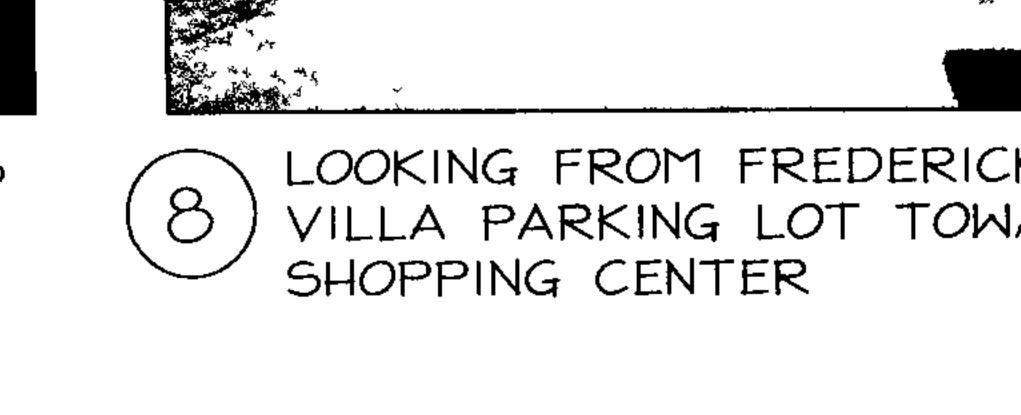
FROM FREDERICK VILLA PARKING LOT



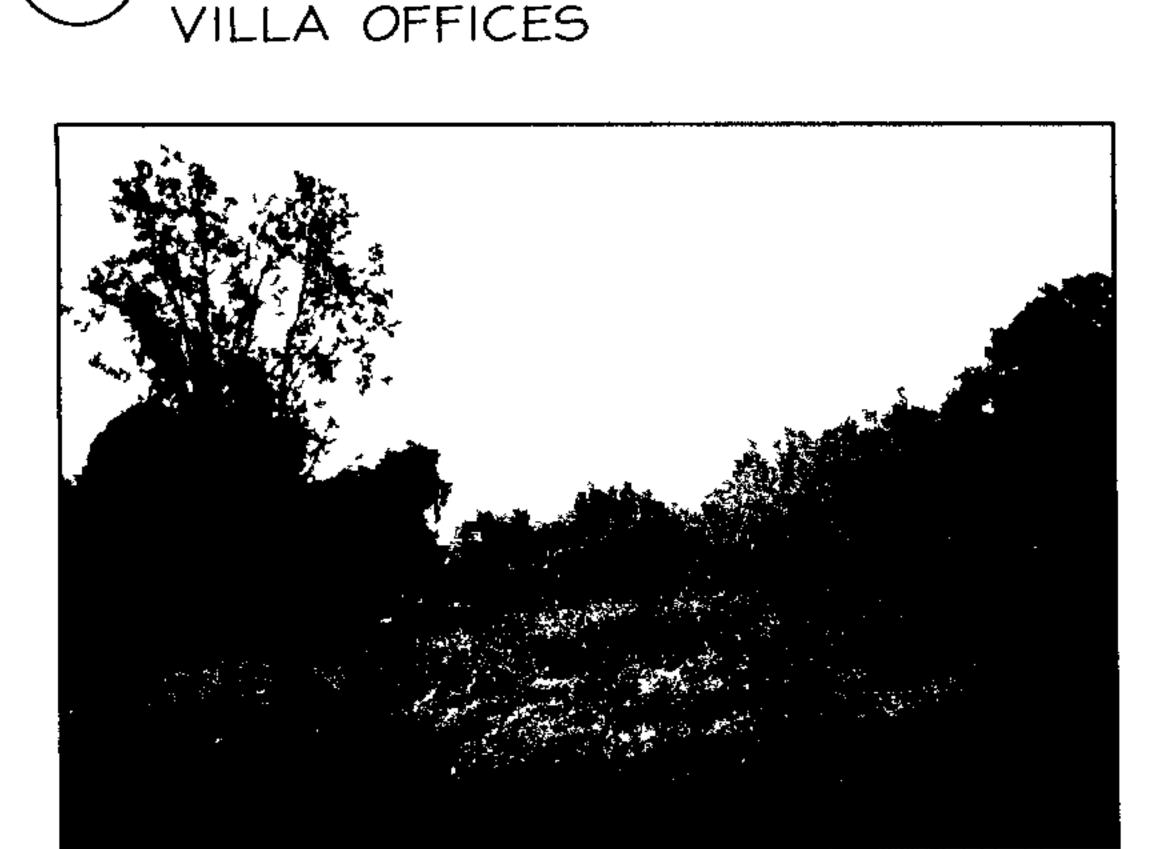
LOOKING FROM REAR OF LOT 2 TOWARDS FREDERICK VILLA



___ LOOKING AT EXISTING GARAGE, (16) FRONT YARD AND PARKING



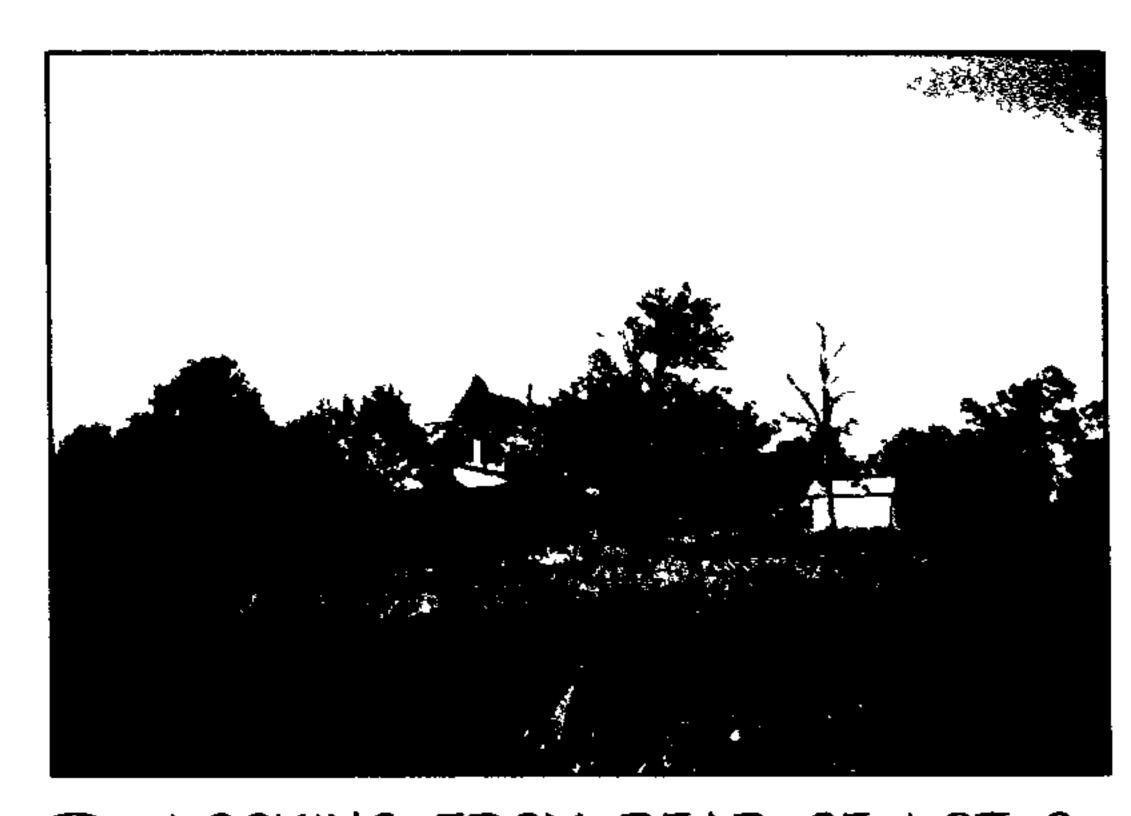




LOOKING FROM LOT 2 PARKING



LOOKING FROM REAR OF LOT 2



LOOKING FROM REAR OF LOT 2

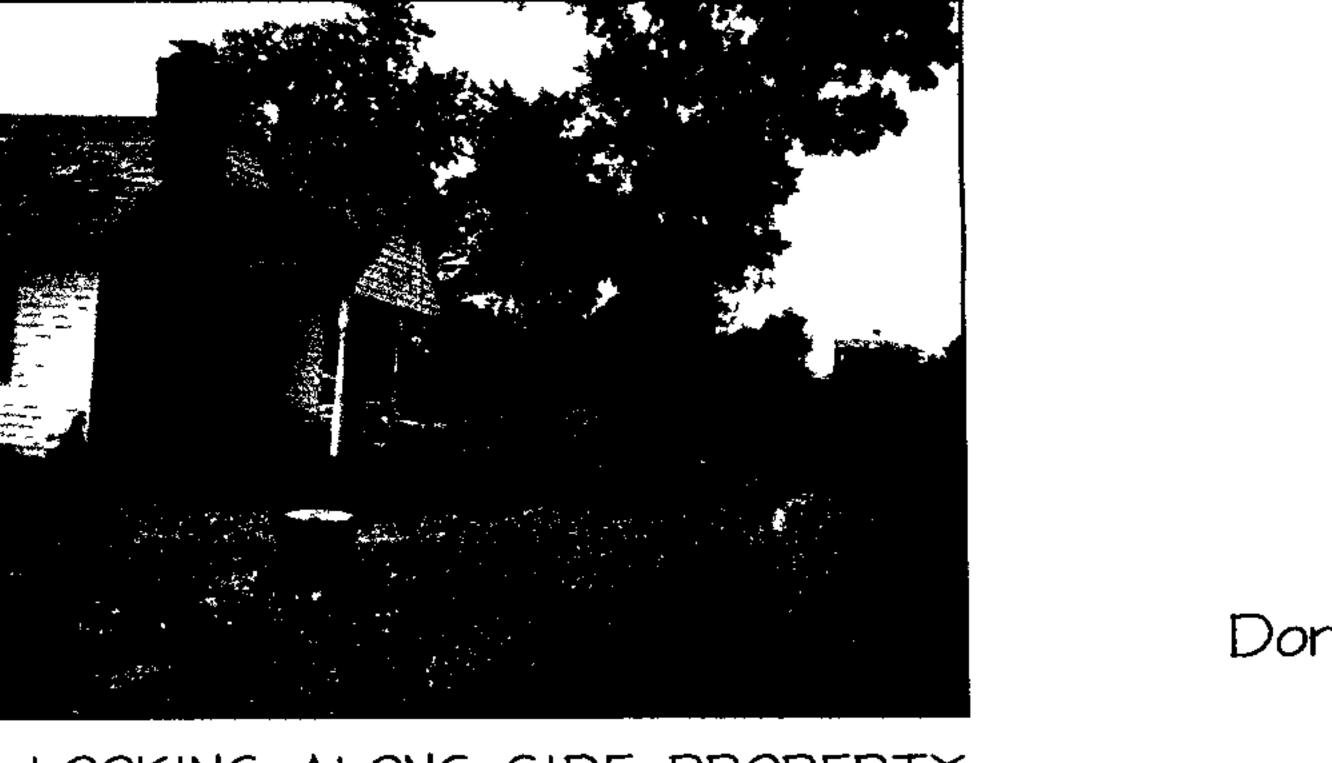




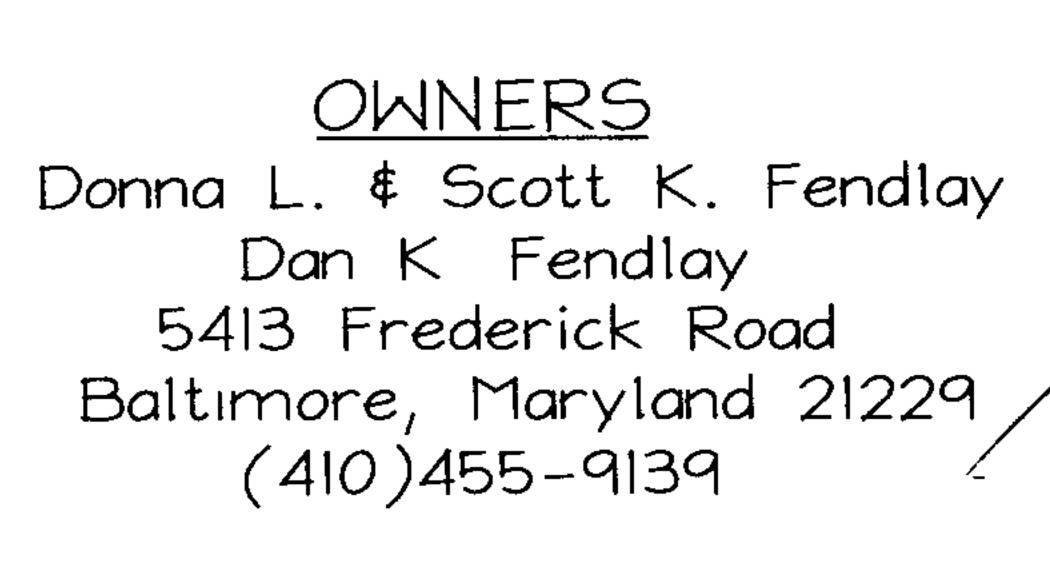
LOOKING FROM SIDE YARD (22) TOWARD FRONT YARD OF EXISTING HOUSE ON LOT 2



23 LOOKING ALONG SIDE PROPERTY



Dan K Fendlay 5413 Frederick Road

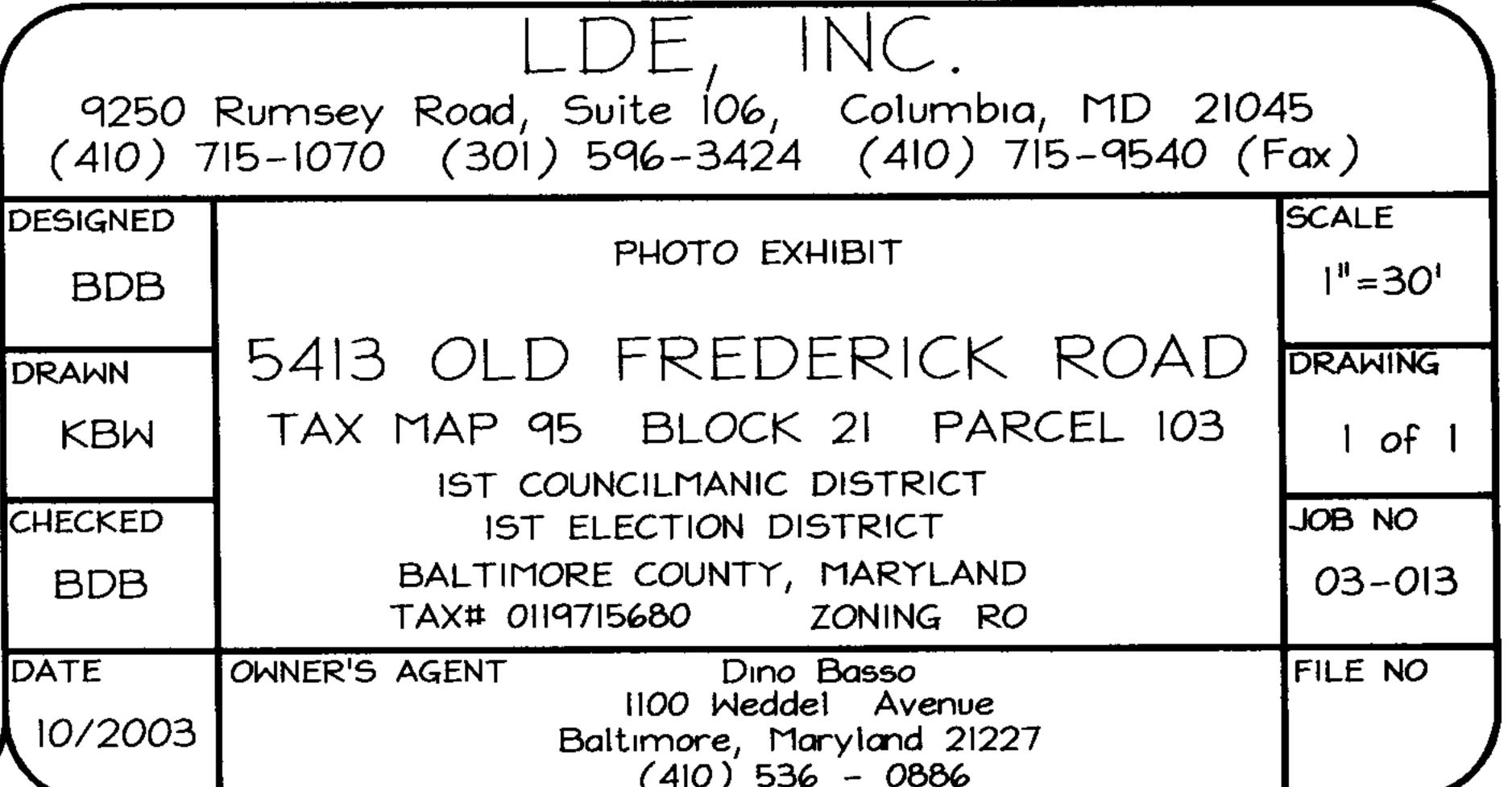


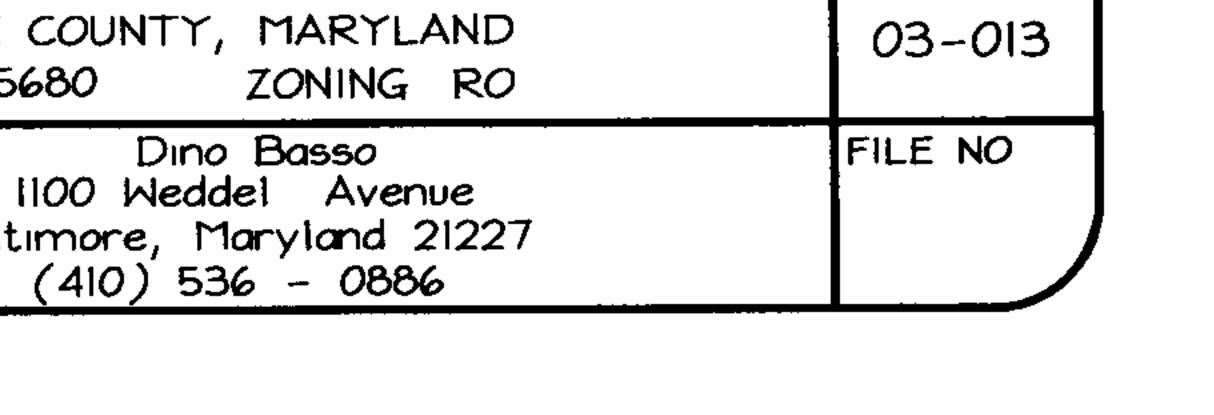
LOOKING FROM PARKING AREA ON LOT 2 TOWARDS EXISTING DRIVEWAY ACCESS FROM FREDERICK VILLA	

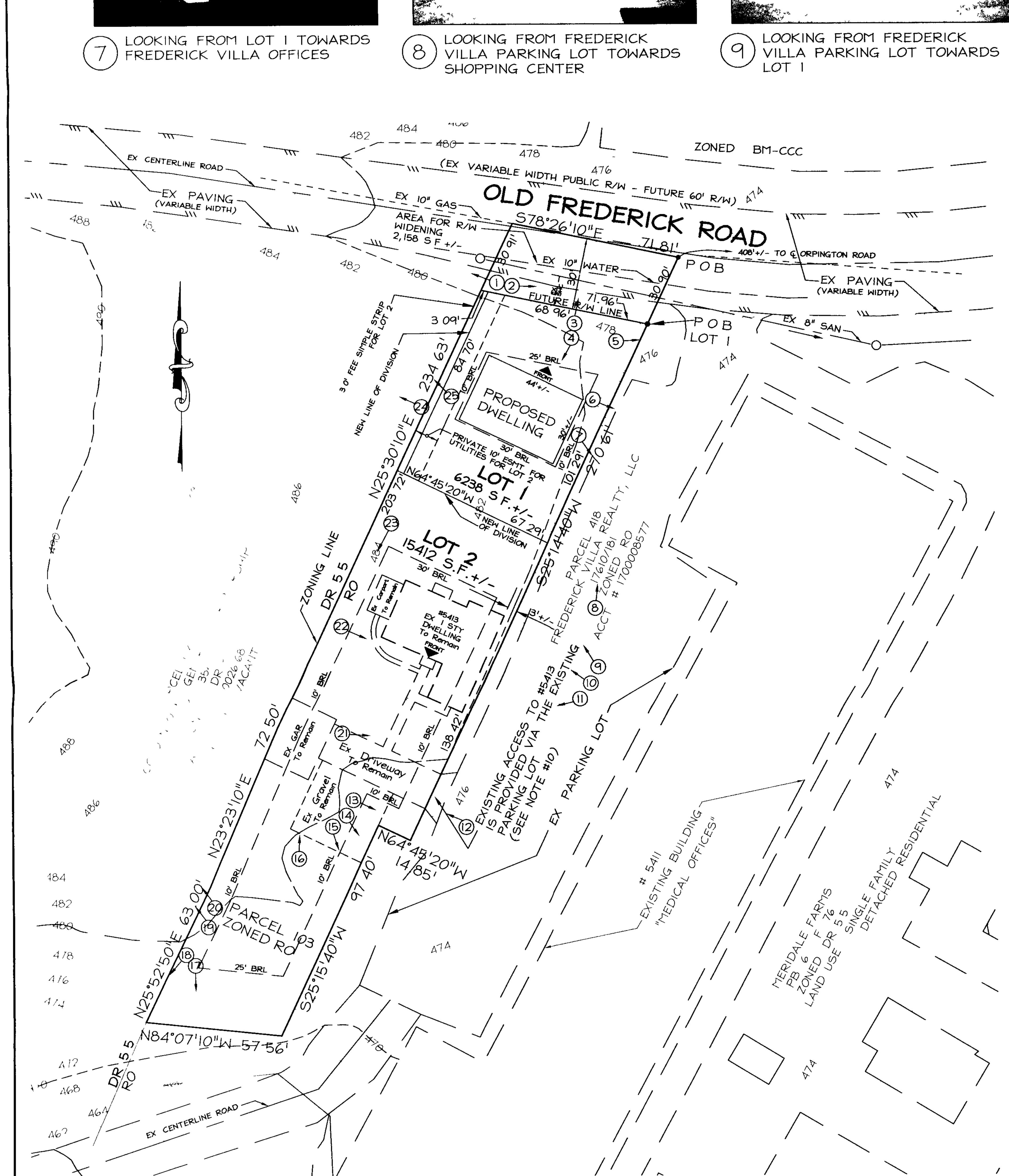
LOOKING FROM SIDE YARD OF LOT I TOWARDS ADJACENT RESIDENTIAL PROPERTY ST AGNES CHURCH IN FAR GROUND



25 LOOKING FROM SIDE YARD LOT ACROSS ADJACENT RESIDENTIAL PROPERTY TOWARDS SHOPPING CENTER ST AGNES CHURCH IN FAR GROUND

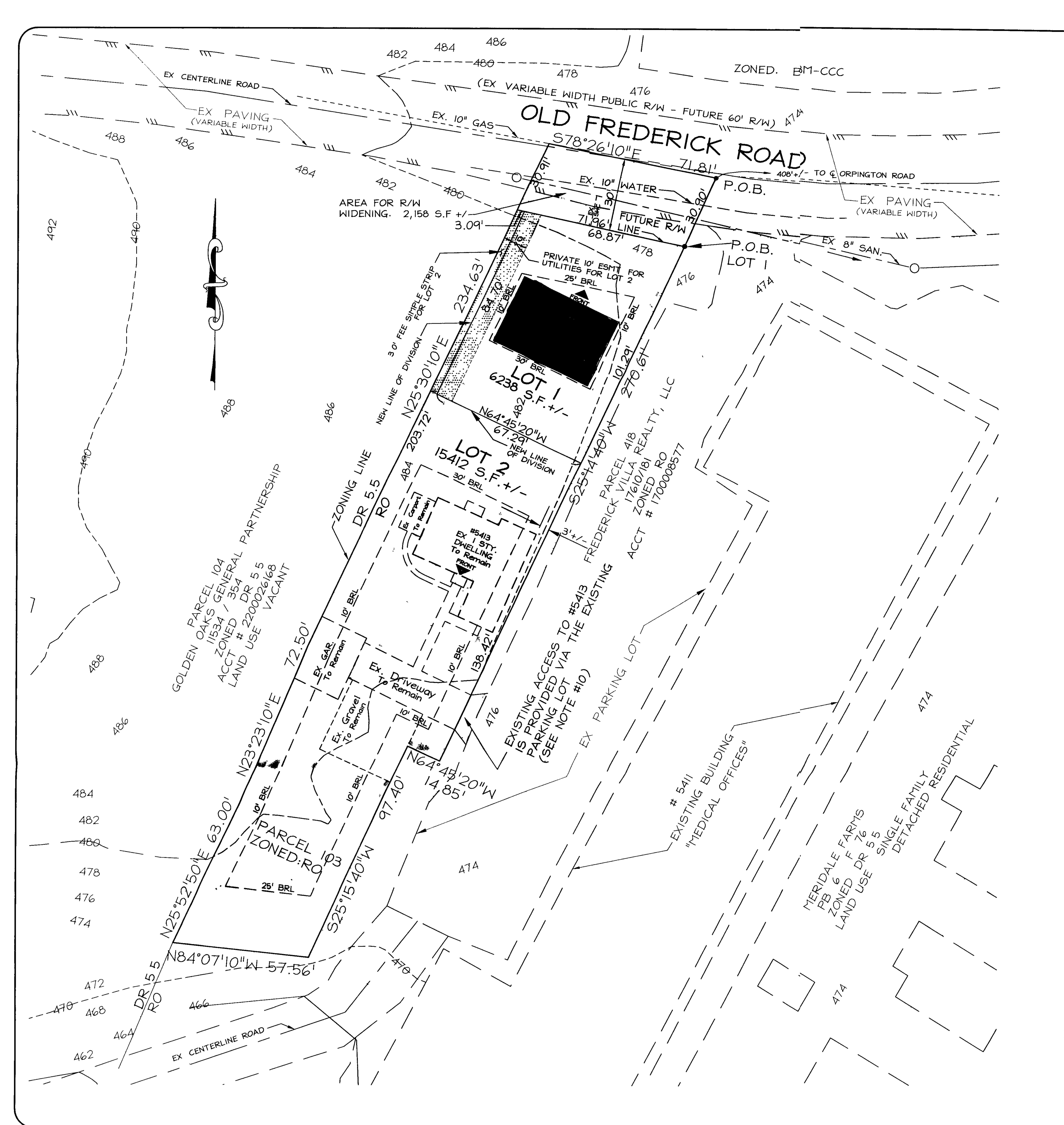


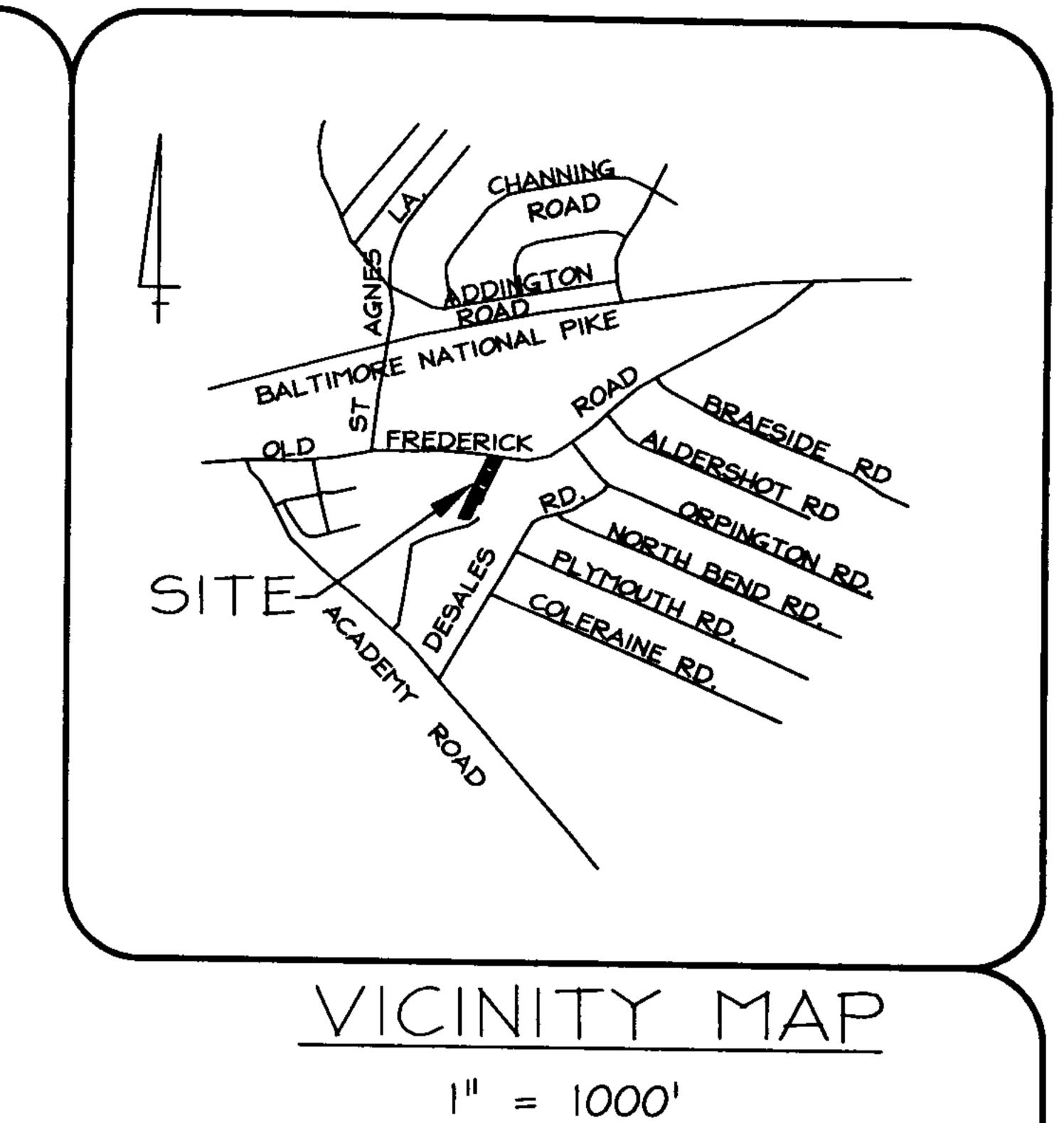




LOT 2 PARKING







NOTES:

- 1 Current Title Reference. Liber 17833 / Folio 358
- 2 Tax Account No. 0119715680
- 3. Councilmanic District: 01

4 Current Zoning: RO

- Zoning Map: SW 1-E
- 5 Gross Area 23,808 Sq. Ft. +/- or 0.547 Ac.+/-Net Area: 21,650 Sq. Ft. +/- or 0.497 Ac.+/-
- 6 Topography shown hereon is taken from Baltimore County GIS 200 scale topo map tile 095B3
- 7. Proposed lot created will utilize public water and public sewer systems.
- 8 There is no zoning history All property within 200 feet of the subject property is zoned as shown.
- 9 There are no streams, storm water management drainage or pipe systems within 50 feet of the property. No 100 year flood plain affects this property.
- 10. The existing structures on Lot 2 will remain Existing access to the existing dwelling on Lot 2 is provided via the existing parking lot on the Frederick Villa Property per recorded deed 12065/334.
 - 11. The subject property is not located in the Chesapeake Bay Critical Area.
 - 12. The subject property is not Historic.
 - 13 There are no outstanding Zoning Violations associated with the subject property.
 - 14. There have been no previous Zoning Hearings regarding the subject property.

OWNERS

Donna L. & Scott K. Fendlay

Dan K. Fendlay

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Baltimore, Maryland 21229

(410)455-9139

Q250 Rumsey Road, Suite 106, Columbia, MD 21045
(410) 715-1070 (301) 596-3424 (410) 715-9540 (Fax)

DESIGNED
BDB
PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING

PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING

I"=20'

DRAWN
KBW
TAX MAP 95 BLOCK 21 PARCEL 103
IST COUNCILMANIC DISTRICT
IST ELECTION DISTRICT
IST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
TAX# 0119715680 ZONING RO

DATE

OWNER'S AGENT
DINO Basso
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Baltimore, Maryland 21227
(410) 536 - 0886