

**Department of Permits and
Development Management**

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



August 12, 2005

Baltimore County

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

Mr. Mickie E. Kennedy
Ms. Cindy Obenstine
Ms. Sandra Malina
9403 Good Spring Drive
Perry Hall, Maryland 21128-9432

RE: Declaration of Understanding
10640 Jones Road, 11th Election District

Dear Mr. Kennedy, Ms. Obenstine and Ms. Malina:

Your recent request to Permits and Development Management for the above referenced property was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined.

The Director of Permits and Development Management has approved the enclosed Declaration of Understanding. Approval of this declaration does not indicate that the proposed in-law addition is in compliance with other zoning standards (such as building setback requirements).

Please record the enclosed Declaration of Understanding in the County Land Records Office prior to building permit approval. Save your Land Records recording receipt for proof of recording for Zoning approval.

It must be noted that this response applies to the BCZR (Baltimore County Zoning Regulations) and policies only and does not apply to regulations enforced by other County or State agencies.

Should you need further information or have any questions, please do not hesitate contacting me at 410-887-3391.

Sincerely,

A handwritten signature in blue ink that reads "Donna Thompson".

Donna Thompson
Planner II
Zoning Review

DT/Attachment

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



DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 27 day of July, 2005, by and between Mickie E. Kennedy, Cindy Obenstine and Sandra Malina (hereinafter referred to as the Declarants") and the Department of Permits and Development Management (hereinafter referred to as "PDM").

Recitals

A. The Declarants have filed an application for permit with the PDM requesting approval to construct an addition to the improvements on the property located at 10640 Jones Road and more particularly described in Exhibit A (the "Property") and attached hereto and made a part hereof. The property is zoned RC-20, which is the particular zone in which the property is located.

B. PDM has approved the Declarants request to build an in-law addition, complete with kitchen, provided the improvement and addition are used as a single-family residence. **The addition will be the housing for Cindy Obenstine's elder parent with the benefit of being attached to her family.** The second kitchen will be removed and the addition's living space will be taken over by the Declarant(s) upon the death of the in-law, if the in-law leaves or moves from the residence, or if the Declarants move or sell the property, whichever occurs first.

C. As a condition to its approval of the Declarants' request, PDM has required the filing of this Declaration amongst the Land Records of Baltimore County to provide notice to any future owners, subsequent bona fide purchasers or users of this Property that no party of any improvement or addition on the Property may be used for separate living quarters and that all such improvement shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PDM.

DECLARATIONS

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarants and PDM hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit.

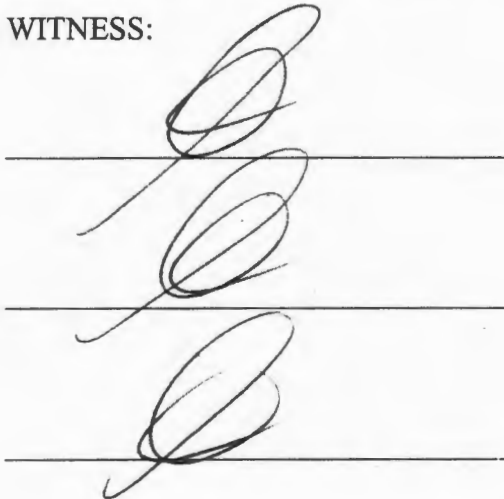
2. The kitchen for the in-law will be constructed as part of the addition to the Property shall be accessory uses to the principal use of the Property as a single-family residence. Living quarters for the in-law shall be used only by the in-law and not as an independent residential unit, and shall not used be used by any other person or for any other reason.

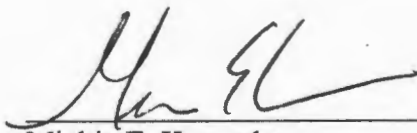
3. Upon the death of the in-law, if the in-law leaves or otherwise vacates, or the

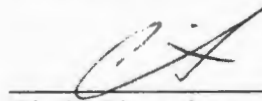
Declarants move or sell the Property, whichever occurs first, the living space of the addition will be incorporated into the living space of the single-family residential unit for the exclusive use of the Declarant or subsequent purchaser or user and the second kitchen removed.

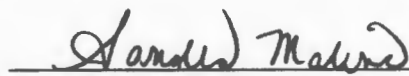
IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS:




Mickie E. Kennedy

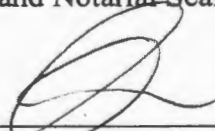

Cindy Obenstine


Sandra Malina

STATE OF MARYLAND, COUNTY OF BALTIMORE: TO WIT:

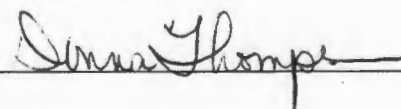
I HEREBY CERTIFY that on this 27th day of July, 2005, before the Subscriber, Notary Public of the State of Maryland, personally appeared Mickie Kennedy, Cindy Obenstine and Sandra Malina, the Declarants herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and they acknowledged that they executed for foregoing instrument for the purposes there in contained.

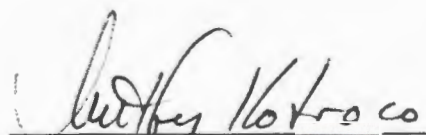
IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.


Notary Public

My Commission Expires: 12/01/06

WITNESS:




Timothy Kotroco, Director, PDM

STATE OF MARYLAND, COUNTY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that on this 15th day of August, 2005, before the Subscriber, a Notary Public of the State of Maryland, personally appeared Timothy Kotroco, the Director of the Department of permits and Development Management herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and he acknowledged that he executed for the foregoing instrument for the purposes therein contained.

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

Catherine S. Popelarski
Notary Public

My Commission Expires: 4-08-09

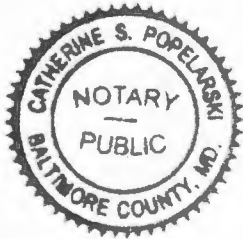


EXHIBIT A

BEING KNOWN AND DESIGNATED as Lot No. 3 as shown on a plat entitled "Plat of Rassa Property," which plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 77, folio 55.

The improvements thereon being known as No. 10640 Jones Road.

Parcel ID No. (11) 24-00-008679

BEING the same property which by Deed recorded on June 23, 2005 among the Land Records of Baltimore County in Liber S.M. No. 22096, folio 317 which was granted and conveyed by Sierra Homes, Inc. unto the Declarants.

APPLICATION FOR BUILDING PERMIT

PERMIT #: B591573 CONTROL #: NR DIST: 11 PREC: 01

LOCATION: 10640 JONES RD
SUBDIVISION: RASSA PROPERTY
TAX ASSESSMENT #: 2400008679

OWNERS INFORMATION

NAME: SIERRA HOMES INC
ADDR: 2414 E JOFFA RD, BALTO, MD 21234-2922

APPLICANT INFORMATION

NAME: WILLIAM A BROCATO
COMPANY: MERRITT DEVELOPMENT CONSULTANTS INC
ADDR1: 2416 E JOFFA RD
ADDR2: BALTO, MD 21234
PHONE #: 410-663-5525 LICENSE #: MHBR833NOTES
MR/SASDRC#
PLANS: CONST 2 PLOT 9 R PLAT 0 DATA 0 ELEC YES PLUM YES
TENANT:
CONTR: SIERRA HOMES
ENGR:
SELLR:
WORK: CONSTRUCT SFD, FIN. BSMT., 3 CAR SIDE LOAD
GARAGE, COV; D FRT PORCH, GAS F/P- NO PROJ.,
REAR SUNROOM, 7 BEDROOMS, 2 EXERCISE ROOMS.
90' 85' X 64' 44" X 38' = 6826 SF. (SETBACKS DETERMINED
BY DEERM-D.T.)
6540PROPOSED USE: SINGLE FAMILY DWELLING
EXISTING USE: VACANT LOTBLDG. CODE:
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED
ESTIMATED COST OF MATERIAL AND LABOR: 130,000.00

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: CONCRETE BASEMENT: FULL
SEWAGE: PRIV. PROPOSED WATER: PRIV. PROPOSED
CONSTRUCTION: WOOD FRAME FUEL: GAS
CENTRAL AIR:

SINGLE FAMILY UNITS

TOTAL 1 FAMILY BEDROOMS 7

MULTI FAMILY UNITS

EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:

TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS: