

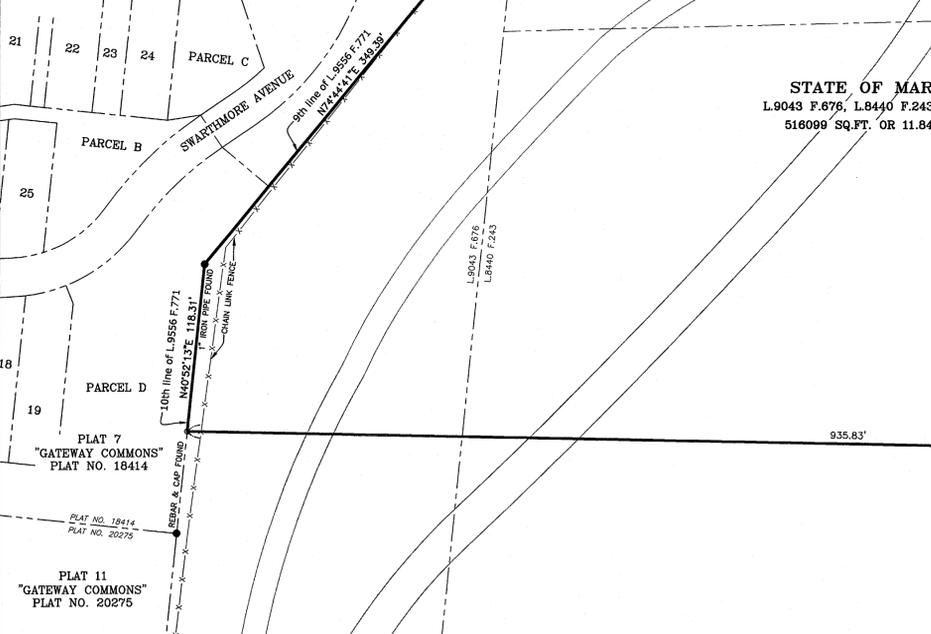
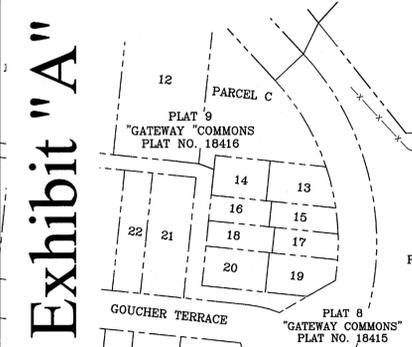
**Surveyor's Certificate**

I hereby certify that this Annexation Plat is correct; that it is a boundary survey of part of Parcel A as shown on a plat of subdivision entitled "Parcel A - Sears Addition to Shady Grove" and recorded among the Land Records of Montgomery County, Maryland as Plat Number 7952; part of the right of way for Interstate Route 370 as shown on State of Maryland - Department of Transportation - State Highway Administration - State Roads Commission Right of Way Plats Numbered 48474 and 48475; and part of the right of way for Shady Grove Road. Parcel A - Sears Addition to Shady Grove being all of the property acquired by Sears, Roebuck and Co., a New York corporation, from Consortium One, L.P., a Delaware limited partnership, Marc F. Solomon, David B. Fink, Susan H. Fink, and Solomon Family Limited Partnership, by a deed dated December 6, 2000 and recorded among the Land Records of Montgomery County, Maryland in Liber 18628 at folio 354. The right of way for Interstate Route 370 being 1) part of the property acquired by the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, from Robert Huyett Teunis, Betty Lu Teunis, Ralph Dewey Teunis, Jr., and Doris Douglas Teunis by a deed dated September 20, 1989 and recorded among the Land Records of Montgomery County, Maryland in Liber 9043 at folio 676; 2) part of the property acquired by State Roads Commission of the State Highway Administration, acting for and on behalf of the State of Maryland, from Betty Brown Casey, Sole Surviving Trustee of the Betty Brown Casey Trust, et al, by consent inquisition in the Circuit Court for Montgomery County, Maryland and recorded among the Land Records of Montgomery County, Maryland in Liber 8440 at folio 243; and 3) part of the property acquired by the State Roads Commission of the State Highway Administration acting for and on behalf of the State of Maryland, from Kenneth O. Peters as described in a Writ of Possession, Law No. 65117, dated April 4, 1985 and filed in the Circuit Court for Montgomery County, Maryland. The right of way for Shady Grove Road being 1) all of the land dedicated to public use as shown on the aforementioned Plat Number 7952; 2) part of the property acquired by Montgomery County, Maryland from Virginia K. Casey Vianich by a deed dated October 24, 1973 and recorded among the Land Records of Montgomery County, Maryland in Liber 4470 at folio 73; and 3) all of the property acquired by Montgomery County, Maryland from Kenneth O. Peters and Ethel E. Peters by a deed dated December 10, 1973 and recorded among the Land Records of Montgomery County, Maryland in Liber 4480 at folio 162.

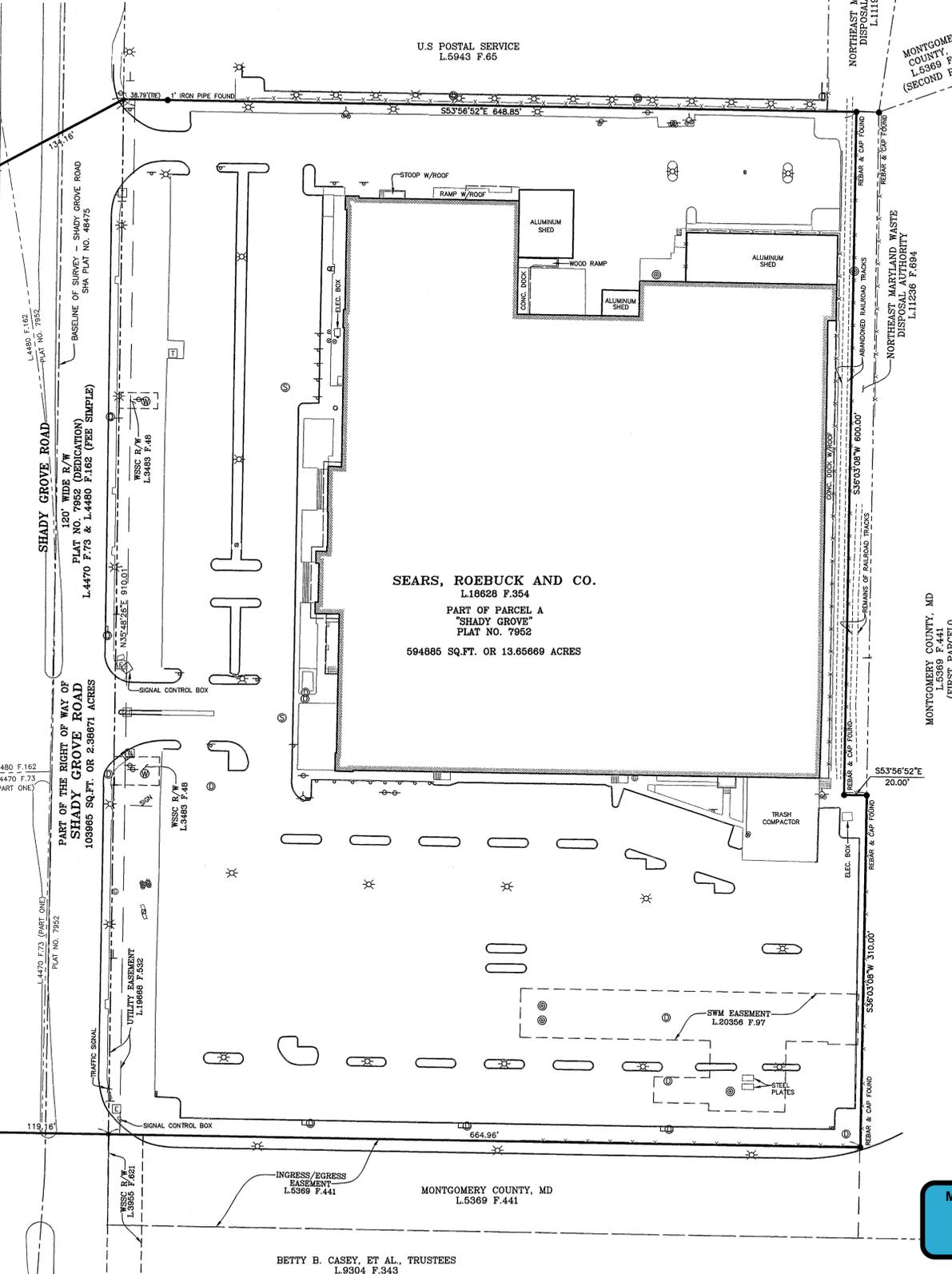
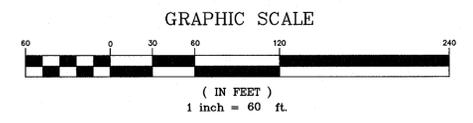
The undersigned, being a licensed surveyor, personally prepared or was in responsible charge of the preparation and the survey work reflected in this boundary survey, in compliance with the requirements set forth in "COMAR" Title 09, Subtitle 13, Chapter 06, Regulation 12.

Vicinity Map: 1" = 1000'

- Notes:**
- This survey is in the Maryland Coordinate System (NAD 83/91, SPCS Zone 1900, US feet), based on GPS and conventional survey measurements. Controlling stations are Washington Suburban Sanitary Commission NAD 83 Traverse Stations 19963 and 20332. Average project elevation is 520 US feet, and the average combined scale/elevation factor for the site is 0.99993951. Station 19963: North 527366.301 / East 1265750.290 Station 20332: North 533644.946 / East 1261566.309
  - Adjoining property information is from Maryland Department of Assessment and Taxation records.
  - Physical features within Parcel A - Shady Grove, the curb lines of Shady Grove Road along the frontage of Parcel A, and fences along the perimeter of the property surveyed were field located by Rodgers Consulting, Inc. Paved areas within the right of way of Interstate Route 370 and the median and northerly curb lines on Shady Grove Road were digitized from aerial photography and are shown for reference only.
  - This survey was prepared with the benefit of an owner's policy of title insurance for Parcel A - Sears Addition to Shady Grove, prepared by Commonwealth Land Title Insurance Company, dated December 14, 2000 and having Policy Number 00-000220. Title reports were not furnished for the State of Maryland properties.



**TOTAL ANNEXATION AREA**  
1214950 SQ.FT. OR 27.89141 ACRES



**SYMBOL LEGEND**

⊕	WATER VALVE
⊕	FIRE HYDRANT
⊕	SANITARY SEWER MANHOLE
⊕	STORM DRAIN MANHOLE
⊕	UNMARKED MANHOLE
⊕	WATER MANHOLE
⊕	TELEPHONE PEDESTAL
⊕	GAS VALVE
⊕	ELECTRIC TRANSFORMER
⊕	CLEAN OUT
⊕	STORM DRAIN INLET
⊕	STORM DRAIN CURB INLET
⊕	SIGN
⊕	LIGHT POLE
⊕	UTILITY POLE
⊕	BOLLARD
⊕	EDGE OF BUILDING

REVISION	DATE	REVISION	DATE

PREPARED FOR:  
Sears Holdings  
c/o Dept. 36475 B2-112A  
3333 Beverly Road  
Hoffman, IL 60179-0001

**Boundary Survey**  
and  
**Annexation Plat**

**RODGERS CONSULTING**  
Knowledge • Creativity • Enduring Values

19847 Century Boulevard  
Suite 200  
Germantown, Maryland 20874  
Ph: 301.948.4700 (Main)  
Ph: 301.253.6509 (Frederick)  
F: 301.948.6256  
www.rodgers.com

BY	DATE
BASE DATA	FIELD 09/11
DESIGNED	TPQ 10/11
DRAWN	AEW 10/11
REVIEWED	TPQ 10/11

RODGERS CONTACT:  
RELEASE FOR \_\_\_\_\_  
BY \_\_\_\_\_ DATE \_\_\_\_\_

Properties Acquired By  
**Sears, Roebuck and Co., The State of Maryland, and Montgomery County, Maryland**  
Including Part of the Dedicated Right of Way of Shady Grove Road  
Gaithersburg (9th) Election District, Montgomery County, Maryland

SCALE: 1" = 60'

JOB No. 1123A  
DATE: OCT. 2011  
SHEET No. 1 OF 1

Mayor and City Council  
**X-184**  
Exhibit #4

1123-A

**Exhibit "B"**

DESCRIPTION OF  
PROPERTY TO BE ANNEXED INTO  
THE CITY OF GAITHERSBURG, MARYLAND  
GAITHERSBURG (NO. 9) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

Being part of Parcel A as shown on a plat of subdivision entitled "Parcel A – Sears Addition to Shady Grove" and recorded among the Land Records of Montgomery County, Maryland as Plat Number 7952; part of the right of way for Interstate Route 370 as shown on State of Maryland - Department of Transportation - State Highway Administration - State Roads Commission Right of Way Plats Numbered 48474 and 48475; and part of the right of way for Shady Grove Road. Parcel A – Sears Addition to Shady Grove being all of the property acquired by Sears, Roebuck and Co., a New York corporation, from Consortium One, L.P., a Delaware limited partnership, Marc F. Solomon, David B. Fink, Susan H. Fink, and Solomon Family Limited Partnership, by a deed dated December 6, 2000 and recorded among the Land Records of Montgomery County, Maryland in Liber 18628 at folio 354. The right of way for Interstate Route 370 being 1) part of the property acquired by the State of Maryland, to the use of the State Highway Administration, of the Department of Transportation from Robert Huyett Teunis, Betty Lu Teunis, Ralph Dewey Teunis, Jr., and Doris Douglas Teunis by a deed dated September 20, 1989 and recorded among the Land Records of Montgomery County, Maryland in Liber 9043 at folio 676; 2) part of the property acquired by State Roads Commission of the State Highway Administration, acting for and on behalf of the State of Maryland, from Betty Brown Casey, Sole Surviving Trustee of the Betty Brown Casey Trust, et al, by consent inquisition in the Circuit Court for Montgomery County, Maryland and recorded among the Land Records of Montgomery County, Maryland in Liber 8440 at folio 243; and 3) part of the property acquired by the State Roads Commission of the State Highway Administration acting for and on behalf of the State of Maryland, from Kenneth O. Peters as described in a Writ of Possession, Law No. 65117, dated April 4, 1985 and filed in the Circuit Court for Montgomery County, Maryland. The right of way for Shady Grove Road being 1) all of the land dedicated to public use as shown on the aforementioned Plat Number 7952; 2) part of the property acquired by Montgomery County, Maryland from Virginia K. Casey Visnich by a deed dated October 24, 1973 and recorded among the Land Records of Montgomery County, Maryland in Liber 4470 at folio 73; and 3) all of the property acquired by Montgomery County, Maryland from Kenneth O. Peters and Ethel E. Peters by a deed dated December 10, 1973 and recorded among the Land Records of Montgomery County, Maryland in Liber 4480 at folio 162 and being more particularly described as follows:

Mayor and City Council  
X-184  
Exhibit #5

Beginning for the same at the end of the 8<sup>th</sup> or South 40° 40' 58" West, 69.83 foot line described in an Annexation Agreement by Gateway Investment Associates Limited Partnership, a Virginia limited partnership, Residence Inn by Marriott, Inc., a Delaware corporation, Robert H. Teunis, Betty Lu Teunis, Ralph D. Teunis, Jr., Doris Teunis and The Mayor and Council of The City of Gaithersburg, and recorded among the aforementioned Land Records in Liber 9556 at folio 771; thence running with all of said 8<sup>th</sup> line, reversed, as described in said annexation agreement and running with all of the easterly or South 40° 40' 58" West, 69.83 foot plat line as shown on a plat of subdivision entitled "GATEWAY COMMONS" and recorded among the aforementioned Land Records as Plat Number 18415 the following course and distance:

1. North 40° 44' 23" East, 69.83 feet to a point; thence running across the right of way of Interstate Route 370 as shown on the aforementioned Right of Way Plats Numbered 48474 and 48475 and across Shady Grove Road the following course and distance
2. South 82° 46' 56" East, 932.68 feet to a point at the westerly end of the northerly or South 54° 33' 55" East, 668.85 foot line of Parcel A as shown on the aforementioned Plat Number 7952; thence running with said line and binding on the North 53° 56' 17.3" West, 668.89 foot line as described in a deed from Eugene B. Casey and Virginia Casey Visnich to U.S. Postal Service and recorded among the aforementioned Land Records in Liber 5943 at folio 65, passing over an iron pipe found at 38.79 feet, the following course and distance
3. South 53° 56' 52" East, 648.85 feet to a rebar and cap found at the end of the 3<sup>rd</sup> or North 36° 03' 43" East, 600.00 foot line of Exhibit C as described in a deed from Whiteacre Maryland Associates to Northeast Maryland Waste Disposal Authority and recorded among the aforementioned Land Records in Liber 11236 at folio 694, thence running with the 3<sup>rd</sup> and 2<sup>nd</sup> lines, reversed, of Exhibit C as described in Liber 11236 at folio 694 the following 2 courses and distances
4. South 36° 03' 08" West, 600.00 feet to a rebar and cap found; thence

5. South 53° 56' 52" East, 20.00 feet to a rebar and cap found on the easterly or South 35° 26' 05" West, 910.00 foot line of Parcel A as shown on the aforementioned Plat Number 7952; thence running with part of said easterly parcel line, and binding on the North 36° 02' 36" East, 910.00 foot line as described in an Inquisition in the Circuit Court for Montgomery County, Maryland, Law 42450, and recorded among the Land Records of Montgomery County, Maryland in Liber 5369 at folio 441 the following course and distance
6. South 36° 03' 08" West, 310.00 feet to a rebar and cap found; thence running with the southerly or North 54° 33' 55" East, 664.94 foot line of Parcel A as shown on the aforementioned Plat Number 7952 and binding on the outline of the property described in Liber 5369 at folio 441 the following course and distance
7. North 53° 56' 52" West, 664.96 feet to a point; thence running across Shady Grove Road and across the right of way of Interstate Route 370 as shown on the aforementioned Right of Way Plats Numbered 48474 and 48475 the following course and distance
8. North 53° 56' 52" West, 1054.99 to a point on the on the 10<sup>th</sup> or South 40° 48' 48" West, 771.72 foot line of the existing City of Gaithersburg corporate limits as described in the aforementioned annexation agreement recorded in Liber 9556 at folio 771; thence running with said 10<sup>th</sup> line, reversed, and binding on the easterly plat line as shown on a plat of subdivision entitled "GATEWAY COMMONS" and recorded among the aforementioned Land Records as Plat Number 18414 the following course and distance
9. North 40° 52' 13" East, 118.31 feet to an iron pipe found; thence running with all of the 9<sup>th</sup> line, reversed, of the existing City of Gaithersburg corporate limits as described in the aforementioned annexation agreement and binding on the southerly plat lines as shown on the aforementioned Plat Number 18414 and Plat Number 18415 the following course and distance

- 10. North 74° 44' 41" East, 349.39 feet to the Point of Beginning; containing 1214950 square feet or 27.89141 acres of land.

This description is in conformance with a boundary survey performed by Rodgers Consulting, Inc., October, 2011, Job No. 1123A and is in the meridian of the Maryland Coordinate System NAD83/91.

The undersigned, being a licensed surveyor, personally prepared or was in responsible charge of the preparation and the survey work reflected in this metes and bounds description, in compliance with the requirements set forth in "COMAR" Title 09, Subtitle 13, Chapter 06, Regulation .12.

(License Expiration Date: 9-20-2012)



**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**

(December 15, 2011)

Tax Account No.	Name	Address	Lot/Parcel	Block
<b>Subject Property</b>				
09-00768845	Sears Roebuck & Co.	c/o Dept. 36475 B2-112A 3333 Beverly Road Hoffman Estates, IL 60179-0001	N606	
	State Highway Administration of Maryland	707 N. Calvert Street Baltimore, MD 21202		
	Montgomery County, Maryland	Executive Office Building 101 Monroe Street Rockville, MD 20850		
<b>Adjoining and Confronting Property Owners</b>				
09-00768765	Betty B. Casey, Tr.	c/o Casey Management, Inc. 800 S. Frederick Avenue, Suite 100 Gaithersburg, MD 20877-4150	P761	
09-03015383	Northeast MD Waste Disp. Auth.	c/o Baker & Marbury 36 S. Charles Street Baltimore, MD 21201	P466	
09-03014765	Northeast MD Waste Disp. Auth.	25 South Charles Street Baltimore, MD 21201	N609	
09-00768721	United States Postal Service	16501 Shady Grove Road Gaithersburg, MD 20898-9201	P450	
09-03181283	HHLP Gaithersburg Associates LLC	2711 Centerville Road, Suite 400 Wilmington, DE 19808-1645	0000	A
09-02954914	Gateway Commons HOA	c/o The Mgmt. Group Assoc., Inc. 20440 Century Blvd., Suite 100 Germantown, MD 20874-7116	0000	F
09-02954787	Gateway Commons HOA	c/o The Mgmt. Group Assoc., Inc. 20440 Century Blvd., Suite 100 Germantown, MD 20874-7116	0000	B
09-02954685	Gateway Commons HOA	c/o The Mgmt. Group Assoc., Inc. 20440 Century Blvd., Suite 100 Germantown, MD 20874-7116	0000	B
09-02954617	Dean A. Shure	130 Swarthmore Avenue Gaithersburg, MD 20877-1260	0000	B
09-02954594	Janet E. Bochinski	131 Swarthmore Avenue Gaithersburg, MD 20877	0000	A
09-03034320	Nhung Pham	204 Swarthmore Avenue Gaithersburg, MD 20877-1268	0000	C
09-03034307	Fernando M. Galvan, et al.	208 Swarthmore Avenue Gaithersburg, MD 20877	0000	C
09-03034284	Myriam Gonzalez	212 Swarthmore Avenue Gaithersburg, MD 20877	0000	C
09-01759551	Montgomery County	Executive Office Building 101 Monroe Street Rockville, MD 20850	P848	

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**

(December 15, 2011)

Tax Account No.	Name	Address	Lot/Parcel	Block
09-01562314	Betty B. Casey, Tr.	c/o Casey Management, Inc. 800 S. Frederick Avenue, Suite 100 Gaithersburg, MD 20877-4151	P819	
09-03055594	Washington Metro Area Transit Authority Office of Real Estate	600 Fifth Street, NW Washington, DC 20001	P837	
09-03683725	4811 Battery Lane LLC	P.O. Box 656 Rockville, MD 20848-0656	N385	
09-03023292	Halcyon Associates	5500 MacArthur Boulevard NW Washington, DC 20016-2536	N327	
09-02954958	Theodore R. & J. M. Stansbury	119 Bates Avenue Gaithersburg, MD 20877	12/0000	C
09-02955042	Gateway Commons Homeowners Association	c/o The Mgmt. Group Assc., Inc. 20440 Century Boulevard, Suite 100 Germantown, MD 20874-7116	0000	C
09-02954548	Irene A. Moore	121 Swarthmore Avenue Gaithersburg, MD 20877-1262	14/0000	A
09-02954652	Srinivasa R. and R. Kolluru	122 Swarthmore Avenue Gaithersburg, MD 20877-1260	29/0000	B
09-02954550	Teddy and Jamie Lok Weng	123 Swarthmore Avenue Gaithersburg, MD 20877-1262	15/0000	A
09-02954641	Chong Hui Huang & Xuimin Overall	7 Larkmeade Court Potomac, MD 20854	28/0000	B
09-02954561	Albert Luc & Dai Cam Trang	125 Swarthmore Avenue Gaithersburg, MD 20877-1262	16/0000	A
09-02954630	Jin Xing Xue, et al.	126 Swarthmore Avenue Gaithersburg, MD 20877-1260	27/0000	B
09-02954572	Jorge Szein	127 Swarthmore Avenue Gaithersburg, MD 20877-1262	17/0000	A
09-02954628	Haris & Mariella M. Dallas	5349 King Charles Way Bethesda, MD 20814-2154	26/0000	B
09-02954583	Guang Zhu & Yan Zhang	c/o Noah's Preferred Properties 313 Main Street Gaithersburg, MD 20878-5591	18/0000	A
09-03034331	Kifleyohannes Shiferaw & Wude Negash	202 Swarthmore Avenue Gaithersburg, MD 20877	44/0000	C
09-03034318	Knenh & B. Thavongsa	206 Swarthmore Avenue Gaithersburg, MD 20877	42/0000	C
09-03034295	Carlos A. & A. M. Rangel	210 Swarthmore Avenue Gaithersburg, MD 20877	40/0000	C
09-03034273	Jose Caero, et al.	214 Swarthmore Avenue Gaithersburg, MD 20877-1268	38/0000	C
09-02954798	Gateway Commons Homeowners Association	c/o The Mgmt. Group Assc., Inc. 20440 Century Boulevard, Suite 100 Germantown, MD 20874-7116	0000	B
09-02954743	Bonita V. Saunders	131 Goucher Terrace Gaithersburg, MD 20877	21/0000	B

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
 (December 15, 2011)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
09-02954754	Cheng-Ih Wu	135 Goucher Terrace Gaithersburg, MD 20877	22/0000	B
09-02954823	Paulo R. & Solange Sousa	134 Goucher Terrace Gaithersburg, MD 20877-1264	23/0000	C
09-02954812	Rafael Mercado	13150 Musicmaster Drive Silver Spring, MD 20904-6845	22/0000	C
09-02954765	Ganzorig Ganbold	137 Goucher Terrace Gaithersburg, MD 20877-1266	23/0000	B
09-02954801	Fiona Suk Leung	138 Goucher Terrace Gaithersburg, MD 20877-1264	21/0000	C
<b>Other</b>				
	Erin E. Girard, Esq. Linowes and Blocher LLP	7200 Wisconsin Avenue Suite 800 Bethesda, MD 20814-4842		

**SPECIAL WARRANTY DEED**

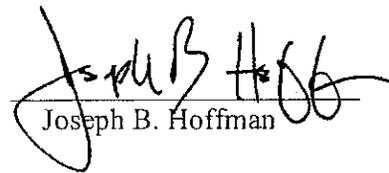
**THIS SPECIAL WARRANTY DEED** is made this 6th day of December, 2000, by and between Consortium One, L.P., a Delaware limited partnership, with a business address of 3299 K Street, N.W., 7th Floor, Washington, D.C. 20007, Marc F. Solomon, David B. Fink, Susan H. Fink, and Solomon Family Limited Partnership, all of which share a common business address of 4733 Bethesda Avenue, Suite 500, Bethesda, MD 20814, as tenants in common with a right to partition (collectively, the "Grantors") and Sears, Roebuck and Co., a New York corporation, with a business address of 3333 Beverly Road, Hoffman Estates, Illinois 60179 (the "Grantee")

**WITNESSETH**, that in consideration of the sum of Twenty One Million Dollars (\$21,000,000.00), which sum the Grantors warrant to be the full and actual consideration paid to them, Grantors do GRANT, BARGAIN, SELL AND CONVEY, unto Grantee, its successors and assigns, in fee simple, all of that certain real property situated, lying and being in Montgomery County, Maryland, being more particularly described in Exhibit A attached hereto and made a part hereof by reference.

**TOGETHER** with all buildings, fixtures and other improvements located in or on said property; and

**TOGETHER** with all water rights, sewer rights and other utilities located on the property, and any easements, licenses, appurtenances and privileges belonging or appurtenant thereto. The Grantors covenant that the Grantors will warrant specially the property hereby conveyed pursuant to the provisions of Maryland Code, Real Property Article, Section 2-106.

This is to certify that this instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

  
Joseph B. Hoffman

NOV 14 4 24 PM '00

RECORDED  
OFFICE  
NOV 14 4 24 PM '00

92.45  
105.00  
20  
5  
LMP FD SURF \$  
RECORDING FEE  
REGISTRATION T  
STATE  
197.45  
185.00  
92.45  
105.00  
20  
5

Mayor and City Council  
X-184  
Exhibit #7

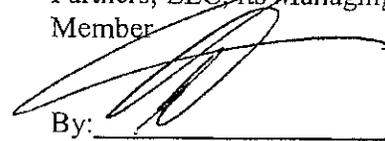
IN WITNESS WHEREOF, the Grantors have duly executed this Special Warranty Deed effective the day, month and year first above written.

GRANTORS:

Consortium One, L.P.

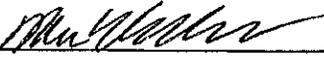
By: Millbank Capital Partners, LLC,  
its General Partner

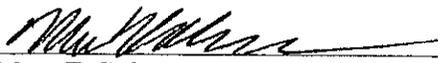
By: Bernstein Millbank Capital  
Partners, LLC, its Managing  
Member

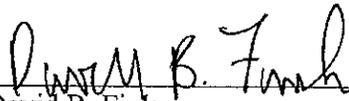


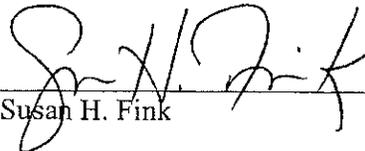
By: \_\_\_\_\_  
Name: *Marc N DeRosa*  
Title: *manager.*

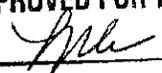
Solomon Family Limited Partnership

By:   
\_\_\_\_\_  
Marc F. Solomon  
General Partner

  
\_\_\_\_\_  
Marc F. Solomon

  
\_\_\_\_\_  
David B. Fink

  
\_\_\_\_\_  
Susan H. Fink

APPROVED FOR TRANSFER  
BY  MONT., CO., MD

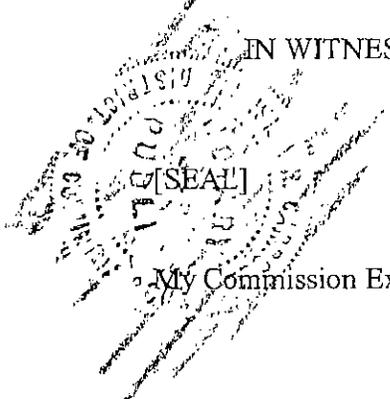
DEC 14 2000

\$ 210,000.00 TRANSFER TAX PAID

WASHINGTON )  
 )  
 ) ss:  
DISTRICT OF COLUMBIA )

On this the 6th day of December, 2000, I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that Marc N. Dubee, who before me personally appeared and acknowledged himself to be the duly authorized Manager of Bernstein Millbank Capital Partners, LLC, the Managing Member of Millbank Capital Partners, LLC, the General Partner of Consortium One, L.P. and that he, in such capacity, has been authorized so to sign, has executed the foregoing Special Warranty Deed and acknowledged the same before me in the jurisdiction aforesaid.

IN WITNESS WHEREOF I set my hand and official seal.



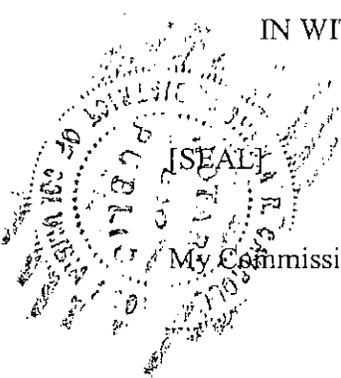
Sheila R. Carroll  
Notary Public

**SHEILA R. CARROLL**  
NOTARY PUBLIC, DISTRICT OF COLUMBIA  
COMMISSION EXPIRES MARCH 31, 2002

WASHINGTON )  
 )  
 ) ss:  
DISTRICT OF COLUMBIA )

On this the 6th day of December, 2000, I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that Marc F. Solomon who before me personally appeared and acknowledged himself to be the duly authorized General Partner of Solomon Family Limited Partnership and that he, in such capacity, has been authorized so to sign, has executed the foregoing Special Warranty Deed and acknowledged the same before me in the jurisdiction aforesaid.

IN WITNESS WHEREOF I set my hand and official seal.



Sheila R. Carroll  
Notary Public

**SHEILA R. CARROLL**  
NOTARY PUBLIC, DISTRICT OF COLUMBIA  
COMMISSION EXPIRES MARCH 31, 2002

WASHINGTON )  
 )  
 ) ss:  
DISTRICT OF COLUMBIA )

On this the 6th day of December, 2000, I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that Marc F. Solomon, who before me personally appeared and has executed the foregoing Special Warranty Deed and acknowledged the same before me in the jurisdiction aforesaid.

IN WITNESS WHEREOF I set my hand and official seal.



Sheila R. Carroll  
Notary Public

My Commission Expires: **SHEILA R. CARROLL**  
**NOTARY PUBLIC, DISTRICT OF COLUMBIA**  
**COMMISSION EXPIRES MARCH 31, 2002**

WASHINGTON )  
 )  
 ) ss:  
DISTRICT OF COLUMBIA )

On this the 6th day of December, 2000, I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that, David B. Fink, who before me personally appeared and has executed the foregoing Special Warranty Deed and acknowledged the same before me in the jurisdiction aforesaid.

IN WITNESS WHEREOF I set my hand and official seal.



Sheila R. Carroll  
Notary Public

My Commission Expires: **SHEILA R. CARROLL**  
**NOTARY PUBLIC, DISTRICT OF COLUMBIA**  
**COMMISSION EXPIRES MARCH 31, 2002**

WASHINGTON )  
 )  
DISTRICT OF COLUMBIA )      ss:

On this the 10th day of December, 2000, I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that, Susan H. Fink, who before me personally appeared and has executed the foregoing Special Warranty Deed and acknowledged the same before me in the jurisdiction aforesaid.

IN WITNESS WHEREOF I set my hand and official seal.



Sheila R. Carroll  
Notary Public

**SHEILA R. CARROLL**  
My Commission Expires: **NOTARY PUBLIC, DISTRICT OF COLUMBIA**  
**COMMISSION EXPIRES MARCH 31, 2002**

**EXHIBIT "A"**

Beginning for the same at an iron bar and cap now set on the southeasterly right-of-way line of Shady Grove Road (variable width), said point being the most northwesterly corner of Parcel A as laid out and shown on a plat entitled "Parcel A, Sears Addition to Shady Grove, Gaithersburg Election District, Montgomery County, Maryland", recorded among the Land Records of Montgomery County, Maryland in Plat Book 70 at Plat No. 7952, said point also being the southwest corner of land conveyed to the U.S. Postal Service in Liber 5943 at folio 65 among the Land Records of Montgomery County.

Thence running with and binding on the outlines of Parcel A, Land of the U.S. Postal Service and Land of CSX Transportation Inc., the following:

1. South 54 degrees 33' 55" East 648.85 feet; thence running with and binding on land conveyed to Northeast Maryland Waste Disposal Authority in Liber 11009 at folio 694, recorded among the Land Records of Montgomery County, the following two (2) courses and distances
2. South 35 degrees 26' 05" West 600.00 feet; thence
3. South 54 degrees 33' 55" East 20.00 feet; thence running with and binding on the outlines of Parcel A and land conveyed to Montgomery County in Liber 5369 at folio 441, recorded among the Land Records of Montgomery County, the following two (2) courses and distances
4. South 35 degrees 26' 05" West 310.00 feet to an iron bar found; thence
5. North 54 degrees 33' 55" West 664.96 feet; thence running with and binding on said southeasterly right-of-way line of Shady Grove Road the following
6. North 35 degrees 11' 23" East 910.01 feet to the point of beginning

Containing an area of 13.6566 acres of land, more or less.

**EXHIBIT "A" (con't)**

Being a portion of Parcel A as shown on a plat entitled "Parcel A, Sears Addition to Shady Grove, Gaithersburg Election District, Montgomery County, Maryland", and recorded among the Land Records of Montgomery County, Maryland in Plat Book 70 at Plat No. 7952.

Tax I.D. No. 9-768845 ~

After Recording

Return to

Title Insurer:

Commonwealth Land Title Insurance Company -  
Attn: Denny White (00-000220)  
1015 15<sup>th</sup> Street, NW, Suite 300  
Washington, D.C. 20005

**State of Maryland Land Instrument Intake Sheet**  
 Baltimore City  County: Montgomery

18628 361

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Check Box if Addendum Intake Form is Attached.

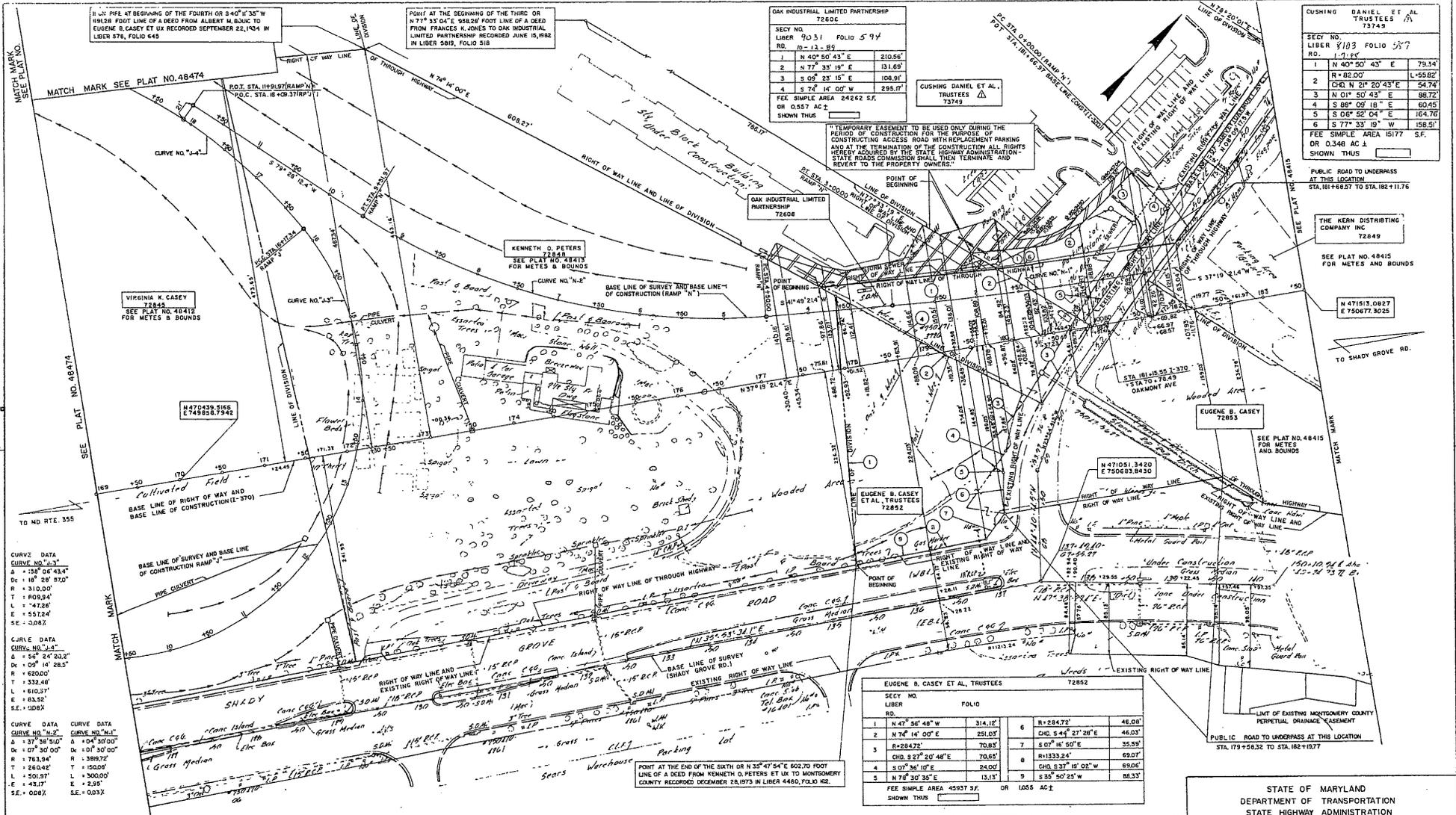
1	Type(s) of Instruments	<input checked="" type="checkbox"/> Deed	Mortgage	Other	Other			
		<input type="checkbox"/> Deed of Trust	Lease					
2	Conveyance Type Check Box	<input checked="" type="checkbox"/> Improved Sale	<input type="checkbox"/> Unimproved Sale	<input type="checkbox"/> Multiple Accounts	<input type="checkbox"/> Not an Arms-Length Sale [9]			
		Arms-Length [1]	Arms-Length [2]	Arms-Length [3]				
3	Tax Exemptions (if Applicable)	<input type="checkbox"/> Recordation						
		<input type="checkbox"/> State Transfer						
Cite or Explain Authority: <u>County Transfer</u>								
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only				
		Purchase Price/Consideration	\$ <u>21,000,000.00</u>	Transfer and Recordation Tax Consideration				
		Any New Mortgage	\$	Transfer Tax Consideration	\$			
		Balance of Existing Mortgage	\$	X ( ) % =	\$			
		Other:	\$	Less Exemption Amount =	\$			
		Other:	\$	Total Transfer Tax =	\$			
		Full Cash Value	\$	Recordation Tax Consideration	\$			
5	Fees	Amount of Fees		Doc. 2				
		Recording Charge	\$ <u>20.00</u>		Agent:			
		Surcharge	\$ <u>5.00</u>		Tax Bill:			
		State Recordation Tax	\$ <u>92,400.00</u>		C.B. Credit:			
		State Transfer Tax	\$ <u>105,000.00</u>		Ag. Tax/Other:			
		County Transfer Tax	\$ <u>210,000.00</u>					
		Other	\$					
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
		<u>9</u>	<u>768845</u>			<u>Part Parcel A</u>	<input type="checkbox"/> (5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage (4)
		<u>Seaside Add to Shady Grove</u>						
		Location/Address of Property Being Conveyed (2)						
		<u>16401 Shady Grove Rd. Gaithersburg, Md.</u>						
		Other Property Identifiers (if applicable)						
		Water Meter Account No.						
		Residential <input type="checkbox"/> or Non-Residential <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount:						
		Partial Conveyance? <input type="checkbox"/> Yes <input type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred:						
7	Transferred From	Doc. 1 - Grantor(s) Name(s)		Doc. 2 - Grantor(s) Name(s)				
		<u>Consortium One L.P., et al.</u>						
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)				
8	Transferred To	Doc. 1 - Grantee(s) Name(s)		Doc. 2 - Grantee(s) Name(s)				
		<u>SEARS, Roebuck and Co</u>						
		New Owner's (Grantee) Mailing Address						
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)		Doc. 2 - Additional Names to be Indexed (Optional)				
		<u>3333 Beverly Road Hoffman Estates, Illinois 60179</u>						
10	Contact/Mail Information	Instrument Submitted By or Contact Person			<input type="checkbox"/> Return to Contact Person			
		Name: <u>Denny White</u>	Firm: <u>Land America</u>		<input type="checkbox"/> Hold for Pickup			
11	Assessment Information	Address: <u>1015 15th St N.W. #300</u>			<input type="checkbox"/> Return Address Provided			
		<u>Washington, D.C. 20009</u> Phone: <u>(202) 312-5134</u>						
IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER								
Yes <input checked="" type="checkbox"/> No Will the property being conveyed be the grantee's principal residence?								
Yes <input checked="" type="checkbox"/> No Does transfer include personal property? If yes, identify:								
Yes <input checked="" type="checkbox"/> No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).								
Assessment Use Only - Do Not Write Below This Line								
<input type="checkbox"/> Terminal Verification		<input type="checkbox"/> Agricultural Verification		<input type="checkbox"/> Whole <input type="checkbox"/> Part <input type="checkbox"/> Tran. Process Verification				
Transfer Number:		Date Received:		Deed Reference: Assigned Property No.:				
Year	19	19	Geo.	Map	Sub			
Land			Zoning	Grid	Block			
Buildings			Use	Parcel	Plat			
Total			Town Cd.	Ex. St.	Section			
				Occ. Cd.				
REMARKS:								

Source: Reserved for Circuit Court Clerk Recording Section

Distribution: White - Clerk's Office  
 Canary - SDAT  
 Pink - Office of Finance  
 Goldenrod - Preparer  
 AOC-CC-300 (6/95)



Exhibit "E-2"



**CURVE DATA**  
CURVE NO. "1-3"  
Δ = 29° 04' 43"  
Dc = 18' 28" 97.0"  
R = 310.00"  
T = 409.94'  
L = 441.28'  
E = 55.24'  
SE = 0.04%

**CURVE DATA**  
CURVE NO. "1-4"  
Δ = 56° 24' 23.5"  
Dc = 00' 14' 28.5"  
R = 620.00"  
T = 332.48'  
L = 810.57'  
E = 83.82'  
SE = 0.03%

**CURVE DATA**  
CURVE NO. "1-2"  
Δ = 37° 38' 51.0"  
Dc = 10' 30' 00"  
R = 783.04"  
T = 260.48'  
L = 501.97'  
E = 43.17'  
SE = 0.03%

**CURVE DATA**  
CURVE NO. "1-1"  
Δ = 04° 30' 00"  
Dc = 10' 30' 00"  
R = 389.72"  
T = 150.08'  
L = 500.00"  
E = 2.29'  
SE = 0.03%

**LEGEND**

- REVERSIBLE EASEMENT FOR SUPPORTING SURFACE
- PERPETUAL EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT
- PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT
- PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM EXISTING WATERWAY OR NATURAL DRAINAGE COURSE
- APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE FOR EXPLANATORY PURPOSE ONLY)

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE A CORRECT INTERPRETATION OF THE FIELD SURVEY SUPPLIED TO ME BY THE STATE HIGHWAY ADMINISTRATION.

DATE: 11/20/24

A PORTION OF THIS RIGHT OF WAY IS FOR AN EASEMENT AND NO ACCESS EITHER VEHICULAR OR PEDESTRIAN AND/OR ANIMAL WILL BE PERMITTED ACROSS THE LINES DESIGNATED "RIGHT OF WAY LINE OF THROUGH HIGHWAY" EXCEPT BY MEANS OF SUCH PUBLIC ROAD CONNECTIONS AS ARE AUTHORIZED BY LAW.

SENT TO RECORD OFFICE: FEBRUARY 18, 19 86  
APPROVED BY CHAPMAN: DECEMBER 18, 19 85

REVISIONS	DATE	BY	REASON
1	11-13-85	JMT/EEI	PREPARED
2	11-13-85	JMT/EEI	REVISIONS
3	11-13-85	JMT/EEI	REVISIONS
4	11-13-85	JMT/EEI	REVISIONS
5	11-13-85	JMT/EEI	REVISIONS

LOCATED IN: MONTGOMERY COUNTY

PREPARED BY: JMT/EEI © joint venture

PROJECT MANAGER: [Signature]

CONSTRUCTION PROJECT: I 370 FROM WEST OF MARYLAND RTE. 355 TO EAST OF OAKMONT AVE.

CONSTRUCTION PROJECT NO.: M 248-502-372

STATE OF MARYLAND  
DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION  
STATE ROADS COMMISSION

RIGHT OF WAY PROJECT: I 370 FROM WEST OF MARYLAND RTE. 355 TO EAST OF GAYMONT AVE.  
FEDERAL AID PROJECT NO.: M 248-303-372  
SCALE: 1" = 50'  
CHIEF, BUREAU OF PLATS & SURVEYS

PLAT NO. 48475  
MSA 31625-118/1176

OAK INDUSTRIAL LIMITED PARTNERSHIP 7280E

SECTY NO.	FOLIO
LIBER 9031	FD10 574
RD. NO. 13-85	
1	N 40° 50' 43" E 210.58'
2	N 77° 33' 19" E 131.69'
3	S 05° 23' 15" E 108.51'
4	S 74° 14' 00" W 295.07'

FEE SIMPLE AREA 24262 S.F. OR 0.557 AC ± SHOWN THUS

CUSHING DANIEL ET AL. TRUSTEES Δ 73749

"TEMPORARY EASEMENT TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION FOR THE PURPOSE OF CONSTRUCTING ACCESS ROAD WITH REPLACEMENT PARKING AND AT THE TERMINATION OF THE CONSTRUCTION ALL RIGHTS HEREBY GRANTED BY THE STATE HIGHWAY ADMINISTRATION-STATE ROADS COMMISSION SHALL THEN TERMINATE AND REVERT TO THE PROPERTY OWNERS."

CUSHING DANIEL ET AL. TRUSTEES Δ 73749

SECTY NO.	FOLIO
LIBER 9103	FOLIO 577
RD. NO. 1-85	
1	N 40° 50' 43" E 79.34'
2	N 82.00'
3	N 01° 50' 43" E 54.74'
4	S 88° 09' 18" E 60.45'
5	S 06° 52' 04" E 164.76'
6	S 77° 33' 19" W 158.51'

FEE SIMPLE AREA 15177 S.F. OR 0.348 AC ± SHOWN THUS

PUBLIC ROAD TO UNDERPASS AT THIS LOCATION STA. 181+66.27 TO STA. 182+11.76

THE KEAN DISTRIBUTING COMPANY INC. 72849

SEE PLAT NO. 48415 FOR METES AND BOUNDS

N 471813.0827 E 750677.3025

TO SHADY GROVE RD.

Document filed for record  
in condition permitting  
microfilm reproduction

LIBER 8440 FOLIO 243

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

STATE ROADS COMMISSION OF THE :  
STATE HIGHWAY ADMINISTRATION :  
Acting for and on behalf of the :  
STATE OF MARYLAND :

Plaintiff :

vs. : Civil No. 12,152

BETTY BROWN CASEY, Sole Surviving :  
Trustee of the Betty Brown Casey :  
Trust, et al :

Defendants :

1988 AUG 29 PM 3:04  
CLERK'S OFFICE  
MONTGOMERY COUNTY, MD

CONSENT INQUISITION

INQUISITION made and taken at Bar in the Circuit Court for Montgomery County, Maryland, in the matter of the Petition of the State Roads Commission of the State Highway Administration vs. Betty Brown Casey, Sole Surviving Trustee of the Betty Brown Casey Trust, fee owner, and Montgomery County, tax collector, and it having been determined that the Plaintiff has the right to condemn the property hereinafter mentioned:

WITNESSETH:

THAT the Plaintiff and the Defendant, Betty Brown Casey, Trustee, fee owner, through counsel, having waived in writing a trial by Jury and having further agreed on \$8,005,000.00 as the damages which the Defendant will sustain by the taking, use and occupation of that property in the Ninth Election District of Montgomery County, Maryland, more particularly described

AGRICULTURE TRANSFER TAX IN THE :  
AMOUNT OF \$ 121A :  
SIGNATURE BC :

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Montgomery County.

BC + 12/107  
By Date

1988 JAN 25 AM 10:15

FILED  
HOWARD M. SMITH  
CLERK OF COURT  
MONTGOMERY COUNTY, MD

COPIES DESTROYED  
Document submitted for record  
in a condition not permitting  
reproduction by photography  
or microfilm.

LIBER 8440 FOLIO 244

as follows:

ALL that property consisting of 17.168 acres, more or less, lying between the lines marked "Right of Way Line" as shown on Plats No. 48412 (Rev. 4/11/84) and 48413, which is being taken in fee simple, which said Plats are filed herein, said property being described by metes and bounds as follows:

BEGINNING at a point on Maryland Route 355 at Station 161 + 70.05 as shown on Plat No. 48412, thence by the following courses and distances:

1. North 40° 44' 10" East 956.09 feet, thence
2. South 56° 25' 29" East 717.14 feet, thence
3. South 35° 50' 25" West 448.96 feet, thence
4. With the arc of a curve to the right whose radius is 4851.07 feet an arc distance of 331.10 feet chord bearing and distance South 37° 47' 44" West 331.03 feet, thence
5. North 44° 10' 35" West 22.73 feet, thence
6. South 45° 49' 25" West 40.00 feet, thence
7. South 44° 10' 35" East 26.82 feet, thence
8. With the arc of a curve to the right whose radius is 4851.07 feet an arc distance of 118.92 feet chord bearing and distance South 40° 55' 41" West 118.92 feet, thence
9. South 41° 37' 49" West 33.12 feet, thence
10. South 86° 33' 08" West 109.37 feet, thence
11. North 49° 11' 20" West 568.00 feet, thence
12. North 40° 48' 40" East 6.00 feet, thence
13. North 49° 11' 20" West 30.00 feet, thence
14. South 40° 48' 40" West 6.00 feet, thence
15. North 49° 11' 20" West 90.03 feet to the point of beginning containing 747,834 square feet or 17.168 acres, more or less.

TOGETHER with all the buildings, improvements and fixtures thereon, if any, and the rights, ways, alleys, waters, roads, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

1988 JAN 25 AM 11:15

FILED  
HOWARD COUNTY  
CLERK OF THE  
COURT

Original  
In & Certified for  
Notary Public  
Notary Public

LIBER 8440 FOLIO 245

AND the parties hereto through counsel having waived in writing a view by the Court of the property being acquired, and

UPON the consent and agreement of the parties, the Court does hereby find and determine that:

IT is necessary for the Plaintiff to acquire the said property and that the damages to be sustained by the Defendant to this cause for the taking of the described property for the purposes set out in the aforementioned Petition is the sum of EIGHT MILLION, FIVE THOUSAND AND 00/100 DOLLARS (\$8,005,000.00)

THAT upon the payment of the said sum together with the post-judgment interest set forth in the Stipulation, filed herein, to the Clerk of the Court for the use of the Defendants, Betty Brown Casey, Trustee, and Montgomery County, tax collector, the title to the property shall be held and become vested in the State of Maryland, to the use of the State Roads Commission of the State Highway Administration, clear and discharged from any claims, liens or demands of the Defendants, and the said State Roads Commission of the State Highway Administration shall thereupon have the right to immediate possession of said property.

IN WITNESS HEREOF, the Court has hereunto set its hand and seal this 25th day of January, 1988.

1988 JAN 25 AM 10 15

FILED  
HOWARD C. SMITH  
CLERK OF THE  
MONTGOMERY COUNTY



LIBER 8440 FOLIO 246

*[Handwritten Signature]*

JUDGE, Circuit Court for  
Montgomery County, Maryland

WE CONSENT:

*[Handwritten Signature]*

FRANK W. WILSON  
Special Counsel for Plaintiff

MILLER, MILLER & CANBY

*[Handwritten Signature]*

WILLIAM M. CANBY  
Attorney for Defendant,  
Betty Brown Casey, Trustee

Address of Grantor: Betty Brown Casey, Trustee  
1 West Deer Park Drive  
Gaithersburg, Maryland 20877

Address of Grantee: State Highway Administration  
707 North Calvert Street  
Baltimore, Maryland 21202

Parcel ID# 9-1-768765 and  
9-1-1678842

Title Insurer: None.

AUG. 20 1988  
9-1-768765 & 1678842  
All taxes on assessments certified to the  
Collector of Taxes for Montgomery County  
Md. by *[Handwritten Signature]* have been paid Dept. of  
Finance Montgomery County, Md. This  
statement is for the purpose of permitting  
recording and is not assurance against  
further taxation even for prior periods. It  
does not guarantee satisfaction of outstand-  
ing tax sales.

\$409,055.50 TRANSFER TAX PAID  
MONTGOMERY COUNTY, MARYLAND

*[Handwritten Signature]*

TRANSFER TO GOVERNMENTAL, RELIGIOUS,  
OR CHARITABLE ORGANIZATION

- 4 -

FILED  
HOWARD M. SMITH  
CLERK OF COURT  
MONTGOMERY COUNTY, MD.  
1988 JAN 25 AM 10 15

Exhibit "E-4"

LIBER 9043 FOLIO 676

1989 OCT 20 PM 12:00

SHA 63.11-25 2/1/89 OFFICE OF COUNSEL 707 N. Calvert Street Baltimore, Maryland 21202  Mail Address - P.O. Box 111 Baltimore, Maryland 21203	<b>DEED</b> TO THE STATE OF MARYLAND TO THE USE OF THE STATE HIGHWAY ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION	PAGE 1 Right of Way Icon No. 73650/73934 State Highway Administration Project No. M 248-303-172
--	---	--

This Deed, Made this 20<sup>th</sup> Exhibit Exhibit E-4 in the year 1989

(A) WHEREAS, the State Highway Administration of the Department of Transportation, acting for and on behalf of the State of Maryland, finds it necessary to acquire the land, easements, rights and/or controls, shown and/or indicated on State Highway Administration's Plats Numbered

4A474 and 48476

which are duly recorded, or intended to be recorded, among the Land Records of

Montgomery County(ies) in the State of Maryland in order to lay out, open, establish, construct, extend, widen, straighten, grade and improve as a part of the State Roads System of Maryland, a highway and/or bridge, together with the appurtenances thereto belonging, under its Contract Number H 248-302-372 and known as the I-370 From West of Maryland Route 355 To East of Oakmont Avenue

and to thereafter use, maintain and/or further improve said highway and/or bridge, as a part of the Maryland State Roads System.

(B) NOW, THEREFORE, THIS DEED AND RELEASE WITNESSETH: That for and in consideration of the above premises, One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, we do hereby grant and convey unto the STATE OF MARYLAND, TO THE USE OF THE STATE HIGHWAY ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, its successors and assigns, FOREVER IN FEE SIMPLE, all our right, title and interest, free and clear of all liens and encumbrances, in and to

(C) ALL THE LAND, together with the appurtenances thereto belonging, or in anywise appertaining, lying between the right-of-way lines designated "Right of Way Line," as shown and/or indicated on the hereinbefore mentioned plats, all of which plats are made a part hereof, so far as our property and/or our rights may be affected by the said proposed highway and/or bridge, and the appurtenances thereto belonging, or in anywise appertaining.

~~AND THE GRANTORS DO FURTHER GRANT unto the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns, the right to create, use and maintain on the area of the land shown hatched thus [diagonal lines] on the above designated plats, such slopes as are necessary to retain and support the highway and/or adjacent property; it being agreed between the parties hereto, however, that at such time as the contour of the land over which this slope easement is granted is changed so that the easement required for slopes is no longer necessary to retain, support or protect the highway construction within the area conveyed in fee simple, then said easement for slopes shall cease to exist.~~

~~(E) AND THE GRANTORS DO FURTHER GRANT unto the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns, the perpetual right to create, use and maintain on the area of the land shown cross-hatched thus [cross-hatch] on the above designated plats such stream changes, side ditches, inlet ditches, pipes, culverts and all other drainage facilities as are necessary in the opinion of the State Highway Administration to adequately drain the highway or adjacent property and/or control the flow of water through those drainage structures to be built to protect said highway.~~

~~(F) AND THE GRANTORS DO FURTHER GRANT unto the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns, the perpetual right to discharge the flow of water from such stream changes, side ditches, inlet ditches, outlet ditches, pipes, culverts and all other drainage facilities as are necessary in the opinion of the State Highway Administration to adequately drain the highway or adjacent property and/or control the flow of water through those drainage structures to be built to protect said highway (either within the areas shown cross-hatched thus [cross-hatch] or within the limits of the areas hereinbefore conveyed in the fee simple) into existing waterways or natural drainage courses, as indicated by the symbol [arrow] and/or upon the existing ground, as indicated by the symbol [arrow] at the outlet and of the drainage facilities so created by the State Highway Administration, all of which are shown graphically and indicated by appropriate symbols and supplementary notations on the aforesaid plats.~~

(G) AND THE GRANTORS DO FURTHER GRANT unto the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns, ANY AND ALL RIGHT WHATSOEVER OF THE GRANTORS, their heirs, successors and assigns, of any means whatsoever of ingress or egress between the THROUGH HIGHWAY and their remaining property across the lines which are designated "Right of Way Line of Through Highway," to the end that there never will be any vehicular, pedestrian and/or animal access to or from said Through Highway and their remaining property across those lines which are so marked on the above mentioned plats, except by means of such valid road connections as are authorized by law.

~~AND THE GRANTORS DO FURTHER GRANT unto the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns, ANY AND ALL RIGHT WHATSOEVER OF THE GRANTORS, their heirs, successors and assigns, of any means whatsoever of ingress or egress between their remaining property and the highway across those portions of the right of way lines which are hereby designated "Right of Way Line of Through Highway," to the end that there never will be any vehicular, pedestrian and/or animal access to or from said highway and their remaining property across those portions of the said right of way lines which are so marked on the above mentioned plats.~~

~~The actual construction of said highway and/or bridge shall be subject to the orders of the Millage Tax Commission of the State of Maryland, and the State Highway Administration, and the State Highway Administration shall be bound by the orders of the Millage Tax Commission.~~

DEPARTMENT OF TRANSPORTATION  
DRAWING SECT. ET OCT 16, 1989

COPIES IN EACH 2

Mayor and City Council  
X-184  
Exhibit #11

(I) TOGETHER with the temporary right during the period of construction to use the area of land shown hatched thus  on the aforesaid Plat(s) for the purpose of removal of building.

Upon completion of this construction, all right to utilize this area by SHA shall cease to exist.

(J) AND THE GRANTORS HERIN do hereby covenant and agree, on behalf of themselves, their heirs, successors and assigns, to abide by and respect each and every control or restriction set forth in this instrument of writing, it being the intention of this conveyance to perpetuate all the rights and privileges granted to the State of Maryland, to the use of the State Highway Administration, by this deed. It is expressly understood and agreed that these covenants shall run with and bind upon the GRANTORS, their heirs, successors and assigns, forever.

(K) BEING part of the property conveyed by deed dated 12/22/58 and recorded 12/30/58 in Liber 2545 at folio 227 and re-recorded 4/6/71 in Liber 4056 at folio 569 and by deed dated 10/26/70 and recorded 10/28/70 in Liber 4012 at folio 419 among the Land Records of Montgomery County, Maryland as to Item #73650. Also

BEING part of the property conveyed by deed dated 10/26/70 and recorded 10/28/70 in Liber 4012 at folio 415 and by deed dated 7/6/72 and recorded 7/10/72 in Liber 4239 at folio 183 among the Land Records of Montgomery County, Maryland as to Item #73934.

It is agreed that the State Highway Administration, by acceptance of this deed and recording in the Land Records, will issue a permit to construct entrances on Maryland Route 355 between Station 204+40 and Station 205+60 as per SHA Plat No. 48476 dated May 10, 1984 revision date December 10, 1979 (47207) entitled I-370 from West of Maryland Route 355 to East of Oakmont Avenue (copy attached) Construction Project M-248-502-372 to provide access to the properties owned by John Panagos, et ux. containing 1.88717 acres ± of land, and to properties owned by Robert H. Teunis, et ux. and Ralph D. Teunis, et ux., containing 28.73 acres of land ± (the Teunis property, being adjacent to and adjoining the Panagos property), to allow the Panagos property and the Teunis property to be developed to their highest and best use for uses other than residential detached single-family. The zoning and uses contemplated to be developed on the Panagos and Teunis properties are industrial/commercial and townhouses, it being the intent of the parties that the entrance will be adequate to service the ultimate development of the Panagos and Teunis properties. The exact location, width and geometrics of a directional (Right Turn In/Right Turn Out) point of access, will be determined by the Administration after a review of plans and traffic data for the development of the properties. All costs associated with the construction of the entrance will be the Owners and/or the Developers, but not the SHA. The point of access may be either a private commercial/industrial entrance or a public road. This agreement will be incorporated into the deed of conveyance to the SHA.

OCT. 20 1988

9-1-777521  
9-1-777510

*Douglas D. Buring*

All taxes on assessments certified to the Collector of Taxes for Montgomery County, Md. by ~~10/20/88~~ have been paid Dept. Finance Montgomery County, Md. This statement is for the purpose of permitting recordation and is not assurance against further taxation even for prior periods. It does not guarantee satisfaction of outstanding tax sales.

OCT. 20 1988

9-1-777532

All taxes on assessments certified to the Collector of Taxes for Montgomery County, Md. by ~~10/20/88~~ have been paid Dept. Finance Montgomery County, Md. This statement is for the purpose of permitting recordation and is not assurance against further taxation even for prior periods. It does not guarantee satisfaction of outstanding tax sales.

TRANSFER TO GOVERNMENTAL, RELIGIOUS, OR CHARITABLE ORGANIZATION

*TOU*

\$ 19,248.28 TRANSFER TAX PAID  
MONTGOMERY COUNTY, MARYLAND

99

TRANSFER TAX

CONTINUED ON PAGE 3

FARM TAX PAID

OCT. 20 1988

BINDING MARGIN  
DO NOT WRITE IN THIS SPACE

BINDING MARGIN  
DO NOT WRITE IN THIS SPACE

SHA 63.11-25 2/1/89

CONTINUED FROM PAGE 2

PAGE 3

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

(W) IT IS UNDERSTOOD AND AGREED that the State Highway Administration shall have no further obligation or liability for the results of construction, reconstruction, maintenance or further construction of said highway and/or bridge.

(X) TO HAVE AND TO HOLD the land and premises above described and mentioned and hereby intended to be conveyed unto the proper use and benefit of the State of Maryland, to the use of the State Highway Administration of the Department of Transportation, its successors and assigns forever in fee simple, together with the rights, easements, privileges and controls hereinbefore mentioned.

The property conveyed in fee simple by this instrument is 198,343 square feet.

(Y) AND the grantors covenant that they have neither done, nor suffered to be done, anything to encumber the property, easements and/or rights, etc., hereby conveyed, and that they will execute such other and further assurance of same as may be requisite.

(Z) AND join in this conveyance for the purpose of releasing the land, easements and/or rights herein conveyed from the operation and effect and any mortgage and/or lien which they hold upon the property of the grantors, retaining their rights as mortgagees and/or lienors in and to the remainder of the land of the grantor not affected by this conveyance.

IN WITNESS WHEREOF we have hereunto set our hands and seals.

WITNESS <u>Melvin Sligo</u>	<u>Robert Huettt Teunis</u> (SEAL) ROBERT HUETT TEUNIS
WITNESS <u>Barbara Williams</u>	_____ (SEAL)
WITNESS <u>Melvin Sligo</u>	<u>Betty Lu Teunis</u> (SEAL) BETTY LU TEUNIS
WITNESS <u>Kathy Williams</u>	_____ (SEAL)
WITNESS <u>Barbara Williams</u>	<u>Ralph Dewey Teunis, Jr.</u> (SEAL) RALPH DEWEY TEUNIS, JR.
WITNESS _____	_____ (SEAL)
WITNESS <u>Doris Douglas Teunis</u>	<u>Doris Douglas Teunis</u> (SEAL) DORIS DOUGLAS TEUNIS
WITNESS _____	_____ (SEAL)
WITNESS _____	_____ (SEAL)

Please Have Notary Public Complete Acknowledgements on Page 4

SEE PAGE 4 FOR ACKNOWLEDGMENTS

ACKNOWLEDGMENTS



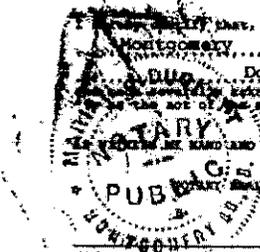
OF MONTGOMERY

I, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for Montgomery County, personally appeared Robert Huyett Teunis and Doris Douglas Teunis, his wife and each personally acknowledged the foregoing deed and release to be his, her or their respective act, or to be the act of the said body corporate. (NOTE: strike out the words not applicable.)

AS WITNESS BY HAND AND NOTARIAL SEAL, this 20th day of September, 1989

NOTARY SEAL My Commission expires 7-1-90

STATE OF MARYLAND - COUNTY OF MONTGOMERY



I hereby certify that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for Montgomery County, personally appeared Ralph Dewey Teunis, Jr. and Doris Douglas Teunis, his wife and each personally acknowledged the foregoing deed and release to be his, her or their respective act, or to be the act of the said body corporate. (NOTE: strike out the words not applicable.)

AS WITNESS BY HAND AND NOTARIAL SEAL, this 21st day of September, 1989

NOTARY PUBLIC My Commission expires 7-1-90

STATE OF MARYLAND - COUNTY OF

I hereby certify that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for County, personally appeared and each severally acknowledged the foregoing deed and release to be his, her or their respective act, or to be the act of the said body corporate. (NOTE: strike out the words not applicable.)

AS WITNESS BY HAND AND NOTARIAL SEAL, this day of in the year

NOTARY SEAL My Commission expires

**DEED** FROM ROBERT H. TEUNIS, et al

TO THE STATE OF MARYLAND THE STATE HIGHWAY ADMINISTRATION DEPARTMENT OF TRANSPORTATION

Received for Record at o'clock, P.M. same day recorded in Liber No. Police & C. One of the Land Records of County, and examined per Clerk.

Cost of Record \$

I hereby certify that this instrument has been prepared under my supervision, an attorney admitted by the Court of Appeals of Maryland.

Special Counsel  
State Highway Administration  
Frank W. Wilson

TO - State Highway Administration

This conveyance has been recorded in the office of Real Estate Ledger.

No Extra property was acquired by deed

Extra property has been acquired and entered in property record - Form (M-5)

INDEXED IN LEDGER DATE

LEDGER CLERK

COFF CONVEYANCES MADE

Return Recorded Deed to: Chief, Records and Research Section State Highway Administration 200 North Calvert Street - Room 403 Baltimore, Maryland 21201-0111

BOOK 9043 PAGE 80

ATTACHED TO AND MADE A PART OF THAT CERTAIN INSTRUMENT DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1982

**CLERK'S INDEX SHEET**  
(For the purpose of proper indexing only)

Pursuant to the provisions and requirements of Section 3-501 of Subtitle 5, Real Property Article, *Annotated Code of Maryland* (1981) Repl. Vol.), the following additional information is declared by the parties hereto to be contained within this instrument:

- 1. TYPE OF INSTRUMENT: Deed
- 2. GRANTOR'S NAME AND ADDRESS: Robert H. Teunis, et ux and  
Ralph Dewey Teunis, Jr., et ux  
c/o Linowes and Blocher  
P. O. Box 8728  
Silver Spring, MD 20907
- 3. GRANTEE'S NAME AND ADDRESS: STATE HIGHWAY ADMINISTRATION  
707 North Calvert Street  
Baltimore, Maryland 21202
- 4. CONSIDERATION (APPLIES ONLY TO DEEDS): \$1,251,124.00
- 5. PARCEL ID/TAX ACCOUNT NO(S): Item #73650 - 9-1-777521 & 9-1-777510  
Item #73934 - 9-1-777532
- 6. PROPERTY DESCRIPTION: See attached Metes and Bounds  
Descriptions:  
Item #73934, Parcels 1 and 2  
Item #73650, 1 parcel
- 7. STREET ADDRESS OF THE LAND AND PREMISES DESCRIBED IN THIS INSTRUMENT:  
817 South Frederick Avenue  
Gaithersburg, MD 20877
- 8. NAME OF TITLE INSURANCE COMPANY: NONE.

Mr. Clerk: After recording please see that the original of the foregoing instrument is:

Mailed (additional \$0.50 cost)  
OR  
 Held at Clerk's Office

For: \_\_\_\_\_  
(name) **FRANK W. WILSON**  
**P. O. BOX 319**  
**POOLESVILLE, MD. 20837**  
\_\_\_\_\_  
(address)

**DO NOT WRITE BELOW THIS LINE  
TO BE COMPLETED BY CLERK OF THE COURT**

Verified by: \_\_\_\_\_  
(Clerk's Office)

ATTACHMENT TO  
CLERK'S INDEX SHEET

ROBERT H TEUNIS  
ET AL,

ROBERT TEUNIS ET AL  
73934

73934 PARCEL 1

PARCEL 2

SECY NO.	LIBER	FOLIO
1	N 40° 48' 40" E	501.72'
2	N 74° 31' 45" E	348.78'
3	S 40° 44' 10" W	1061.83'
4	N 49° 11' 20" W	195.00'
5	N 40° 48' 40" E	270.00'

FEE SIMPLE AREA 178234 S.F  
OR 4.092 ACRES±

SHOWN THUS 

SECY NO.	LIBER	FOLIO
1	S 49° 11' 20" E	240.00
2	S 40° 48' 40" W	40.00
3	N 49° 11' 20" W	228.13
4	N 40° 48' 40" E	10.00
5	N 49° 11' 20" W	11.87
6	N 40° 48' 40" E	30.00

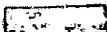
FEE SIMPLE AREA 9481 S.F  
OR 0.218 ACRES ±

SHOWN THUS 

ROBERT H TEUNIS  
ET UX  
7365C

SECY NO.	LIBER	FOLIO
1	S 40° 46' 40" W	100.00'
2	N 49° 11' 20" W	166.04'
3	N 40° 48' 40" E	40.00'
4	S 61° 55' 13" E	190.75'
5	S 76° 28' 56" E	67.23'

FEE SIMPLE AREA 10628 S.F  
OR 0.244 ACRES ±

SHOWN THUS 

CIRCUIT COURT FOR MONTGOMERY COUNTY

WRIT OF POSSESSION

Case Number 65117 Law

State Roads Commission of the State Highway Administration

Plaintiff/Judgment Holder  
9300 Kenilworth Avenue, P.O. Box 329

Greenbelt, Maryland 20770

Address

VS

Kenneth O. Peters

Defendant/Judgment Debtor  
16415 Shady Grove Road

Gaithersburg, Maryland 20877

Address

STATE OF MARYLAND, MONTGOMERY COUNTY TO WIT:

TO THE SHERIFF OF MONTGOMERY COUNTY:

Upon a Judgment entered, and in accordance with instructions attached,  
you are directed to place State Roads Commission of the State Highway Administration  
(Judgment Holder)  
in possession of property known as: 16415 Shady Grove Road, Gaithersburg, Maryland

Note: Enter either street address or metes and bounds description, and County where property is located.

In the event the Judgment in this proceeding awards possession of the property, or payment of it's value in the alternative, you are hereby directed to levy upon real or personal property of a value equal to the value stated in the attached instructions, if the property specified in those instructions cannot be found.

WITNESS the Honorable Chief Judge of the Sixth Judicial Circuit of Maryland.

Date Issued April 4, 1985

*Howard M. Smith*  
Howard M. Smith

Clerk

CLERK

Frank W. Wilson  
P.O. Box 319  
Poolesville, Maryland 20837  
972-8798

SHERIFF'S RETURN

Mayor and City Council  
X-184  
Exhibit #12

SHERIFF

Note: Execution of this writ shall be accordance with Md. Rule 2-647.

Exhibit "E-5"

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

STATE ROADS COMMISSION OF THE :  
STATE HIGHWAY ADMINISTRATION :  
Acting for and on behalf of the :  
STATE OF MARYLAND :

Plaintiff : Law No. 65,117

vs. :

KENNETH O. PETERS, et al :

Defendants :

.....  
INSTRUCTIONS TO SHERIFF

Mr. James A. Young, Sheriff:

Pursuant to the Writ of Possession issued herein by the Clerk of the Court, please be advised:

1. A final judgment was entered on ~~March~~ <sup>November</sup> 29, 198~~7~~<sup>4</sup> upon an Inquisition of a Jury.
2. The Inquisition awarded possession of the subject premises to the State Highway Administration upon payment by the State of \$2,040,936.30 to Defendant, Kenneth O. Peters. The monies have been paid in full, together with accrued interest.

3. The subject property is described as follows:

All that parcel of land consisting of 8.22 acres, with all buildings and improvements thereon, being all the land and improvements acquired by Kenneth O. Peters, surviving tenant by the entirety of Ethel O. Peters, deceased, in Liber 2873, folio 549, saving and excepting 0.6408 acres conveyed to Montgomery County in Liber 4480, folio 162.

The address of the premises is 16415 Shady Grove Road, Gaithersburg, Maryland. A copy of SRC Plat #48,413 is

1985 APR -3 PM 12:07

FILED  
HOWARD M. SMITH  
CLERK'S OFFICE  
MONTGOMERY CO MD

attached hereto showing the subject premises outlined in "yellow".

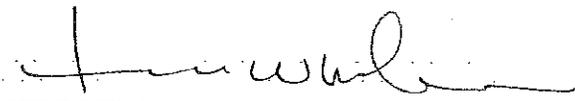
4. The Writ of Possession can either be served on the Defendant, Kenneth O. Peters, at:

16415 Shady Grove Road  
Gaithersburg, Maryland

or at his new home at:

10111 Norton Road  
Potomac, Maryland 20854

5. If necessary, the State will engage a private eviction service. The Right-of-Way Agent who will accept possession on behalf of the State Highway Administration is Richard Ravenscroft, Right-of-Way Agent, telephone #345-7100.



Frank W. Wilson  
P. O. Box 319  
Poolesville, Maryland 20837  
972-8798  
Special Counsel for Plaintiff

Right of Way Line And Line of Division

1

Point of Beginning

VIRGINIA, K. CASEY  
72845  
SEE PLAT NO. 48412  
FOR METES & BOUNDS

473.65  
Line of Division

463.16'

5

SEE PLAT NO. 48412

N47°04'39.5166"  
E74°9'58.7942"

MATCH MARK

TO INTERSTATE  
ROUTE 270

71.32 172 50

+24.45

2

169 180 70 171

Field

cherry

241.95

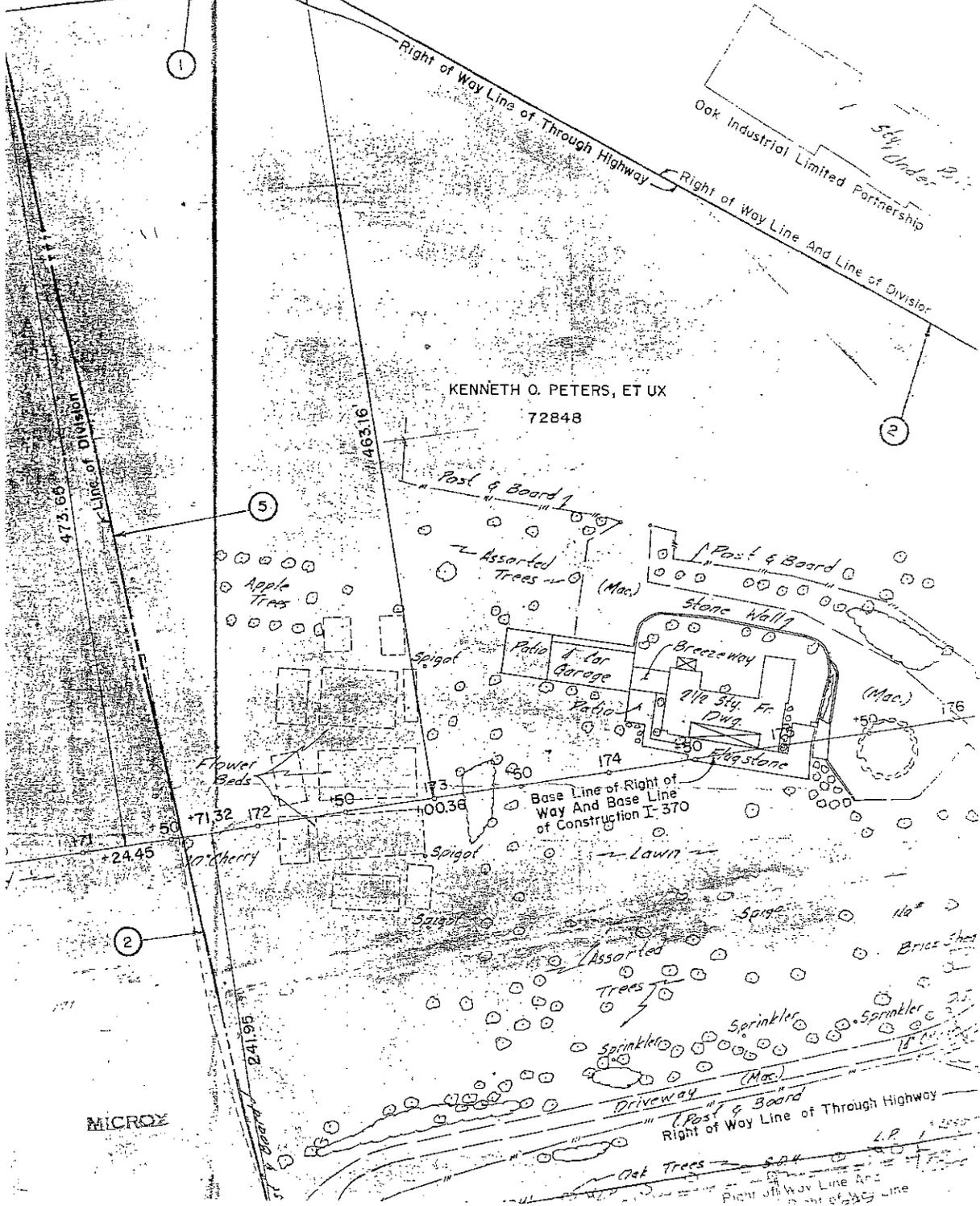
MICRO

IRON PIPE FOUND AT THE BEGINNING OF THE 4.12 OR  
S 40°11' 35"W 1191.28 FEET LINE OF A DEED FROM  
ALBERT M. BOUC TO EUGENE B. CASEY AND HELEN  
M. CASEY RECORDED SEPTEMBER 22, 1934 IN LIBER  
578 FOLIO 645.

And Line of Division

Oak Industrial Limited Partnership  
5th Under B.L.

KENNETH O. PETERS, ET UX  
72848

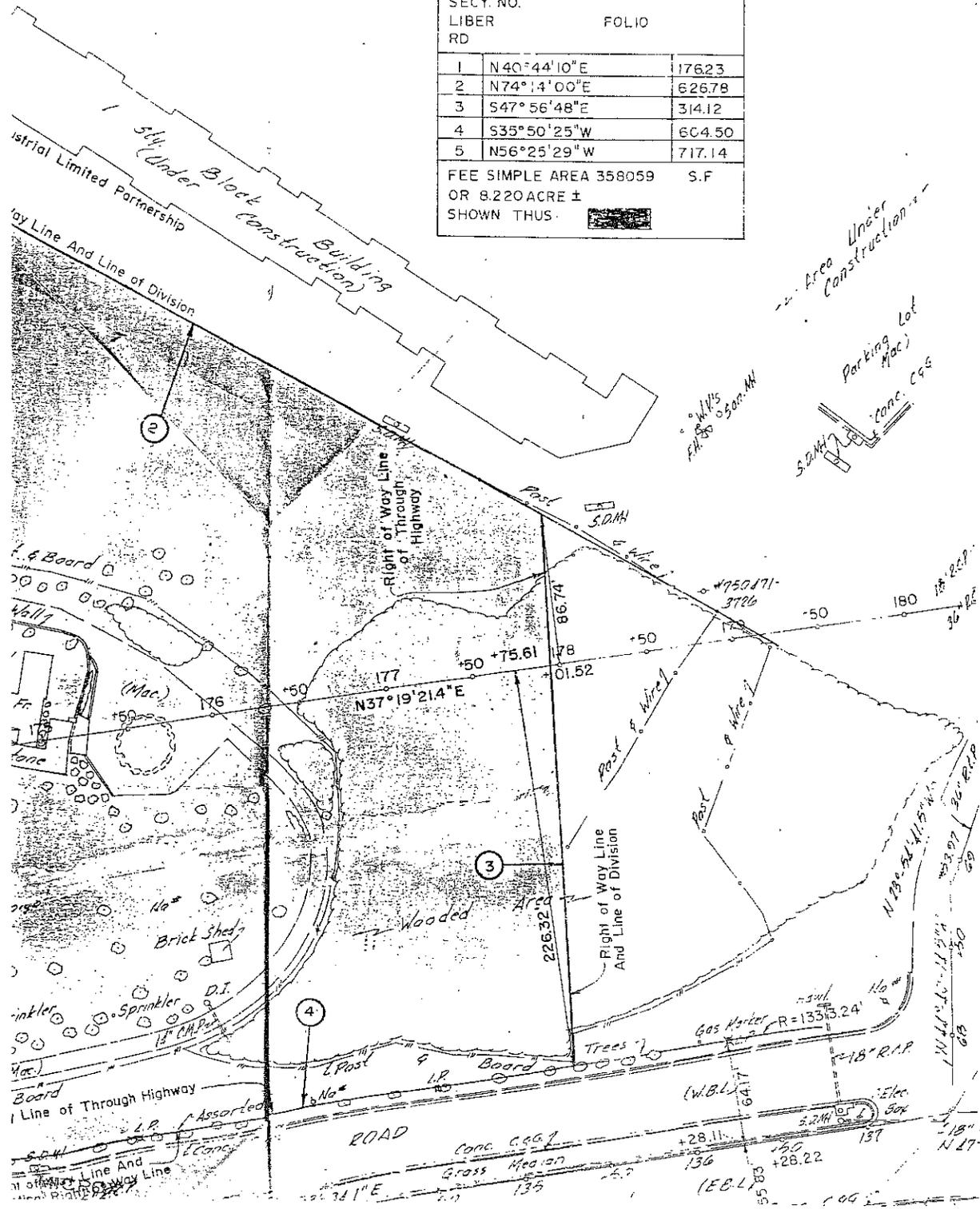


MICROX

Right of Way Line And  
Line of Division

E 4<sup>th</sup> CR  
FROM  
HELEN  
IN LIBER

KENNETH O. PETERS, ET UX		
72848		
SECY. NO.		
LIBER	FOLIO	
RD		
1	N40°44'10"E	176.23
2	N74°14'00"E	626.78
3	S47°56'48"E	314.12
4	S35°50'25"W	604.50
5	N56°25'29"W	717.14
FEE SIMPLE AREA 358059		S.F
OR 8.220ACRE ±		
SHOWN THUS: 		



Area Under Construction  
Parking Lot  
(Conn. CGS)

Line And  
Way Line

ROAD CONC. C&G  
Gross Median

(W.B.L.)  
+28.11  
136  
+28.22  
(E.B.L.)  
137  
138  
139



SEE PLAT NO. 48412  
FOR METES & BOUNDS

N470439.5166  
E749858.7942

SEE PLAT NO. 48412

TO INTERSTATE  
ROUTE 270

MATCH MARK

473.65  
LINE OF DIVISION

5

Apple Trees

Flower Beds

Cherry

169 50 70 50 171 50 +24.45

2

3

Right of Way Line  
of Through Highway

Right of Way Line And  
Existing Right of Way Line

SHADY

Conc. C&G  
Grass Median

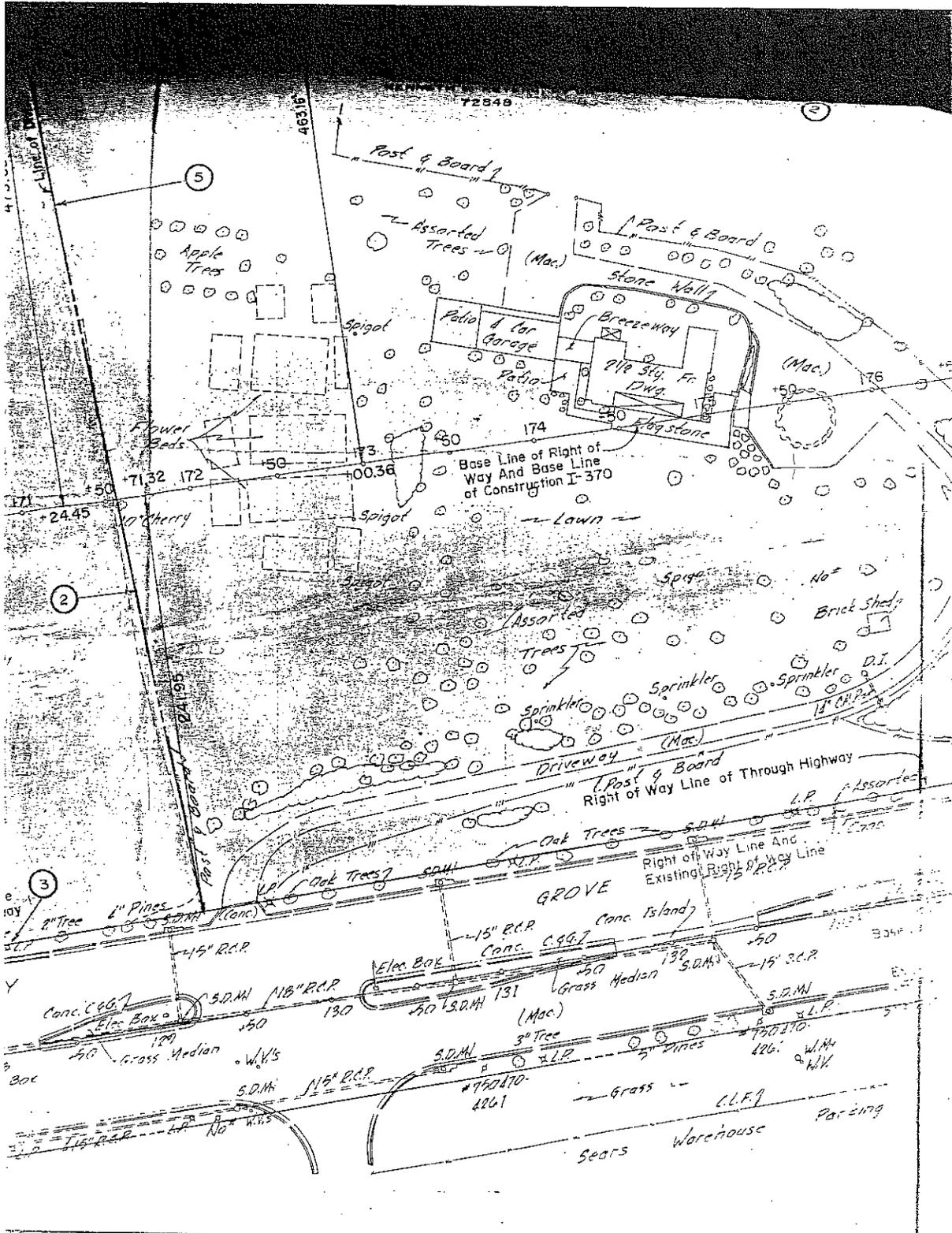
Conc. C&G  
Elev. Box

5.0' HA 1.8" R.C.P.

I HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON ARE A CORRECT INTERPRETATION OF THE FIELD SURVEY SUPPLIED TO ME BY THE STATE HIGHWAY ADMINISTRATION.

DATE

- LEGEND
- [Symbol] REVERTIBLE EASEMENT FOR SUPPORTING SLOPE
  - [Symbol] REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL
  - [Symbol] PERPETUAL EASEMENT FOR SPECIAL PURPOSE
  - [Symbol] PERPETUAL EASEMENT FOR DRAINAGE FACILITY
  - [Symbol] ARROW INDICATES GENERAL DRAINAGE FLOW
  - [Symbol] PERPETUAL EASEMENT TO DISCHARGE FLOW OF NATURAL DRAINAGE COURSE
  - [Symbol] PERPETUAL EASEMENT TO DISCHARGE FLOW OF APPROXIMATE GENERAL DRAINAGE PATTERN

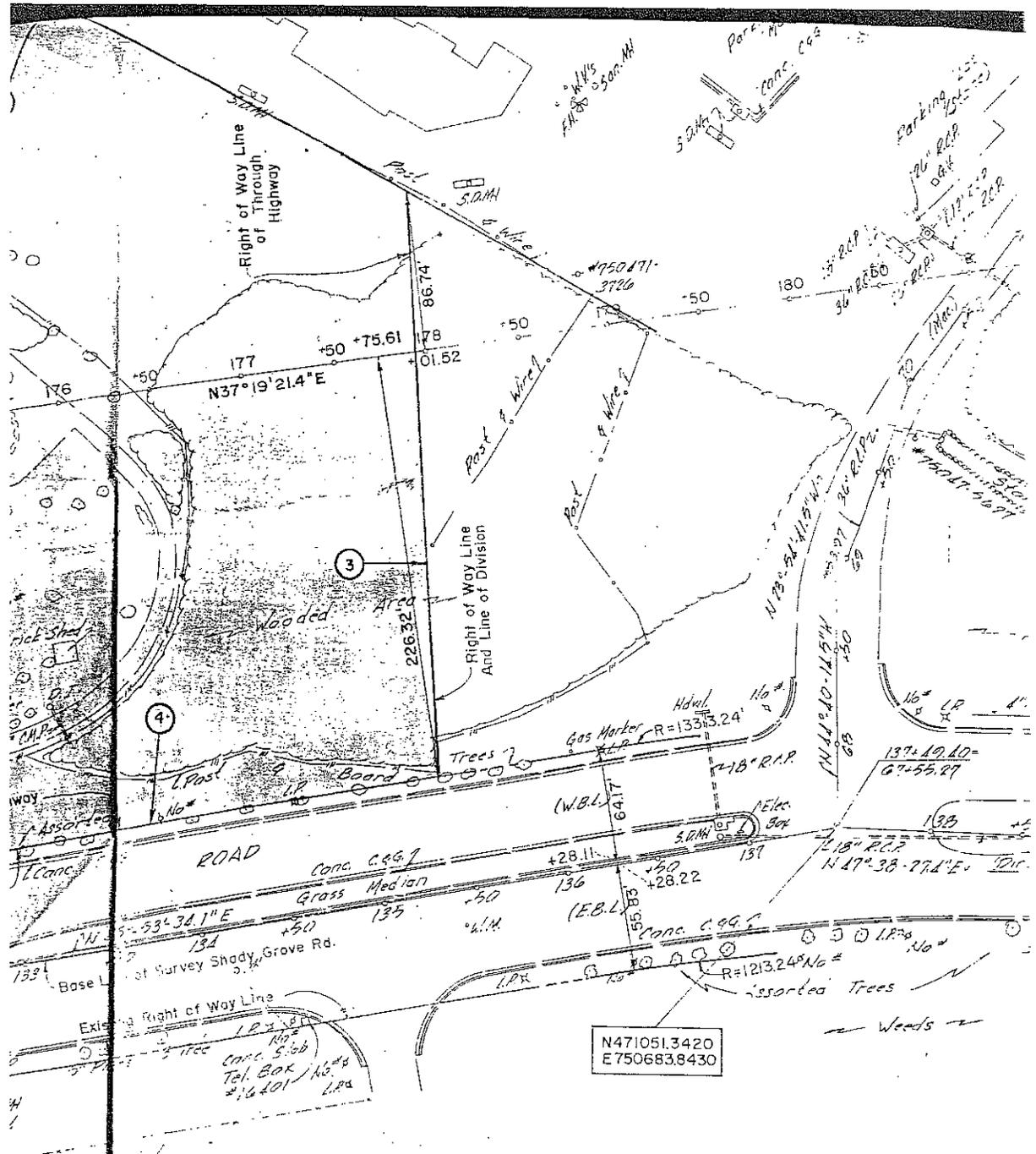


LEGEND	
	REVERTIBLE EASEMENT FOR SUPPORTING SLOPES.
	REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
	PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
	PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT. (ARROW INDICATES GENERAL DRAINAGE FLOW PATTERN)
	PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
	PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.
	APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE FOR EXPLANATORY PURPOSE ONLY)

THIS IS AN EXPRESSWAY, AND NO FEEDS OF AND/OR ANIMAL WILL BE PERMITTED AND "RIGHT OF WAY LINE OF THROUGH HIGHWAY PUBLIC ROAD CONNECTIONS"

SENT TO RECORD OFFICE \_\_\_\_\_

APPROVED BY CHAIRMAN \_\_\_\_\_



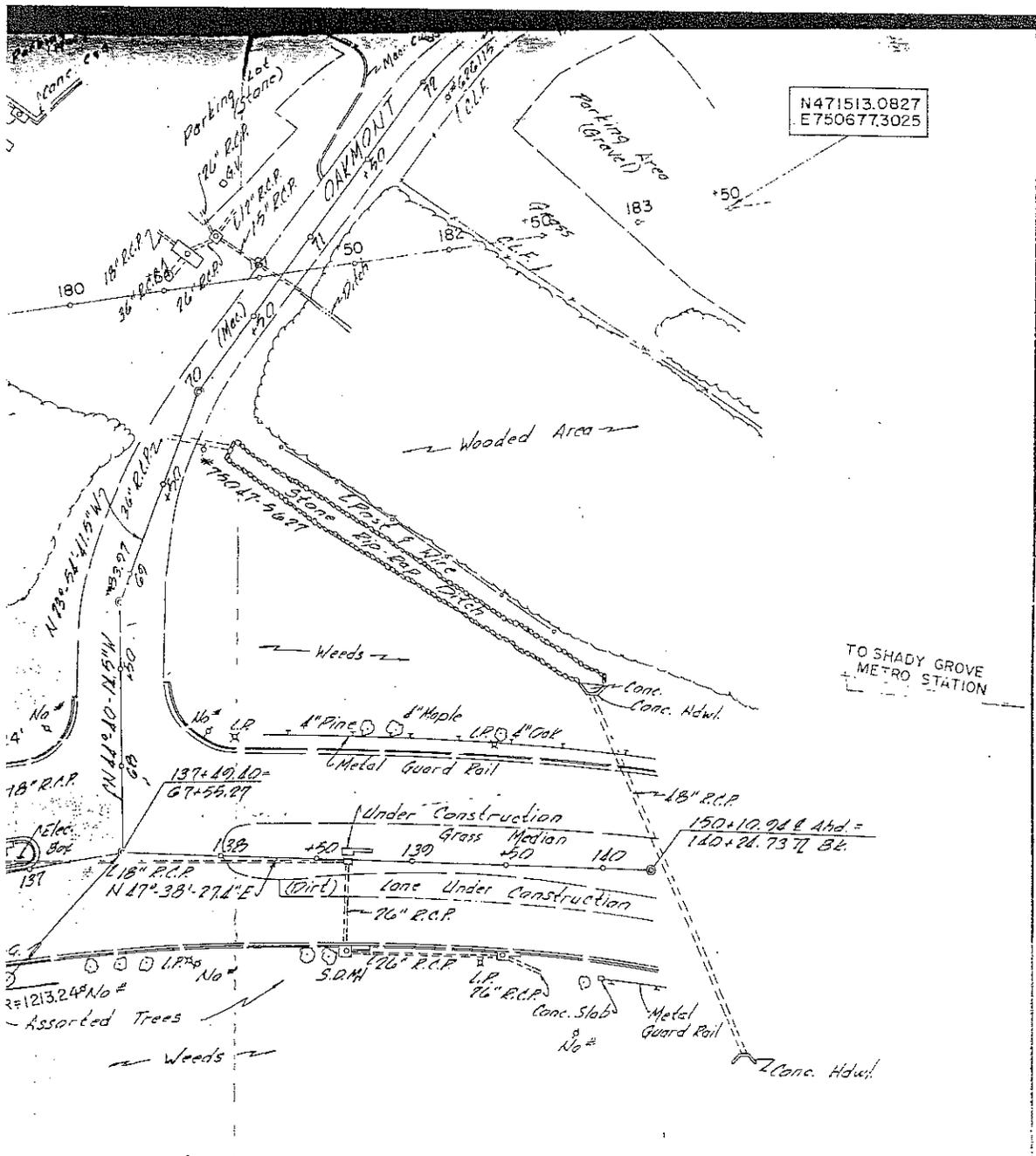
N471051.3420  
E750683.8430

APPROVED UNDER CERTIFICATION ACCEPTANCE  
PROCEDURES PER FPM 6-5-2 PER FWA  
LETTER DATED JULY 30, 1982.

8-12-89  
Director, Office of Real Estate SEA DATE

NO. ACRES	DATE OF EXPIRY	REVISIONS	PART OF PLATS	LOCATED IN
				MONTGOMERY
				PREPARED BY JMT/EEI a joint venture
				PROJECT MANAGER
				CONSTRUCTION PROJECT: I-370 FROM ± 3000' WEST OF MARYLAND ROUTE 355 TO ± 200' EAST OF C&MCA
				CONSTRUCTION PROJECT NO: M 248-12-372

MICROX



N471513.0827  
E750677.3025

TO SHADY GROVE  
METRO STATION

RIGHT OF WAY ADEQUATE  
FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL

*[Signature]*  
DATE 8-22-83

*[Signature]*  
DATE 8-22-83

UNDER CERTIFICATION ACCEPTANCE  
PER FHWA 6-5-82 PER FHWA  
DATE JULY 30, 1982

8-22-83  
DATE

MONTGOMERY COUNTY

STATE OF MARYLAND  
DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION  
STATE ROADS COMMISSION

PROJECT MANAGER  
PROJECT: I-370 FROM ± 3000' WEST OF  
ROUTE 355 TO ± 200' EAST OF OAKMONT AVENUE  
PROJECT NO: M 248-502-372

RIGHT OF WAY PROJECT: I-370 FROM WEST OF MARYLAND ROUTE  
TO EAST OF OAKMONT ROAD  
RIGHT OF WAY PROJECT NO. M248-303-372  
FEDERAL AID PROJECT NO. I-370-1(2)0  
ISSUED August 7, 1983  
SCALE 1" = 50'  
CHIEF BUREAU OF PLATS & SURVEYS

PLAT No. 48413

MICROX

Exhibit "F-1"

**SHADY GROVE ROAD**

**PARCEL "A"**  
13.9321 ACRES

**OWNER'S DEDICATION**

WE, JAMES H. CASANOVA, SIDNEY GREENBERG, JOHN R. AMBROSE and PHIL DAVID FINE, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON HEREBY ADVERTISE THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING DISTRICT, 100 FEET WIDE, DEDICATE THE STREET TO PUBLIC USE AND GRANT TO MONTGOMERY COUNTY, MARYLAND, A SLOPE EASEMENT TO RUN ON THE LOT SHOWN HEREON WHERE ADJACENT PARALLEL, AND CONTIGUOUS TO STREET RIGHTS OF WAY LINES. SUCH EASEMENTS GRANTED HEREON SHALL BE ESTABLISHED AFTER ALL REQUIRED PUBLIC IMPROVEMENTS AND OTHER SAID EASEMENTS HAVE BEEN LAWFULLY COMPLETED AND HAVE BEEN ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY, MD, OR APPROPRIATE AGENCY.

DATE: JULY 22 1965

WITNESSES:  
*James H. Casanova* (James H. Casanova)  
*Sidney Greenberg* (Sidney Greenberg)  
*John R. Ambrose* (John R. Ambrose)  
*Phil David Fine* (Phil David Fine)

WE HEREBY CERTIFY THAT THE PLAN ABOVE HEREBY IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LANDS OWNED BY VIRGINIA F. CASEY AND HER HUSBAND GEORGE HERSON CASEY IN DECEASED, ET AL. AS DEED DATED APRIL 5, 1961 AND RECORDED IN LIBRA 344 AT FOLIO 280 BEING THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND THAT 100 FEET PIPES MARKED THUS  $\odot$  ARE IN PLACE AS INDICATED.

DATE: JULY 22 1965

HOLMEAD, FREY & ASSOCIATES  
 SURVEYING & ENGINEERING  
 SILVER SPRING, MD.  
 588-8469

RECORDED:  
 PLAT BOOK:  
 PLAT NO.:

**SURVEYOR'S CERTIFICATE**

PLAT No 7952

HOLMEAD, FREY & ASSOCIATES  
 BY: *James F. Szelman*  
 JAMES F. SZELMAN  
 M.C.P.E. NO. 2084

VICINITY MAP

MONTGOMERY COUNTY, MARYLAND  
 DEPARTMENT OF PUBLIC WORKS

APPROVED: July 3, 1965  
 AS TO ROAD AND SIDEWALKS

BY: *[Signature]*  
 DIRECTOR OF PUBLIC WORKS

FOR PUBLIC STREETS AND WATER SYSTEMS:  
 THE MARYLAND NATIONAL CAPITAL PLAN AND PLANNING COMMISSION  
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: July 27, 1965

*[Signature]* (Chairman)  
*[Signature]* (Secretary-Treasurer)

M.M.C.R. & P.C. RECORD FILE NO. 193-75

ST. NO.	BEARING	DIST.	CURVE DATA	CHORD BEARING	CHORD DIST.	TAN
1	106° 30'	75.24	R 17° 30'	N 30° 49' 00" E	171.05	83.80

FILED  
 SEP 21 1965

**PARCEL "A"**  
 SEARS ADDITION TO  
**SHADY GROVE**  
 GAITHERSBURG ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1" = 100' JULY, 1965

HOLMEAD, FREY & ASSOCIATES  
 SURVEYING & ENGINEERING  
 SILVER SPRING, MD.  
 588-8469

65-856

Maryland State Archives

Mayor and City Council  
 X-184  
 Exhibit #13

1973 NOV 29 PM 4:24

DEED

This DEED made this 24th day of October, 1973, by and between VIRGINIA K. CASEY VISNICH, GRANTOR, and MONTGOMERY COUNTY, MARYLAND, GRANTEE, hereinafter called the "COUNTY".

WITNESSETH:

That in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the said GRANTOR does hereby grant, convey in fee simple, and release unto the "COUNTY", a body corporate, its successors and assigns, all that piece or parcel of ground situate and lying in Montgomery County, Maryland, and more particularly described as follows:

Montg. Co.  
not for

Parts of a tract or parcel of land conveyed by J. Hampton Jones, Jr. to Virginia K. Casey by deed dated September 17, 1947 and recorded among the Land Records of Montgomery County, Maryland, in Liber 1125 at Folio 61, more particularly described as follows:

Part One

Beginning at a point on the westerly right-of-way line of Shady Grove Road, 120 feet wide, said point being at the end of the seventh line of Parcel No. 2 in a deed from Virginia K. Casey Visnich and George Visnich to Montgomery County, Maryland, dated June 29, 1970, and recorded among said Land Records in Liber 3978 at Folio 127 and running thence with the proposed westerly right-of-way line of Shady Grove Road (1) 158.52 feet along the arc of a curve to the left having a radius of 4851.07 feet and a long chord bearing and distance of N 36°44'08"E 158.51 feet to a point; thence (2) N 35°47'54"E 451.72 feet to a point on the first or S 57°20'55"E 780.40 feet line of a deed to Kenneth O. Peters and Ethel E. Peters recorded in Liber 2873 at Folio 549; thence with part of said line as now surveyed (3) S 55°28'00"E 62.30 feet to the end thereof; thence (4) with part of the westerly line of a parcel dedicated for Shady Grove Road on a plat of Parcel "A" Sears Addition to Shady Grove recorded in Plat Book 79, Plat 7952 as now surveyed S 36°12'40"W 318.88 feet; thence (5) S 53°57'24"E 60.04 feet to the westerly corner of said Parcel "A"; thence with the easterly right-of-way line of Shady Grove Road (6) S 35°47'54"W 135.04 feet to a point; thence (7) 162.43 feet along the arc of a curve to the right having a radius of 4971.07 feet and a long chord bearing and distance of S 36°44'08"W 162.42 feet to a point; thence with the eighth line of said Parcel No. 2 reversed (8) N 52°19'38"W 120.00 feet to the point

of beginning and containing 54,893 square feet or 1.2602 acres of land. And the said Grantor does further grant and convey unto the County, its successors and assigns, an easement for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 19,245 square feet of land, more or less, of the remaining property of said Grantor as it abuts the land conveyed to the County for the construction of Shady Grove Road, said slopes to extend varying distances between 5 feet and 25 feet into said property from the easterly and westerly right-of-way lines for Shady Grove Road, all as shown on Dedication Plats No. 1 and 2, Shady Grove Road, prepared by Matz, Childs, and Associates. Said slope easements shall be extinguished after all required public improvements have been completed and accepted for maintenance by Montgomery County.

Part Two

Beginning at a point on the easterly right-of-way line of Shady Grove Road, said point being the northerly corner of Parcel "A", Sears Addition to Shady Grove, as shown on a plat recorded among said Land Records in Plat Book 79, Plat 7952, and running thence across Shady Grove Road, as now surveyed,

- (1) N 53°57'24"W 113.27 feet to a point; thence
- (2) N 25°48'30"E 8.43 feet to a point; thence
- (3) N 47°53'20"W 5.30 feet to a point on the westerly right-of-way line for Shady Grove Road; thence with said westerly line (4) N 35°47'54"E 88.38 feet to a point; thence
- (5) 69.07 feet along the arc of a curve to the right having a radius of 1333.24 feet and a long chord bearing and distance of N 37°16'57"E 69.06 feet to a point; thence
- (6) N 06°39'50"W 34.15 feet to a point; thence
- (7) N 56°16'50"E 119.42 feet to a point; thence (8) S 26°43'10"E 122.58 feet to a point on said easterly line of Shady Grove Road; thence with said easterly line (9) 149.93 feet along the arc of a curve to the left having a radius of 1213.24 feet and a long chord bearing and distance of S 39°20'18"W 149.83 feet to a point; thence (10) S 35°47'54"W 97.75 feet to the point of beginning and containing 34,539 square feet or 0.7929 acre of land. And the said Grantor does further grant and convey unto the County, its successors and assigns, an easement for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 9,346 square feet of land, more or less, of the remaining property of said Grantor as it abuts the land conveyed to the County for the construction of Shady Grove Road, said slopes to extend varying distances between 20 feet and 28 feet into said property from the easterly and westerly right-of-way lines for Shady Grove Road, all as shown on Dedication Plat No. 4 prepared by Matz, Childs and Associates. Said slope easements shall be extinguished after all required public improvements have been completed and accepted for maintenance by Montgomery County, Maryland.

Part Three

Beginning at a point on the dividing line between said Virginia K. Casey property and the property of Cornelius M. Whalen, described in Liber 2982 at Folio 206, said point being 2.76 feet from the end of the 7th or N 00°09'40"W 96.11 feet line of said Whalen deed, and running thence with part of said line reversed, as now surveyed, (1) S 06°59'10"W 69.37 feet to a point; thence leaving said deed line (2) 69.85 feet along the arc of a curve to the right having a radius of 284.72 feet and a long chord bearing and distance of N 26°50'54"W 69.68 feet to a point on the line dividing said Casey property and the property of R.J. Jones recorded in Liber 1020 at Folio 21; thence with part of said dividing line (3) N 73°48'20"E 23.99 feet to the point of beginning and containing 919 square feet or 0.0211 acre of land.

Part Four

Beginning at a point on the southerly right-of-way line for Shady Grove Road where said line intersects the 11th line of said deed to Virginia K. Casey, and running thence across said Shady Grove Road (1) N 06°49'40"E 131.70 feet to the northerly right-of-way line for said road; thence with said northerly line (2) N 72°30'00"E 66.18 feet to a point; thence again crossing Shady Grove Road (3) S 83°34'40"E 295.94 feet to the southerly line thereof; thence with said southerly line (4) S 72°30'00"W 390.96 feet to the point of beginning and containing 27,430 square feet or 0.6297 acre of land. And the said Grantor does further grant and convey unto the County, its successors and assigns, an easement for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 8,700 square feet of land, more or less, of the remaining property of said Grantor as it abuts the land conveyed to the County for the construction of Shady Grove Road, said slopes to extend 20 feet into said property from the northerly and southerly right-of-way lines for Shady Grove Road as shown on Dedication Plat No. 7 Shady Grove Road, prepared by Matz, Childs and Associates. Said slope easements shall be extinguished after all required public improvements have been completed and accepted for maintenance by Montgomery County.

PARCEL No. 2

Part of a tract or parcel of land conveyed by Stuart E. Trigger to Virginia K. Casey by deed dated June 7, 1949, and recorded among the Land Records of Montgomery County, Maryland, in Liber 1263 at Folio 388, and more particularly described as follows: Beginning at a point on the first or S 13°08'40"W 603.04 feet line of said deed, 239.55 feet from the end thereof, and running thence with part of said first line as now surveyed (1) S 13°07'20"W 139.44 feet to a point; thence leaving said first line and running with the southerly right-of-way line of Shady Grove Road (2) S 72°30'00"W 245.18

feet to a point; thence (3) N 83°34'40"W 295.94 feet to the northerly right-of-way line of Shady Grove Road; thence with said northerly line (4) N 72°30'00"E 586.74 feet to the point of beginning and containing 49,920 square feet or 1.146 acres of land. And the said Grantor does further grant and convey unto the County, its successors and assigns, an easement for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 16,560 square feet of land, more or less, of the remaining property of said Grantor as it abuts the land conveyed to the County for the construction of Shady Grove Road, said slopes to extend 20 feet into said property from the northerly and southerly right-of-way lines for Shady Grove Road as shown on Dedication Plats No. 7 and 8 prepared by Matz, Childs, and Associates. Said slope easements shall be extinguished after all required public improvements have been completed and accepted for maintenance by Montgomery County.

TOGETHER WITH all the rights, privileges, easements, appurtenances and advantages thereto belonging or appertaining,

THE COUNTY proposes to use the land herein conveyed for the improvement of Shady Grove Road.

TO HAVE AND TO HOLD the above granted property and rights unto the said COUNTY, its successors or assigns in fee simple.

AND the said GRANTOR does hereby covenant that she will warrant specially the property hereby conveyed, and that she will execute such further assurances of said lands as may be requisite.

ATTEST:

*Virginia M. Titus*

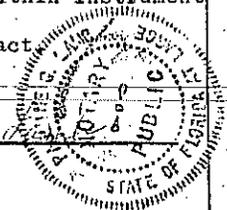
*Virginia K. Casey* (SEAL)  
Virginia K. Casey Visnich

FLORIDA  
STATE OF ~~MARILAND~~ )  
DADE ) SS:  
COUNTY OF ~~MONTGOMERY~~ )

I hereby certify that on this 24<sup>th</sup> day of November, 1973, before the subscriber, a Notary Public in and for the aforesaid State and County personally appeared Virginia K. Casey Visnich personally well known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and did acknowledge the foregoing deed to be her act

My Commission Expires:  
Notary Public, State of Florida at Large  
My Commission Expires May 1, 1976

*Pauline J. [Signature]*  
Notary Public



I hereby certify that I am an attorney duly admitted to practice before the Court of Appeals of Maryland and that within 10 days of the date of this instrument...

NOV 29 1983 663,644  
9-1-83 110,121  
11-21-70

All Taxes on accounts certified to the  
Collector of Taxes for Montgomery County  
per 11-21-70

561 1729 95-  
MONTGOMERY COUNTY  
B. *[Signature]*

NOV 2 6 521 PM 1983

AGENCY CERTIFY THIS PROPERTY HAS BEEN PAID  
MONTGOMERY COUNTY  
*[Signature]* 30877  
TRENCHER CLARK DIVISION OF REVENUE

CLERK'S OFFICE  
MONTG. CO., MD.

1973 DEC 28 PM 2:37

D E E D

*Montgomery Co*

THIS DEED made this 10<sup>th</sup> day of DECEMBER, 1973,  
by and between KENNETH O. PETERS and ETHEL E. PETERS, his wife,  
Tenants by the Entirety, and the following, who join in this Deed  
for the purpose of agreeing to release the land, easements and/or  
rights and appurtenances hereinafter described from the operation  
and effect of any mortgage, deed of trust, judgment, and/or lien  
which they may hold against the property of the above-mentioned  
persons, it being understood and agreed that they retain their  
rights as mortgagees, trustees, and/or lienors in and to the  
remaining land of the above-mentioned persons not hereby agreed  
to be conveyed;

M. Bradley Griggs, Joseph F. Zegowitz, Jr., and George  
H. Bauchort, Jr., Trustees, under a Doed of Trust dated July 27,  
1961, recorded August 7, 1961, securing M. BRADLEY GRIGGS, Treasurer  
of National Permanent Savings and Loan Association, all as  
recorded in the Land Records of Montgomery County, Maryland; the  
party of the first part, hereinafter called the "GRANTORS", and  
MONTGOMERY COUNTY, MARYLAND, party of the second part, hereinafter  
called the "COUNTY".

W I T N E S S E T H:

That in consideration of the sum of Ten Dollars (\$10.00)  
and other good and valuable consideration, the receipt of which  
is hereby acknowledged, the said GRANTORS do hereby grant, convey  
in fee simple, and release unto the COUNTY, a body corporate, its  
successors and assigns, all those pieces or parcels of ground and  
other rights situate and lying in Montgomery County, Maryland,  
and more particularly described as follows:

FEE TAKING

Part of a tract or parcel of land conveyed  
by The Disciples Home to Kenneth O. Peters  
and Ethel E. Peters by deed dated July 27,  
1961, and recorded among the Land Records  
of Montgomery County, Maryland, in Liber  
2873 at Folio 549, more particularly  
described as follows:

Mayor and City Council  
X-184  
Exhibit #15

Exhibit "F-3"

Beginning at the end of the 5th or N. 24° 55' 35" E. 162.50 line of the aforesaid deed to Peters, and running thence with the 5th, 4th, 3rd, 2nd, and part of the 1st lines of said deed, reversed, as now surveyed, the following 5 courses and distances: (1) S. 25° 48' 30" W. 162.50 feet; (2) S. 27° 05' 10" W. 122.46 feet; (3) 171.23 feet along the arc of a curve to the right having a radius of 1062.90 feet and a long chord bearing and distance of S. 31° 42' 05" W. 171.05 feet; (4) S. 36° 19' 00" W. 148.00 feet; (5) N. 56° 28' 00" W. 62.30 feet to a point on the westerly right of way line for Shady Grove Road; thence with said right of way line (6) N. 35° 47' 54" E. 602.70 feet to intersect the 6th line of the aforesaid Peters deed; thence with part of said 6th line reversed, as now surveyed (7) S. 47° 53' 20" E. 5.30 feet to the point of beginning and containing 27,913 square feet or 0.6408 acre of land.

SLOPE EASEMENT

And the said GRANTORS do further grant and convey unto the COUNTY, its successors and assigns, an easement for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 22,120 square feet of land, more or less, of the remaining property of said GRANTORS as it abuts the land conveyed to the COUNTY for the construction of Shady Grove Road, said slopes to extend varying distances between 25 feet and 50 feet into said property, all as shown on Dedication Plats No. 2 and 3, Shady Grove Road, prepared by Matz, Childs and Associates. Said slope easements shall be extinguished after all required public improvements have been completed and accepted for maintenance by Montgomery County.

TOGETHER WITH all the rights, privileges, easements, appurtenances and advantages thereto belonging or appertaining.

THE COUNTY proposes to use the land herein conveyed for the improvement of Shady Grove Road.

TO HAVE AND TO HOLD the above granted property and rights unto the said COUNTY, its successors or assigns in fee simple.

AND the said GRANTORS do hereby covenant that they will warrant specially the property hereby conveyed, and that they will execute such further assurances of said lands as may be requisite.

WITNESS their hands and seals the day and year first above written.

ATTEST:

Martha L. Obenstine  
MARTHA L. OBENSTINE

Kenneth O. Peters (SEAL)  
Kenneth O. Peters

(see to book)

Ethel E. Peters (SEAL)  
Ethel E. Peters

NATIONAL PERMANENT SAVINGS AND  
LOAN ASSOCIATION

Nancy L. Hite  
NANCY L. HITE

By: M. Bradley Griggs (SEAL)  
M. Bradley Griggs, Treasurer

Nancy L. Hite  
NANCY L. HITE

M. Bradley Griggs (SEAL)  
M. Bradley Griggs, Trustee

Nancy L. Hite  
NANCY L. HITE

Joseph F. Zegowitz (SEAL)  
Joseph F. Zegowitz, Jr., Trustee

Betty J. Hairston  
BETTY J. HAIRSTON

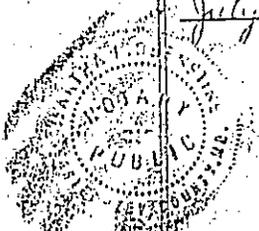
George H. Beuchert, Jr. (SEAL)  
George H. Beuchert, Jr., Trustee

STATE OF MARYLAND :  
COUNTY OF MONTGOMERY : ss:

I hereby certify that on this 10<sup>th</sup> day of December, 1973, before the subscriber, a Notary Public in and for the afore-said State and County, personally appeared KENNETH O. PETERS and ETHEL E. PETERS, his wife, personally well known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and did acknowledge the afore-going deed to be their act.

My Commission Expires: July 1, 1974

Martha L. Obenstine  
Notary Public - MARTHA L. OBENSTINE



STATE OF MARYLAND :  
                          : ss:  
COUNTY OF MONTGOMERY :

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 1973, before the subscriber, a Notary Public in and for the aforesaid State and County, personally appeared W. Preston Hunt, personally well known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and did acknowledge the foregoing deed to be his act.

My Commission Expires: \_\_\_\_\_  
Notary Public

STATE OF MARYLAND :  
                          : ss:  
COUNTY OF MONTGOMERY :

I hereby certify that on this 14<sup>th</sup> day of Dec., 1973, before the subscriber, a Notary Public in and for the aforesaid State and County, personally appeared M. Bradley Griggs, personally well known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and did acknowledge the foregoing deed to be his act.

My Commission Expires: \_\_\_\_\_

Howard N. Miller  
Notary Public

HOWARD N. MILLER  
NOTARY PUBLIC, D.C.  
My Commission Expires September 20, 1976

STATE OF MARYLAND :  
                          : ss:  
COUNTY OF MONTGOMERY :

I hereby certify that on this 14<sup>th</sup> day of Dec., 1973, before the subscriber, a Notary Public in and for the aforesaid State and County, personally appeared Joseph F. Zegowitz, Jr., personally well known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and did acknowledge the foregoing deed to be his act.

My Commission expires: \_\_\_\_\_

Howard N. Miller  
Notary Public

HOWARD N. MILLER  
NOTARY PUBLIC, D.C.  
My Commission Expires September 20, 1976



DEC 28 1973

9-1-9915-2417

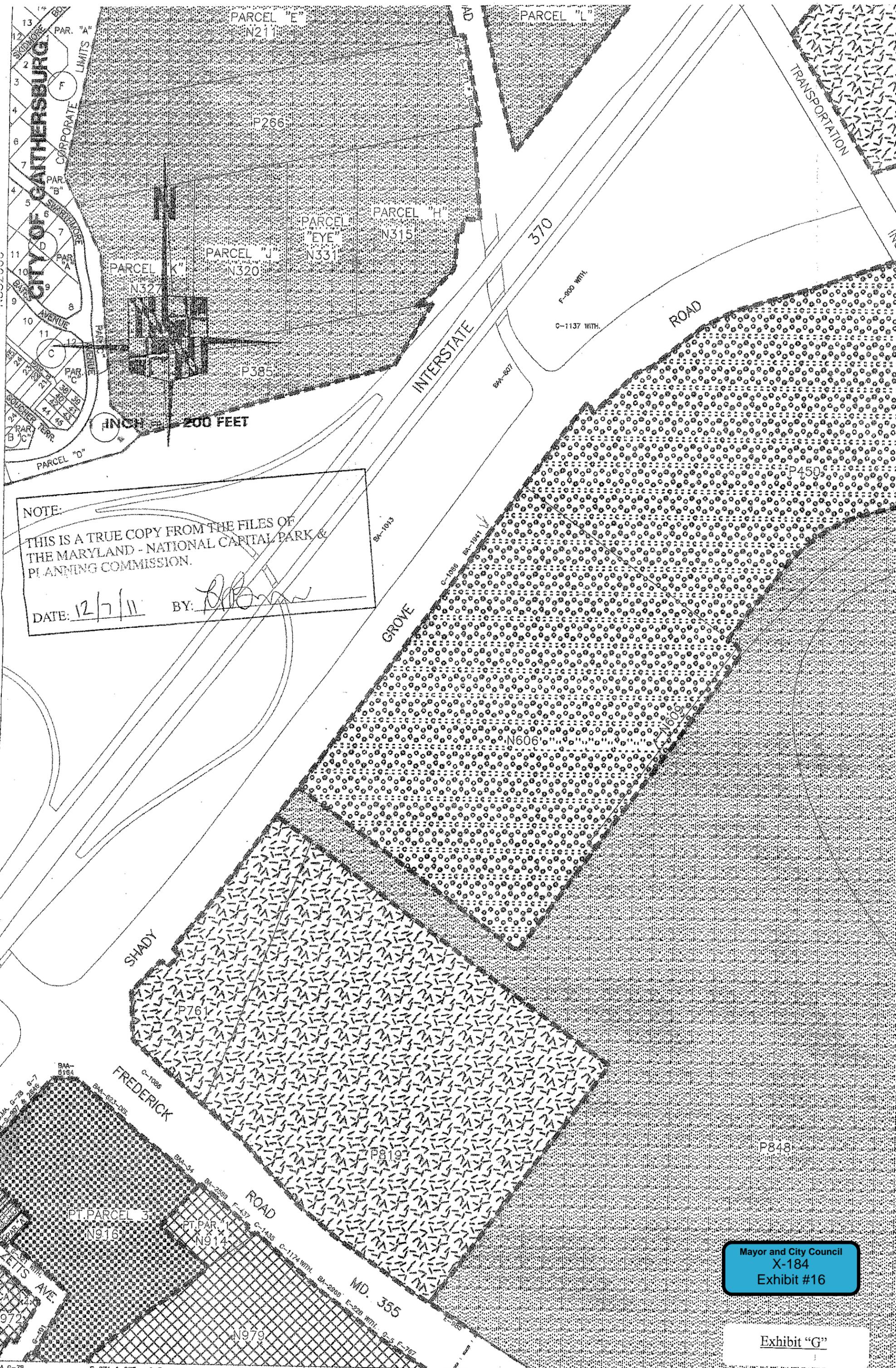
All Taxes and assessments levied to the  
Collector of Taxes for Montgomery County  
Md. Year 1973 have been paid Dept. of  
Finance Montgomery County, Md. Tax  
Assessors for the purpose of providing  
receipts at 1/16 and receipts returned  
and the same are for period, not less than  
Government satisfaction of outstanding tax bills.

3,198.00 TRANSFER TAX PAID  
MONTGOMERY COUNTY MARYLAND  
BY *Robert S. [Signature]*

TAXES PAID DEC 28 1973

LIBER 4480 FOLIO 167

RECORDS DEPARTMENT PRESENTLY HAS BEEN  
DUPLICATE FILED IN THE MONTGOMERY  
COUNTY RECORDS DEPT. Bldg. 5  
Q. M. [Signature] 32135  
REGISTER CLERK, DIVISION OF ASSESSMENTS



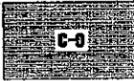
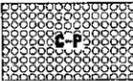
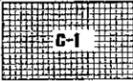
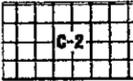
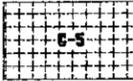
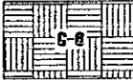
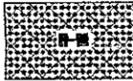
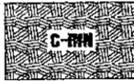
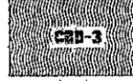
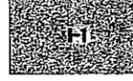
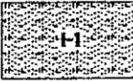
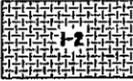
NOTE:  
 THIS IS A TRUE COPY FROM THE FILES OF  
 THE MARYLAND - NATIONAL CAPITAL PARK &  
 PLANNING COMMISSION.

DATE: 12/7/11 BY: *[Signature]*

Mayor and City Council  
 X-184  
 Exhibit #16

Exhibit "G"

# ZONING LEGEND

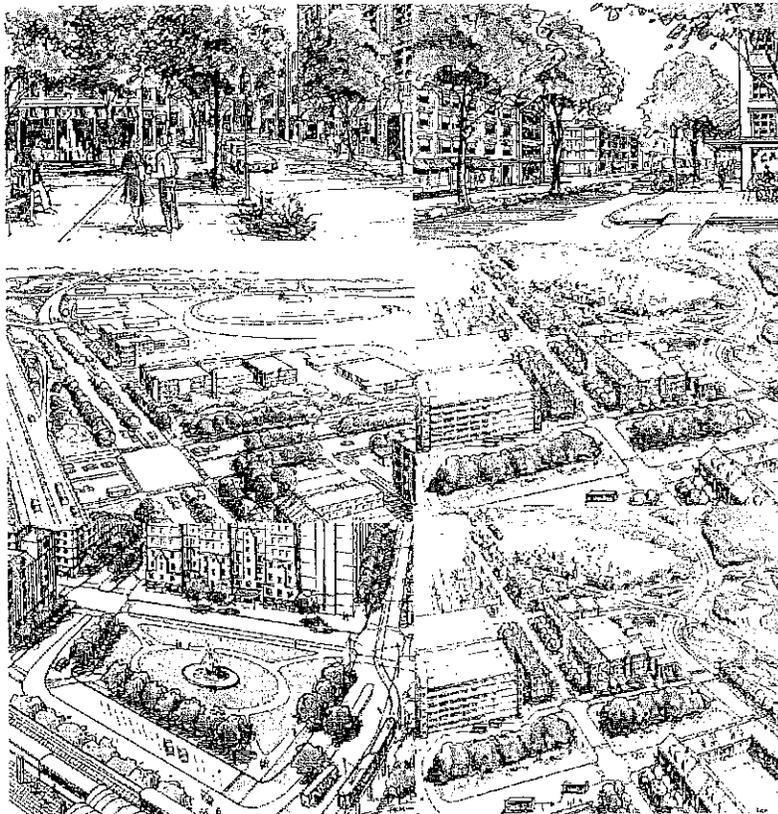
	<b>OFFICE BUILDING, MODERATE INTENSITY</b>	maximum floor area ratio of 1.5
	<b>COMMERCIAL, OFFICE BUILDING</b>	★ 
	<b>COMMERCIAL, OFFICE PARK</b>	★ 
	<b>CONVENIENCE COMMERCIAL</b>	
	<b>GENERAL COMMERCIAL</b>	
	<b>C-2/OVERLAY ZONE</b>	Arlington Road District Overlay Zone Sec. 59-C-18.12 Montgomery County Code
	<b>HIGHWAY COMMERCIAL</b>	
	<b>LIMITED COMMERCIAL</b>	
	<b>LOW-DENSITY, OFFICE COMMERCIAL</b>	
	<b>LOW-DENSITY, REGIONAL COMMERCIAL</b>	
	<b>HOTEL-MOTEL</b>	minimum lot area of two acres
	<b>COUNTRY INN ZONE</b>	minimum lot area of two acres ★ 
	<b>CENTRAL BUSINESS DISTRICT 0.5</b>	maximum base floor area ratio of 0.5
	<b>CENTRAL BUSINESS DISTRICT, RESIDENTIAL, 1.0</b>	
	<b>CENTRAL BUSINESS DISTRICT, RESIDENTIAL, 2.0</b>	
	<b>CENTRAL BUSINESS DISTRICT 1.0</b>	maximum base floor area ratio of 1.0
	<b>CENTRAL BUSINESS DISTRICT 2.0</b>	maximum base floor area ratio of 2.0
	<b>CENTRAL BUSINESS DISTRICT 3.0</b>	maximum base floor area ratio of 3.0
	<b>LIGHT INDUSTRIAL</b>	★ 
	<b>HEAVY INDUSTRIAL</b>	★ 
	<b>TECHNOLOGY AND BUSINESS PARK</b>	
	<b>LOW INTENSITY, LIGHT INDUSTRIAL</b>	
	<b>RESEARCH AND DEVELOPMENT</b>	★ 
	<b>LIFE SCIENCES CENTER</b>	maximum base floor area ratio of 0.3 ★ 
		

MARCH 2006

APPROVED AND ADOPTED

# SHADY GROVE

SECTOR PLAN



**Prepared by:**

The Maryland-National Capital Park and Planning Commission

**Approved by:**

The Montgomery County Council

January 17, 2006

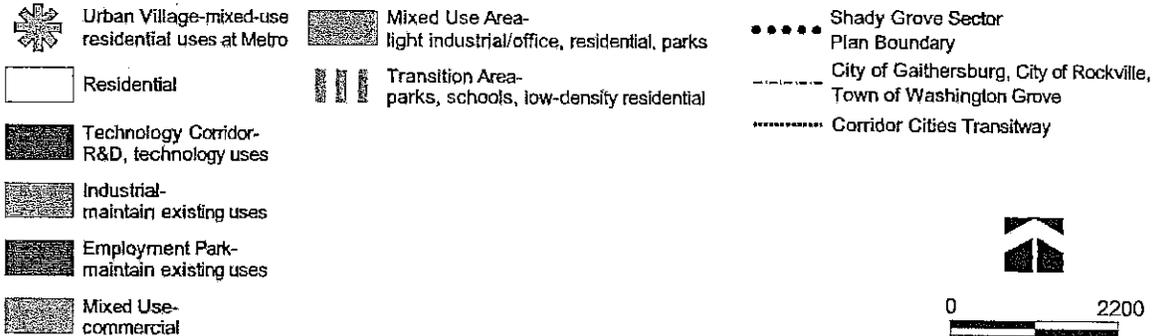
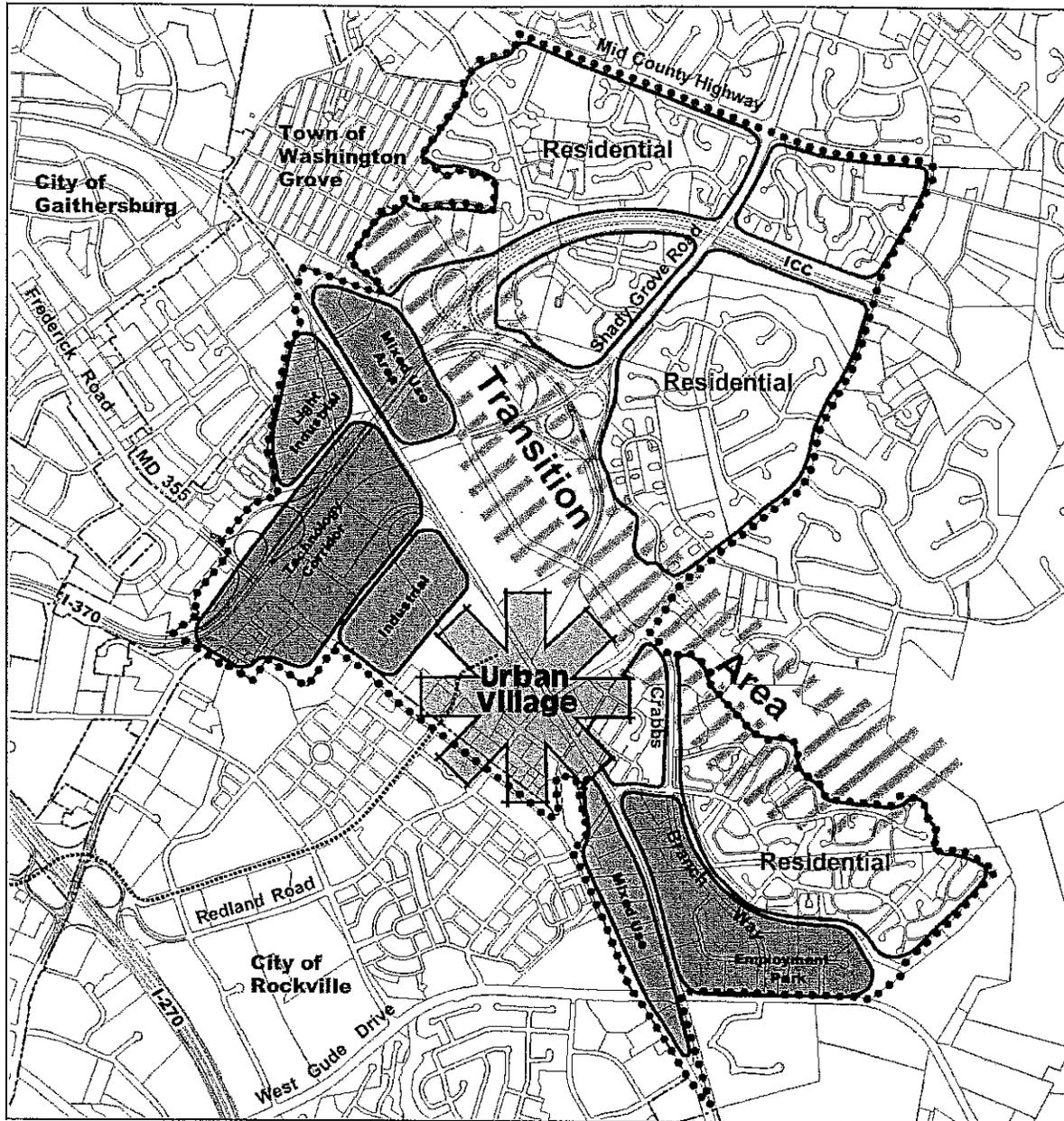
**Adopted by:**

The Maryland-National Capital Park and Planning Commission

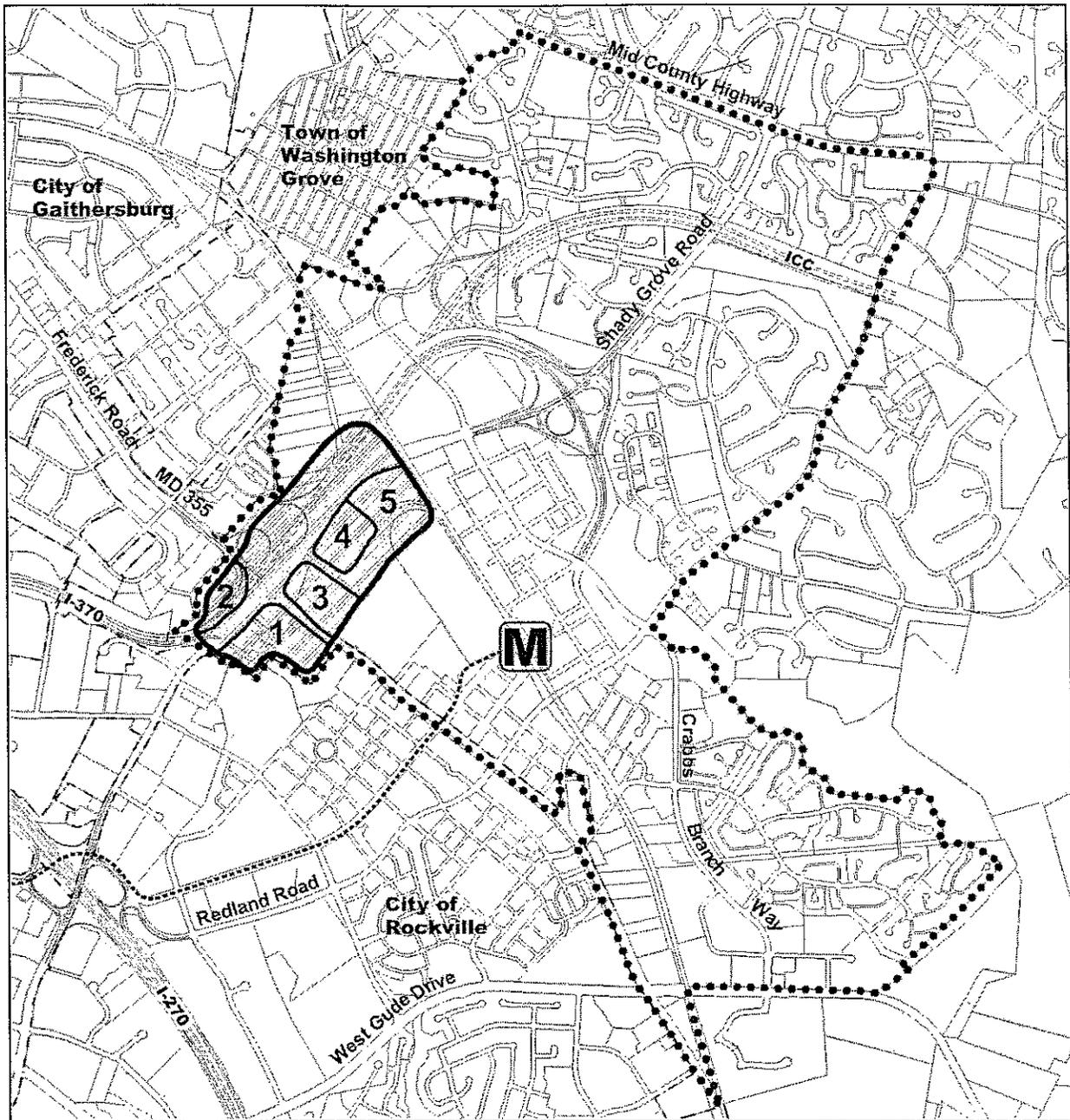
March 15, 2006

Mayor and City Council  
X-184  
Exhibit #17

# Land Use Vision



# Shady Grove Road Technology Corridor



-  Technology Corridor
- 1 Shady Grove Plaza
- 2 Casey Property
- 3 Casey Property
- 4 The Great Indoors
- 5 Post Office

-  Shady Grove Sector Plan Boundary
-  City of Gaithersburg, City of Rockville, Town of Washington Grove
-  Corridor Cities Transitway
-  Shady Grove Metro Station



## SHADY GROVE ROAD TECHNOLOGY CORRIDOR

### Existing Conditions

Shady Grove Road runs through the planning area from Midcounty Highway to MD 355. At its western end, the corridor is commercial and industrial in character, busy with through traffic to the Metro station and I-370, and truck traffic to the Oakmont industrial area and the Solid Waste Transfer Station. East of I-370, the corridor is bordered by residential communities and gives access to neighborhoods. Reconciling these two characters, preserving pedestrian access, and buffering the residential neighborhoods are challenges for this Plan.

### Objectives

- Create opportunities for advanced technology and biotechnology businesses along Shady Grove Road, thus extending the existing pattern in the western end of the corridor.
- Relocate, as much as possible, the corridor's current industrial uses to more appropriate locations to change the character of the roadway.
- Minimize the vehicular and environmental impacts of the Solid Waste Transfer Station.
- Protect the Derwood communities from the noise impacts of Shady Grove Road.
- Improve pedestrian and bicycle access to Metro and between the communities bordering the corridor.
- Enhance the visual and landscape character of Shady Grove Road.
- Protect the existing, adjacent residential neighborhoods.

### Concept

This Plan creates a Technology Corridor from MD 355 to the CSX rail line, relocates the County Service Park's industrial uses to allow mixed-use residential redevelopment, and preserves existing communities east of I-370. Industrial and commercial areas north of Shady Grove Road such as the Oakmont Industrial Park will remain industrial areas. Shady Grove Road should be viewed as a major highway that also provides local access and should be improved with extensive landscape treatment to achieve a more positive visual character for the entire corridor. The Plan recognizes that alternative land use recommendations (housing or potential relocation of County Service facilities) on Casey 6 and 7 will create a different character within this area of Shady Grove Road and will need enhanced landscape screening to ensure compatibility.

### Land Use and Urban Design Recommendations

#### Shady Grove Plaza (Site 1)

This existing mixed-use commercial center is located at the southwest corner of MD 355 and Shady Grove Road at the site of the original "shady grove." Some of the original trees remain. This center is not anticipated to undergo significant redevelopment within the life of this Plan although existing zoning does allow substantial additional density. The existing uses include a hotel, a five-story office building, a variety of retail uses, and auto-related services. Several small vacant parcels located at the end of Pleasant Street will likely redevelop with more commercial uses. This Plan recommends:

- Extending Pleasant Street to connect with the street network of the King Farm community as envisioned in the 1990 *Shady Grove Study Area Master Plan*.
- Preserving existing old trees to maintain vestiges of the original "shady grove."
- Any redevelopment within the commercial area to be street-oriented, with direct and safe pedestrian access, and increased shade trees.
- Maintaining the existing commercial and mixed-use zoning.

### **Casey Property (Vacant Site 2)**

Located in the northwest quadrant of MD 355 and I-370, this five-acre site has limited access but still has the potential to contribute to creating a technology corridor. This Plan recommends:

- Providing technology, research and development, or office uses to help establish the technology corridor.
- Orienting buildings toward O'Neill Drive and screening all loading docks and trash areas from view.
- Rezoning this site from R-20 to R&D with an I-3 standard method allowing expanded employment.

### **Casey Property (Vacant Site 3)**

This highly visible site is located at the intersection of MD 355 and Shady Grove Road and is a key redevelopment opportunity in the Corridor. This site is also appropriate for a fire station, needed in this area. Environmental concerns, vehicular and pedestrian access, and building siting need careful consideration to achieve efficient, compatible, and desirable development of the property. This Plan recommends:

- Providing technology, research and development, and office uses to create a technology corridor.
- Preserving existing wetlands, accommodating afforestation along MD 355, and maintaining the required stream buffer.
- Orienting buildings and entrances toward Shady Grove Road and screen all parking facilities from major roads. Site lighting should not produce glare or dominate the night view from the roadway.
- Development along MD 355 is constrained due to traffic and environmental conflicts.
- Rezoning this site from I-1 to R&D with an I-3 standard method allowing expanded employment uses. Housing is not appropriate given the site's proximity to the Solid Waste Transfer Station.
- Ensuring that any redevelopment of the site preserves and enhances the pedestrian environment of Shady Grove Road and MD 355.

The Casey 3 property provides an opportunity within the Shady Grove area to locate a future MCFRS station and possibly ancillary MCFRS facilities. A station at this location would provide easy access to MD 355, I-270, Shady Grove Road and the ICC, as well as the busy service areas of Rockville and Gaithersburg. The site's environmental constraints are extensive and may limit development. Other sites within the vicinity will also be considered during the site evaluation process that meet MCFRS's criteria for location and site suitability. Colocation of the fire station with other necessary public facilities should be explored. This Plan recommends:

- As an alternative to technology or research and development uses on this site, a public fire and rescue station would be appropriate to serve the immediate and surrounding areas.

### **Great Indoors Site (Site 4)**

While the current use is a building supply use, this property may eventually have redevelopment potential. At that time, it should contribute to the area's technology uses. This Plan recommends:

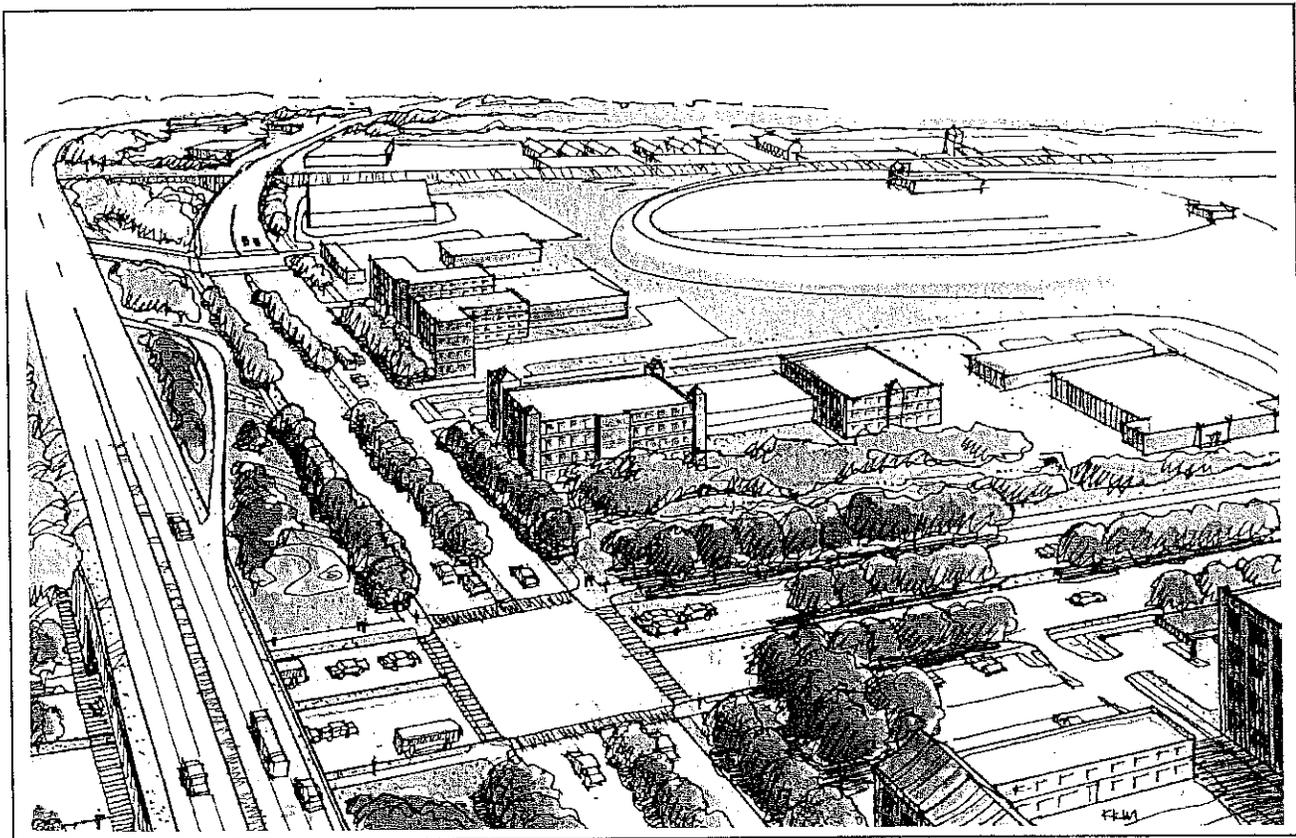
- Providing technology, research and development, and office uses to create a technology corridor.
- Orienting buildings toward street frontage and screening parking from Shady Grove Road.
- Ensuring that any redevelopment of the site preserves and enhances the pedestrian environment of Shady Grove Road.
- Rezoning this site from I-1 to R&D with an I-3 standard method zone. Development should not exceed 0.35 FAR to maintain a balance of jobs to housing within the plan area. Housing is not appropriate given the site's proximity to the Solid Waste Transfer Station.

### **Post Office Site (Site 5)**

This Plan recognizes the importance of the postal distribution center. If the Post Office or a new user decides to redevelop the site, both use and site design should contribute to the Shady Grove Road Corridor's technology emphasis. This Plan recommends:

- Providing technology, research and development, and office uses to create a technology corridor.
- Orienting buildings toward street frontage and screen parking from Shady Grove Road.
- Ensuring that any redevelopment of the site preserves and enhances the pedestrian environment of Shady Grove Road.
- Designing the site to minimize truck traffic on Shady Grove Road.
- Rezoning this site from I-1 to R&D with an I-3 standard method allowing expanded employment uses. Development should not exceed 0.35 FAR to maintain a balance of jobs to housing within the plan area. Housing is not appropriate.

### **View of Shady Grove Road Technology Corridor**





*Gaithersburg*  
*A Character Counts! City*

City of Gaithersburg  
**LAND USE  
PLAN**

**A Master Plan Element**

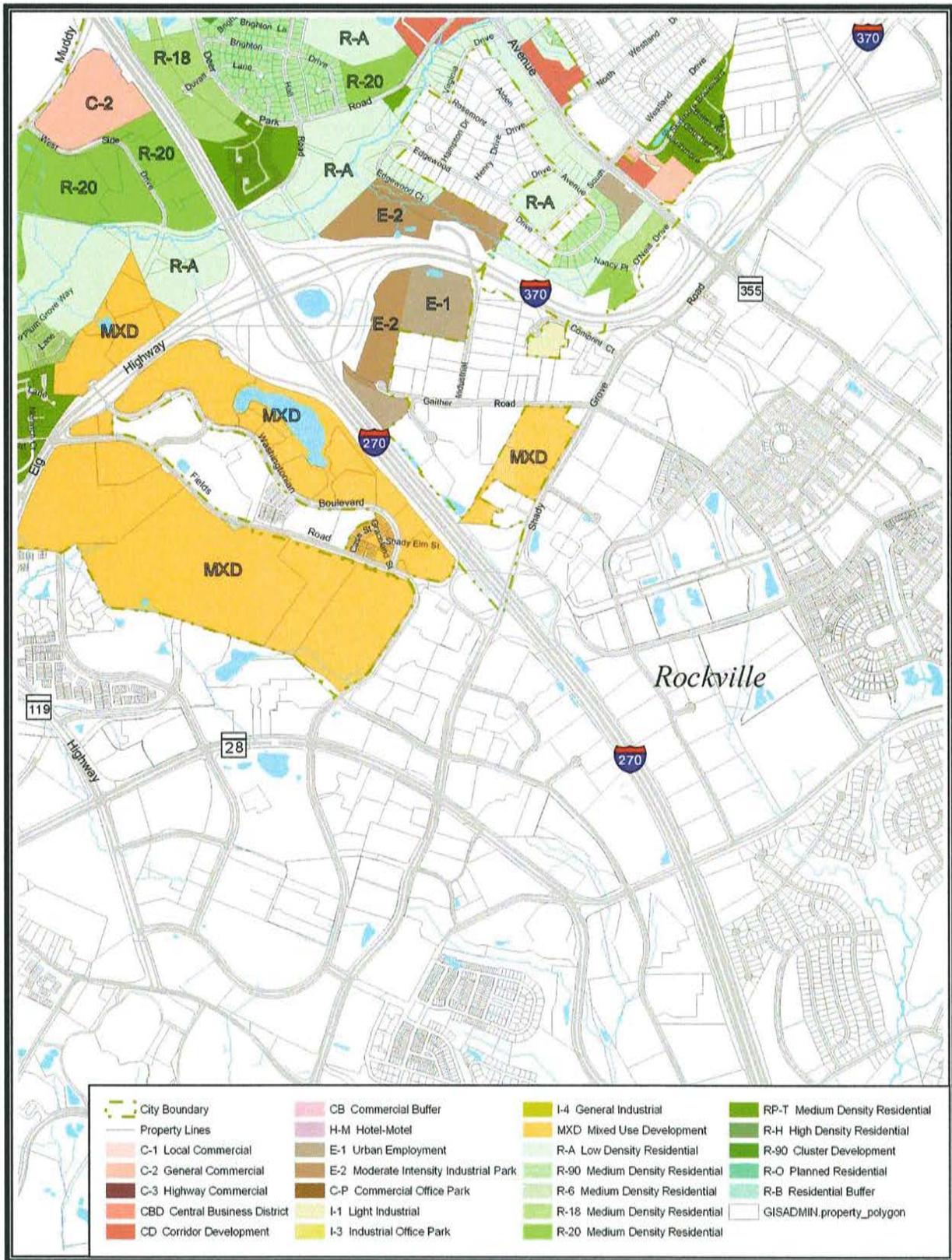
**\*draft\* January 5, 2011**

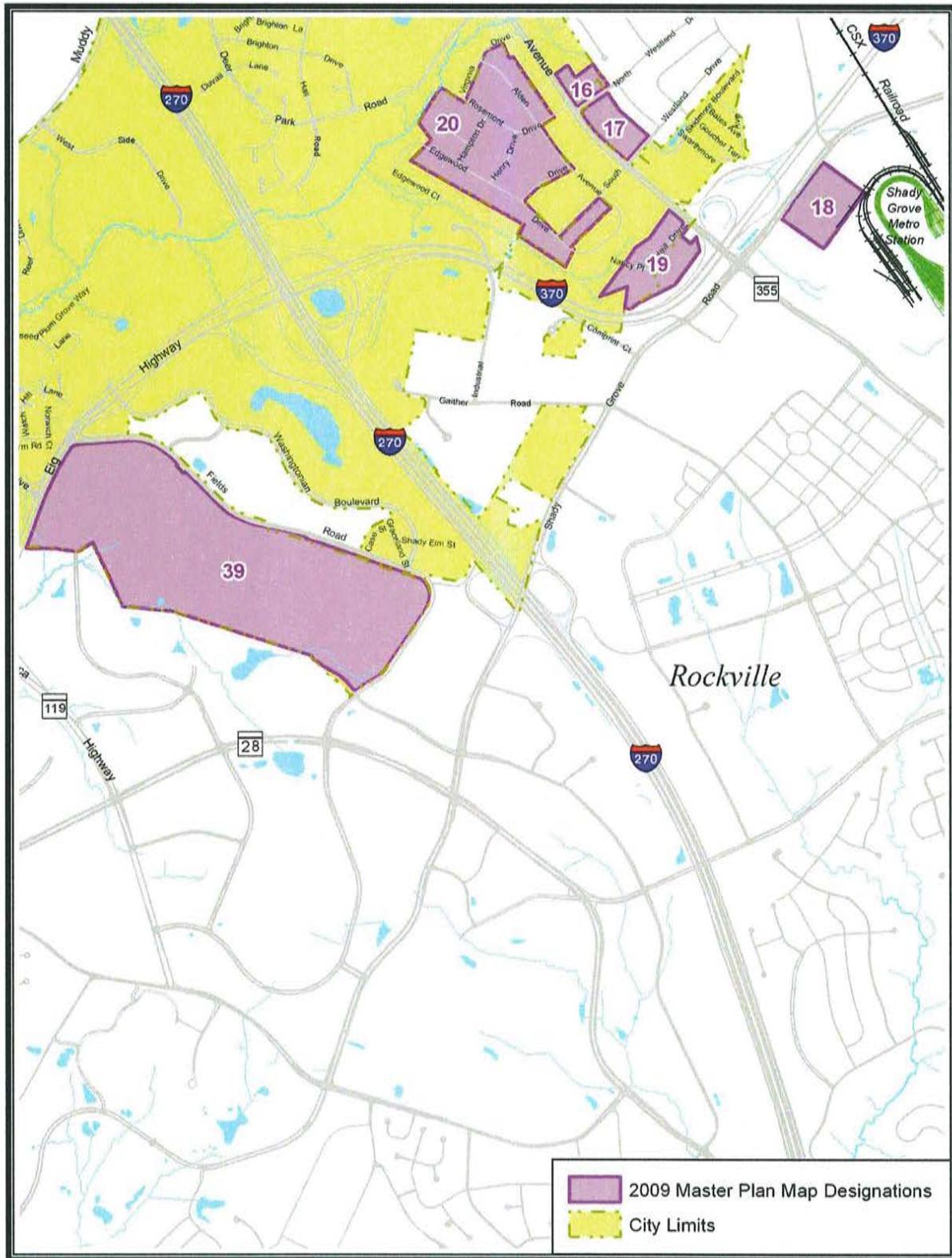
*Published ??*

Exhibit "I"

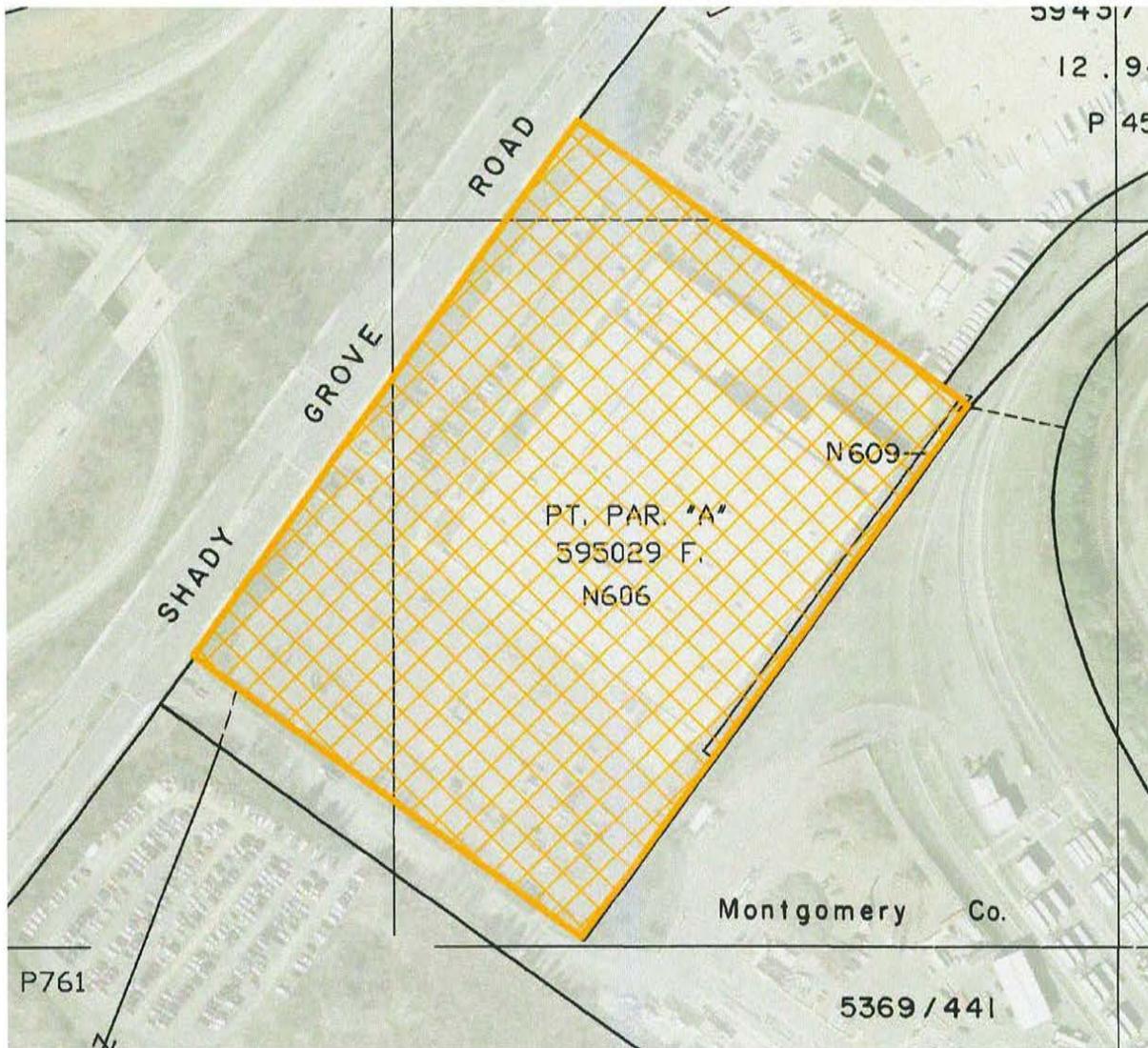
Mayor and City Council  
X-184  
Exhibit #18

**2009**  
MASTER PLAN





### 18. Tax Map GS13 Parcels N606 and N609



This 13.7-acre area contains a large one-story retail building (The Great Indoors) with a large surface parking lot. This property is within the City's Maximum Expansion Limits, is contiguous with the City's current boundary, and could be annexed without creating an enclave. This property is currently surrounded by a mix of warehouse and industrial uses.

#### Land Use and Zoning Actions:

- Adopt Commercial/Industrial-Research-Office land use designation, if annexed
- Recommend CD or MXD Zoning, or a future zone that facilitates sustainable development standards, if annexed