

QC 193-99 Mills, Kenneth
SUB 04-99-022 C

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letter 4/28/99 pnc

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

April 26, 1999

Ms. Tanya Krista-Maenhardt
Department of Planning and Zoning
Queen Anne's County
107 N. Liberty Street
Centreville, Maryland 21617

RE: Mills property - Administrative Subdivision
04-99-022-c

Dear Ms. Maenhardt:

Thank you for providing me with information on the above referenced administrative subdivision. The applicant proposes to combine three lots know as Lots 11,12, and 13 of the Love Point Subdivision, into one (Lot 11). A total of 0.56 acres are located on the property in the Critical Area and are designated as Limited Development Area.

No other development actions are proposed as part of this application. Commission staff do not oppose the granting of the administrative subdivision as proposed.

Thank you for the opportunity to comment. Please include this letter in your file and submit it as a part of the record for administrative variance. Please notify the Commission in writing of the decision made in this case. If you have any questions concerning these comments, please call me at (410) 260-7019.

Sincerely,

A handwritten signature in cursive script that reads "Susan McConville".

Susan McConville
Natural Resources Planner

cc: QA 193-99

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

DECLARATION OF ADMINISTRATIVE SUBDIVISION

THIS DECLARATION made this 12 day of April, 1999, by Kenneth R. Mills and Patricia A. Mills (hereinafter the "Declarants") and The Centreville National Bank of Maryland and State of Maryland, Department of Natural Resources (hereinafter the "Mortgagee(s)"), and Daniel T. Cannon and Ralph F. Twilley (hereinafter the "Trustee(s)"),

WITNESSES:

WHEREAS, the Declarants are the fee simple owners of tracts of land located in the Fourth Election District of Queen Anne's County, more particularly known as Lots 11, 12, and 13, Block 17, Love Point Subdivision, as described in a deed dated the 18th day of November, 1998, recorded among the Land Records of Queen Anne's County in Liber S.M. No. 645, folio 631, and

WHEREAS, said lots are set forth and depicted on a plat known as Lands of Evalyn S. Roby, Love Point, Queen Anne's County, Maryland, by J. M. Metcalfe, dated April, 1948, recorded among the Land Records of Queen Anne's County in Liber N.B.W. No. 1, folio 153; a subsequent plat entitled "Plat of Mills Property Love Point" was placed on the recorded in Plat Book No. M.W.M. No. 11, folio 1, and

WHEREAS, said lots are contiguous and Lots 11 and 12 share a common boundary line and Lots 12 and 13 share a common boundary line, the lengths and courses among those respective common boundary lines are set forth as follows below:

A) Between Lots 11 and 12 - approximately 170 feet N 40° 29' 56" W, and

B) Between Lots 12 and 13 - approximately 140 feet N 40° 10' 29" W

WHEREAS, the Declarants desire to eliminate the common boundary lines between the said lots for the purpose of combining the lots into one (1) lot of record, and

NOW THEREFORE, in light of the premises and for no consideration, the Declarants declare and agree as follows:

1. The above recitals are not merely prefatory but are incorporated herein as if fully set forth.

2. The Declarants declare that for all purposes other than the payment of fees or charges imposed by any covenants, agreements, or community association by-laws

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generally affecting or running with and binding land within Love Point Subdivision, the common boundary lines between Lots 11 and 12 and between Lots 12 and 13 are approximately 170 feet and 140 feet respectively, in length, are abolished, null and void, and of no further force and effect with the direct intent result that Lots 11, 12, and 13, Block 17, Love Point Subdivision, shall no longer be considered separate and distinctive lots but henceforth shall be treated, considered and granted collectively as one lot known as Lot 11.

3. The Declarants expressly acknowledges that after final approval of this Declaration by the Queen Anne's County Planning Director, the word "lot" as applied to any land described in this Declaration shall be deemed for purposes of any zoning or subdivision ordinance to mean the resulting Lot 11, Block 17, Love Point Subdivision established herein.

4. The Mortgagee(s) or Trustee(s) (on behalf of the Beneficiary) is the holder of a lien on Lots 11, 12 and 13, Block 17, Love Point Subdivision, by virtue of a Mortgage/Deed Of Trust dated November 18, 1998 and August 3, 1987, and recorded among the Land Records of Queen Anne's County at Liber S.M. No. 645, folio 633 and Liber M.W.M. No. 285, folio 904, and joins in the execution of this Declaration for itself, its successors and assigns, for the purpose assenting to the operation and effect of this instrument.

WITNESS the hands and seals of the Declarants, Mortgagee(s)/Beneficiary and/or Trustee(s) as of this 12 day of April, 1999.

WITNESS:

Nebrach P. Travers
Nebrach P. Travers

DECLARANTS

Kenneth R. Mills (SEAL)
Kenneth R. Mills
Patricia A. Mills (SEAL)
Patricia A. Mills

WITNESS:

MORTGAGEE/BENEFICIARY

THE CENTREVILLE NATIONAL
BANK OF MARYLAND

Barbara B. Stoops

By: [Signature]

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CHESAPEAKE BAY
CRITICAL AREA COMMISSION

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CLERK, CIRCUIT COURT
1988 JUL 11 PM 3:31
QUEEN ANNE'S COUNTY

LOVE POINT AVENUE

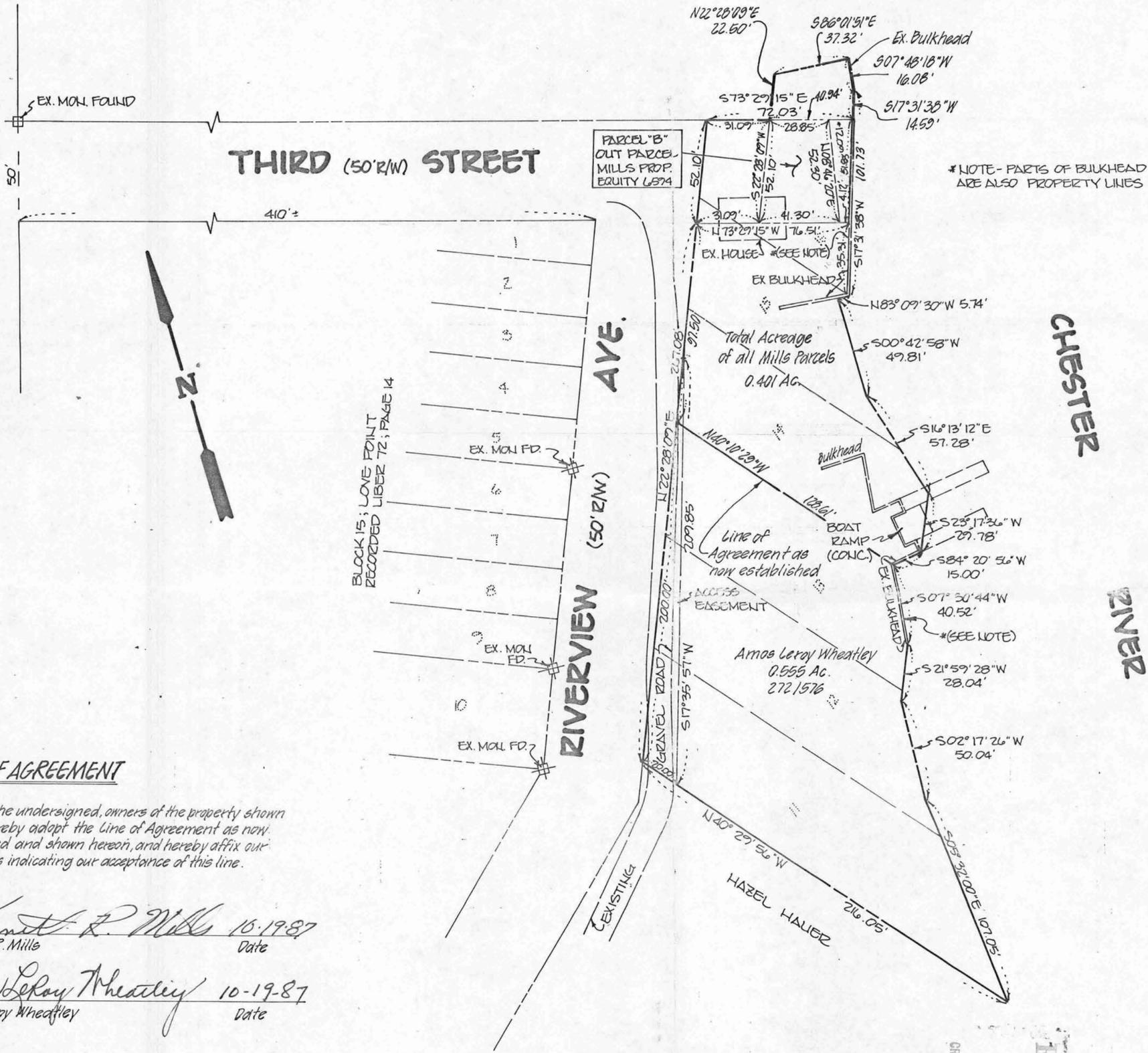
THIRD (50' R/W) STREET

AVE.

RIVERVIEW (50' R/W)

CHESTER

RIVER



TITLE INFORMATION:

BEING ALL OF PARCELS 1 AND 2 CONVEYED BY KENNETH R. MILLS AND NAOMI C. MILLS TO KENNETH R. MILLS IN THAT DEED DATED MARCH 5, 1987 AND RECORDED AMONG THE LAND RECORDS OF QUEEN ANNE'S COUNTY, MARYLAND IN LIBER 273, FOLIO 487.

NOTE: SURVEY BASED ON MONUMENTS FOUND ON BLOCK 15, ALONG THE WEST SIDE OF RIVERVIEW ROAD

ACCESS EASEMENT AS SHOWN HEREON FOR INGRESS AND EGRESS, FOR THE COMMON USE OF THE ADJOINING PROPERTY OWNERS, TO BE ABANDONED AT THE TIME OF COMPLETION OF RIVERVIEW ROAD. TOTAL AREA OF EASEMENT = 1782#

LINE OF AGREEMENT

We, the undersigned, owners of the property shown hereon, hereby adopt the Line of Agreement as now established and shown hereon, and hereby affix our signatures indicating our acceptance of this line.

Kenneth R. Mills 10-19-87
Kenneth R. Mills Date

Amos Leroy Wheatley 10-19-87
Amos Leroy Wheatley Date

PLAN SCALE: 1"=40'

RONALD W. JOHNSON ASSOC., INC.

CONSULTING ENGINEERS, PLANNERS AND LAND SURVEYORS

111 CHINGUAPIN ROUND ROAD
ANNAPOLIS, MARYLAND, 21401
207-1315

SURVEYOR:

Carl A. Stevenson 10/19/87
CARL A. STEVENSON P.L.S. No. 149 DATE

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RECEIVED
DATE 4-14-99
#04-99-022-c

SURVEY PLAT
MILLS PROPERTY
LOVE POINT

4TH ELECTION DISTRICT QUEEN ANNE'S CO., MD.
SCALE: 1"=40' OCTOBER, 1987
Revised Nov. 6, 1987