

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

November 10, 2008

Mr. Anthony DiGiacomo
Cecil County Department of Planning and Zoning
129 East Main Street
Elkton, MD 21921

**Re: Curtis Subdivision
TM 58 P 76**

Dear Mr. DiGiacomo:

Thank you for providing information regarding the above referenced subdivision. The applicant is proposing to create two lots (2A and 2B) from the original Lot 2; both proposed lots are located outside of the Critical Area. Lot 2C is partially located within the Critical Area and is designated Resource Conservation Area (RCA). The parcel is 36.215 acres in size; 10.05 acres is located within the Critical Area. No development activities are proposed within the Critical Area portion of Lot 2C.

As stated in the Cecil County Zoning Ordinance, Article XI, §191, the Critical Area District was created to implement zoning regulations and measures that will protect and enhance water quality and habitat resources. In addition, the intent of the Critical Area District is to provide protection for the natural resources located in the Critical Area and to foster more sensitive development activity in shoreline areas that minimizes adverse impacts to water quality and natural habitats. To ensure this is accomplished, the County has stated that no development activity shall be permitted until the approving authority makes specific findings that the proposed development or activity is consistent with the goals and objectives of the Cecil County Critical Area Program.

Considering these regulations, Commission staff has concerns on whether the plat, as shown, is consistent with the spirit and intent of the Critical Area Program. In particular, the plat does not refer to the site's Environmental Assessment (EA), which provides clear information on how the proposed development addresses the Critical Area's goals and objectives. Furthermore, this office requested a copy of the EA for review and has not received a copy. We request that a copy of the EA be submitted to this office for review and comment prior to final plat approval. However, if the County has determined that an EA is not required for this site, then we

recommend that the final plat provide references to Buffer restrictions, Habitat Protection Areas, FIDS habitat, and forest coverage located onsite to demonstrate compliance with the County's Critical Area Program and regulations found in §191 of the Cecil County Code. We note that the Critical Area regulations within the Cecil County Zoning Code supersede any inconsistent law, section, plan or program of the County (§191).

Additionally, it appears that several of the comments provided in my July 25, 2008 letter have not been addressed. A revised version of these comments is provided below, along with additional comments:

1. It appears that the applicant has not properly delineated the 110-foot Buffer on the final plat. Particularly, it appears from that mixed alluvial soils, nontidal wetlands, and steep slopes are all located adjacent to the Buffer. The Buffer shall be expanded for hydric or highly erodible soils, steep slopes, and/or nontidal wetlands that are located contiguous to the Buffer. Please have the applicant revise the final plat to accurately show the 110-foot and Expanded Buffer. A final plat should not be approved without an accurate delineation of the 110-foot and expanded Buffer.
2. Any future development on this property should be located outside of the 110-foot Buffer and the Expanded Buffer. Please include a note on the final plat stating per Section 196 Cecil County Code, that disturbance to the 110-foot and expanded Buffer is prohibited.
3. The applicant must receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. Impacts will need to be addressed based on the recommendation from the Maryland Department of Natural Resources. Please forward a copy of the letter to this office.
4. GIS maps reveal that FIDS Habitat is located onsite. While it is our understanding that no development or clearing is proposed within the FIDS habitat area at this time, we suggest that the applicant place this area in an easement to avoid any future development to this sensitive habitat area. At a minimum, please add a note to the plat indicating the presence of FIDS habitat and the requirement for any disturbance of this area to comply with Cecil County development restrictions. .

Thank you for the opportunity to provide comments on this subdivision request. Please have the applicant provide a copy of the final plat the comments provided in this letter have been adequately addressed. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: CE 323-08

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June 26, 2008

Mr. Anthony DiGiacomo
Cecil County Department of Planning and Zoning
129 East Main Street
Elkton, MD 21921

Re: Curtis Subdivision

Dear Mr. DiGiacomo:

Thank you for providing information regarding the above referenced subdivision. The applicant is proposing to create two lots (2A and 2b) from the original Lot 2; both proposed lots are located outside of the Critical Area. Lot 2C is partially located within the Critical Area and is designated Resource Conservation Area (RCA). The parcel is 36.215 acres in size; 10.05 acres is located within the Critical Area. No development activities are proposed within the Critical Area portion of Lot 2C.

Based on the information provided, we have the following comments on this subdivision request:

1. Please have the applicant delineate the 110-foot Buffer on the site plan. The Buffer should be expanded for hydric or highly erodible soils, steep slopes, and/or nontidal wetlands that are located contiguous to the Buffer. It appears from the site plan that mixed alluvial soils, nontidal wetlands, and steep slopes are all located adjacent to the Buffer.
2. Any future development on this property should be located outside of the 110-foot Buffer and the Expanded Buffer.
3. The applicant must receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. Impacts will need to be addressed based on the recommendation from the Maryland Department of Natural Resources.
4. GIS maps reveal that FIDS Habitat is located onsite. While it is our understanding that no development or clearing is proposed within the FIDS habitat area at this time, we suggest that the applicant place this area in an easement to avoid any future development to this sensitive habitat area. At a minimum, please add a note to the plat indicating the presence

TTY for the Deaf

Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450



of FIDS habitat and the requirement for any disturbance of this area to comply with Cecil County development restrictions.

Thank you for the opportunity to provide comments on this subdivision request. We note the County is currently under sanction by the Critical Area Commission regarding the Habitat Protection Area provision of the Zoning Ordinance. Consequently, the Planning Commission may not approve any final subdivision plat in a Habitat Protection Area. Further, we may have additional comments to provide once the necessary changes to the Zoning Ordinance have been made.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: CE 323-08

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July 25, 2008

Mr. Anthony DiGiacomo
Cecil County Department of Planning and Zoning
129 East Main Street
Elkton, MD 21921

**Re: Curtis Subdivision
TM 58 P 76**

Dear Mr. DiGiacomo:

Thank you for providing information regarding the above referenced subdivision. The applicant is proposing to create two lots (2A and 2B) from the original Lot 2; both proposed lots are located outside of the Critical Area. Lot 2C is partially located within the Critical Area and is designated Resource Conservation Area (RCA). The parcel is 36.215 acres in size; 10.05 acres is located within the Critical Area. No development activities are proposed within the Critical Area portion of Lot 2C.

Based on the information provided, we have the following comments on this subdivision request:


1. It appears that the applicant has not properly delineated the 110-foot Buffer on the site plan. Particularly, it appears from the site plan that mixed alluvial soils, nontidal wetlands, and steep slopes are all located adjacent to the Buffer. The Buffer shall be expanded for hydric or highly erodible soils, steep slopes, and/or nontidal wetlands that are located contiguous to the Buffer. Please have the applicant revise the site plan to accurately show the 110-foot and Expanded Buffer.
2. Any future development on this property should be located outside of the 110-foot Buffer and the Expanded Buffer. Please include a note on the plat stating per Section 196 Cecil County Code, that disturbance to the 110-foot and expanded Buffer is prohibited.
3. The applicant must receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. Impacts will need to be addressed based on the recommendation from the Maryland Department of Natural Resources.
4. GIS maps reveal that FIDS Habitat is located onsite. While it is our understanding that no development or clearing is proposed within the FIDS habitat area at this time, we suggest

that the applicant place this area in an easement to avoid any future development to this sensitive habitat area. At a minimum, please add a note to the plat indicating the presence of FIDS habitat and the requirement for any disturbance of this area to comply with Cecil County development restrictions.

5. Please submit a copy of the Environmental Assessment and Report to this office for review and comment.

Thank you for the opportunity to provide comments on this subdivision request. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: CE 323-08

11/17/08

Subdivision

The sole vote in opposition of approval was Mr. Janusz.

Motion for approval with conditions carried.

Approved - see Last Page

4. Lands of John H. Curtis, Lots 2A, 2B and 2C, Bohemia Church Road, Final Plat, McCrone, Inc., First Election District.

John Curtis, owner and Mike Burcham, McCrone, Inc., appeared and presented an overview of the project.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR

Density: The Concept Plat,¹⁴ proposing 3 lots on 36.2 acres, for a proposed density of 1/12.07, was approved¹⁵ on 10/16/06, conditioned on:

- 1) The boundary line survey's being completed prior to TAC review of the Preliminary Plat; and
- 2) Documentation of the JD's completion being received prior to the Planning Commission's review of the Preliminary Plat.

Per the DNR Natural Heritage Letter, no rare, threatened or endangered species occur on site.

The Preliminary Plat was approved on 8/18/08, conditioned on:

- 1) Health Dept. requirements being met;
- 2) DPW requirements being met; and
- 3) The FCP/Landscape Plan being approved prior to Final Plat review.

This Final Plat is consistent with the approved Concept and Preliminary Plats.

The Critical Area RCA overlay zone permits a density of 1/20. Only proposed Lot 2C is partially within the Critical Area; its proposed density is 1/29.9. The proposed new lots, 2A and 2B, are located entirely outside the Critical Area.¹⁶

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

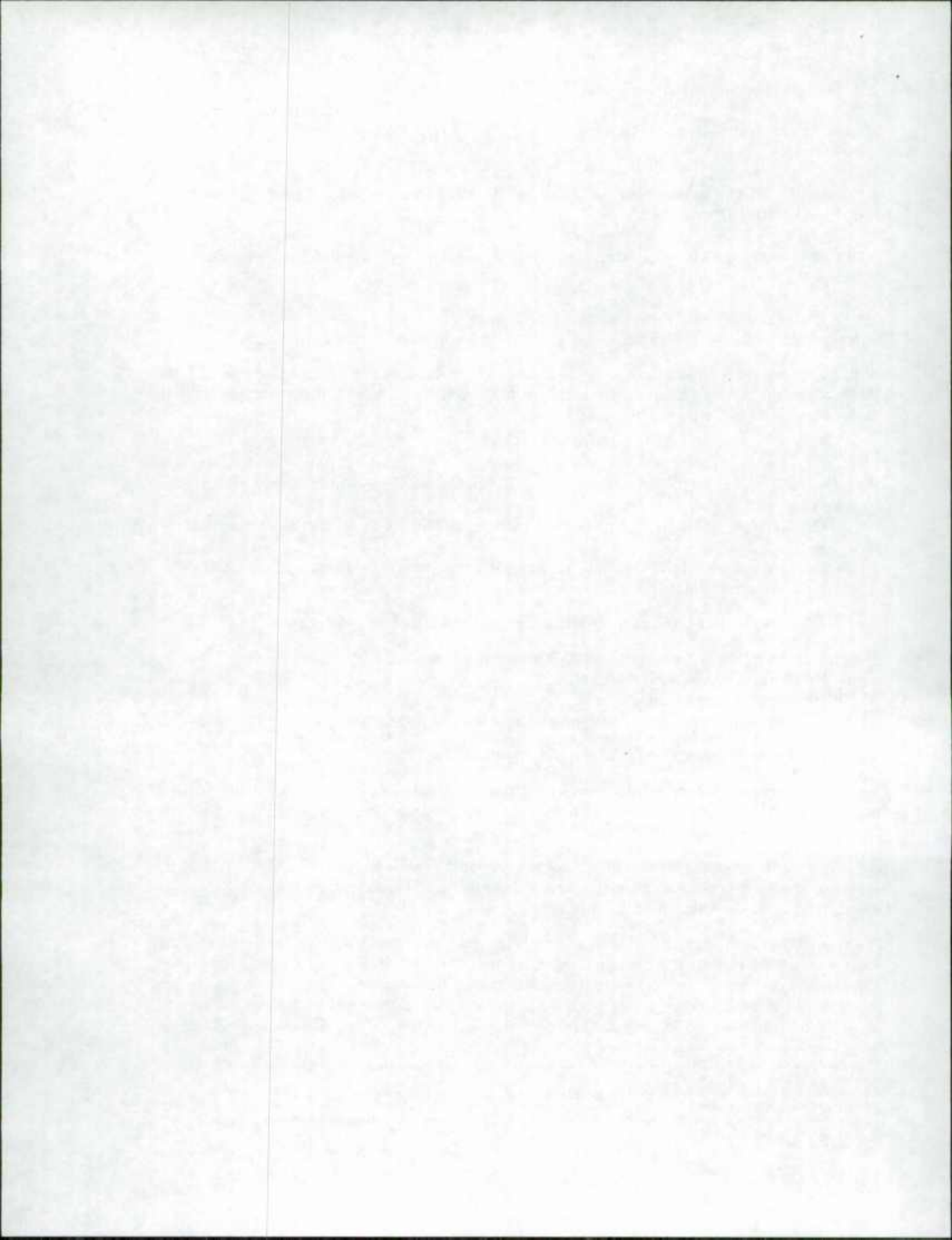
A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96,¹⁷ or if the FSD/Conceptual Environmental Assessment finds that there are to be no

¹⁴ This was submitted as a major subdivision because the minor subdivision potential of the parcel of record from which lot 2 was created has been exhausted.

¹⁵ At that time, The SAR zone permitted a maximum base density of 1 du/ 8 ac. Bonus density was not an issue.

¹⁶ Thus, the moratorium on lot approvals inside the Critical Area, now defunct, was moot for proposed Lots 2A and 2B.

¹⁷ Per the Planning Commission's policy, established on 3/20/95 and revised on 1/16/96, so long as the wetlands are in the common open space or the forest retention area or the large lot, a JD need not be done.



impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but it is required to be completed prior to recordation.

No common open space was required. No landscaping of the development envelope is required, and no sidewalks are recommended in the SAR zone.

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of Bohemia Church Road, and the 100' BRL has been depicted.

The FSD was approved on 10/10/06.

The PFCP/Preliminary Environmental Assessment was approved on 7/17/08.

The FCP/Landscape Plan/Environmental Assessment was approved on 10/14/08.

Ordinarily, an environmental assessment would need to be submitted in accordance with §200.1 of the Zoning Ordinance. However, as noted on the plat, there shall be no new development on Lot 2C, and proposed Lots 2A and 2B are located entirely outside the Critical Area.

Any Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat.

The contiguous operating farm notice has been provided on the plat.

Mr. Whittie, DPW, read the comments of the department:

A SWM plan and a Mass & Final Grading plan must be approved by the CCDPW prior to approval of any grading/building permit for Lots 2A and/or 2B. The standard SWM deferral note required on the final plat is missing. The Department will not sign the record plat until the appropriate note is added to the plat.

Mr. Doordan read the comments of the Health Department:

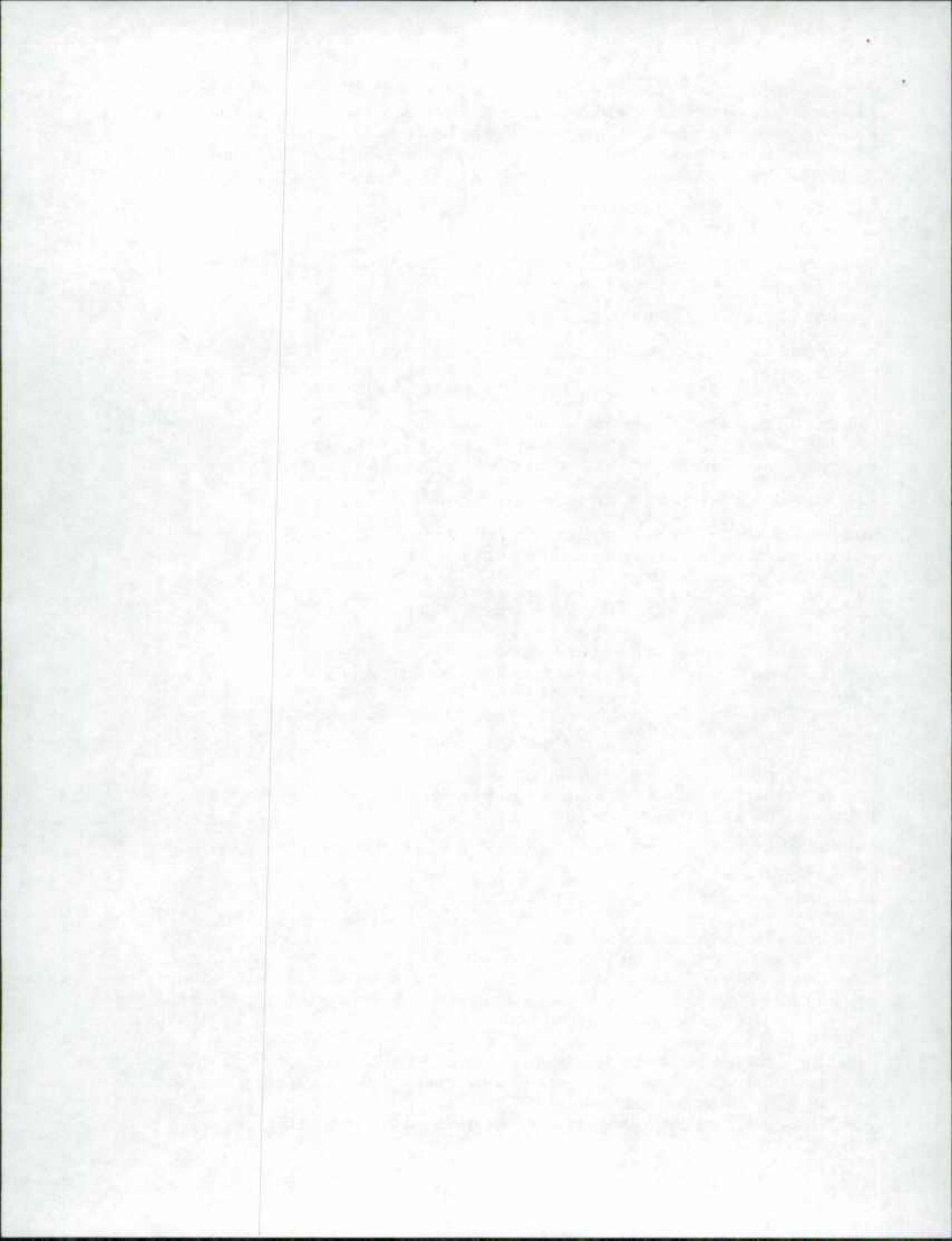
A Groundwater Appropriation Permit Exemption has been filed with Maryland Department of the Environment. The final plat is satisfactory.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Di Giacomo read the recommendation of the staff:

APPROVAL, conditioned on:

- 1) Health Dept. requirements being met;
- 2) DPW requirements being met;
- 3) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
- 4) The Landscape Agreement's being executed prior to Recordation;
- 5) A note being added to the Record Plat to the effect that FIDS are present in the Critical Area portion of Lot 2C, and, therefore, any possible disturbance of this area shall comply with all applicable development restrictions; and
- 6) The original Minor Subdivision number's being referenced on the Record Plat.



Discussion ensued regarding Critical Area Commission concerns.

A motion for approval with conditions was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approved. Motion carried.

5. Lands of Gregory and Danita Walker, Lots 1-3, Old Elk Neck Road, Final Plat, Will Whiteman Land Surveying, Inc., Fifth Election District.

Danita Walker, owner, appeared and presented an overview of the project.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR & RCA

Density: The Concept Plat,¹⁸ proposing 3 lots on 11.5963 acres, for a proposed bonus density of 1/3.8654, was approved on 12/21/06, conditioned on:

- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 4) The Critical Area acreage being added to all subsequent plats; and
- 5) Reference to remaining lands being supplanted by reference to the large lots on all subsequent plats.

The Preliminary Plat was approved on 7/21/08, conditioned on:

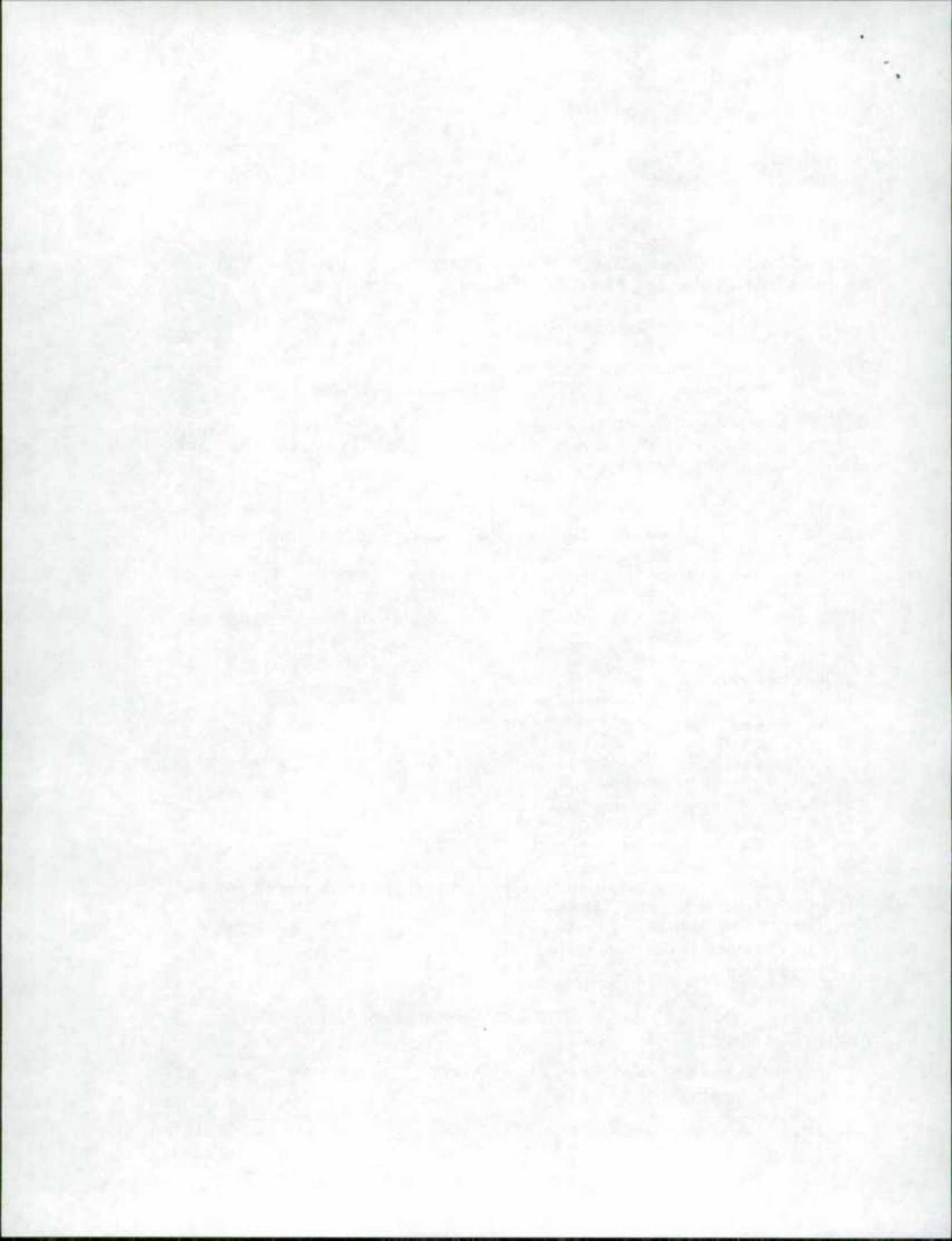
- 1) Health Dept. requirements being met;
- 2) DPW requirements being met;
- 3) The FCP/Landscape Plan being approved prior to Final Plat review;
- 4) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded & noted on the plat prior to recordation, with the metes & bounds description of the FRA being shown on the Final & Record Plats;
- 5) Note # 12 being modified to reflect the fact that building lots are, in fact, proposed; and
- 6) A waiver of the front BRL being granted.

This Final Plat is consistent with the approved Concept and Preliminary Plats.

Proposed Lot 1 is the large lot, upon which bonus density approval was predicated; thus its prohibition from further subdivision is cited.

Lot 1's Critical Area acreage is only 1.5261; therefore, the RCA density is 1/1.5261, even though the dwelling is outside the Critical Area.

¹⁸ The NAR zone then permitted a base density of 1 du/ 5 ac., with bonus density eligibility permitting density of 1/3.



NOTES

A JOINT PERMIT APPLICATION MUST BE FILED WITH THE ARMY CORPS OF ENGINEERS AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT FOR ANY WORK PERFORMED WITHIN ANY WATERS OF THE UNITED STATES, INCLUDING JURISDICTIONAL WETLANDS, OR NON-TIDAL WETLAND BUFFERS THAT MAY BE PRESENT ON THE SITE SHOWN HEREON.

THE AFFORESTATION/REFORESTATION AND/OR FOREST RETENTION AREAS SHOWN ON THIS PLAN SHALL REMAIN UNDISTURBED EXCEPT TO BE USED FOR PURPOSES CONSISTENT WITH FOREST CONSERVATION AND THE APPROVED FOREST CONSERVATION PLAN FILED IN THE CECIL COUNTY OFFICE OF PLANNING AND ZONING.

FOREST DISTURBANCE FOR THE INITIAL SEWAGE SYSTEM AND FUTURE REPAIRS WILL BE THE MINIMUM NECESSARY TO ALLOW PROPER INSTALLATION. EVERY ATTEMPT SHALL BE MADE TO PRESERVE THE FOREST CANOPY.

A LOT GRADING PLAN HAS BEEN APPROVED BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE CONSTRUCTION SHOWN HEREON. A SITE CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NON-COMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN. ANY CHANGE TO THE FOREST RETENTION, REFORESTATION, OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE SWM APPROVAL WITH CDDPW.

THE PURPOSE OF THIS SUBDIVISION PLAN IS TO CREATE LOTS 2A & 2B FROM THE ORIGINAL LOT 2 (P.C. 805456). THERE SHALL BE NO NEW DEVELOPMENT ON LOT 2C.

THE AGRICULTURAL OPERATIONS BEING CONDUCTED ON CONTIGUOUS PROPERTIES ARE PROTECTED FROM NUISANCE CLAIMS, SO LONG AS THOSE CONTIGUOUS AGRICULTURAL OPERATIONS ARE IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN ARTICLE I SECTION 4 OF THE CECIL COUNTY ZONING ORDINANCE.

FOREST LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Rows F50 to F87.

FOREST LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Rows F88 to F105.

FOREST CURVE TABLE

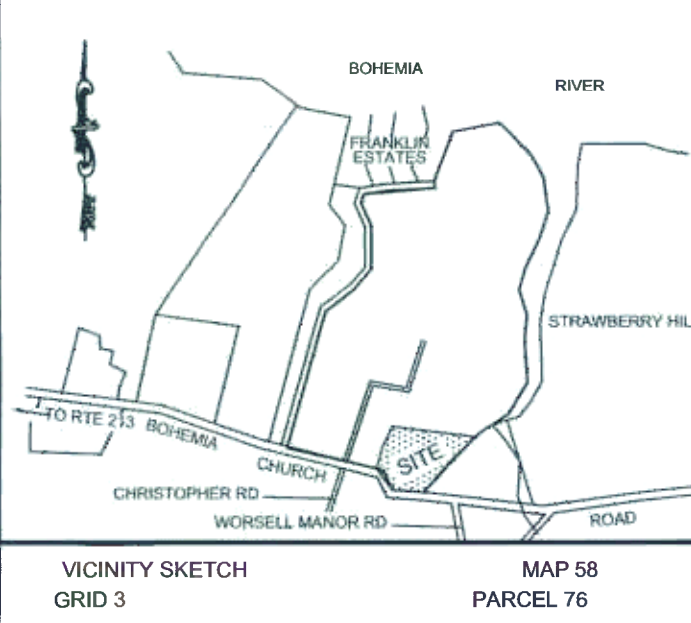
Table with columns: CURVE, CHORD BEARING, CHORD LENGTH, ARC LENGTH, RADIUS. Rows FC50 to FC52.

CURVE TABLE

Table with columns: CURVE, CHORD BEARING, CHORD LENGTH, ARC LENGTH, RADIUS. Rows C1 to C9.

LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Rows L1 to L14.



REVISIONS table with columns: REV #, DATE, DESCRIPTION. Shows one revision on 10-1-08.

ACRONE logo and contact information for Environmental Sciences, Land Planning & Surveying, Construction Services, etc.

DATE, JOB NUMBER, SCALE, DRAWN BY, DESIGNED BY, APPROVED BY, FOLDER REFERENCE.

FINAL MAJOR SUBDIVISION, LOT 2, THE LANDS OF JOHN H. CURTIS, et ux, FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND. SHEET NO. 1 OF 1, FILE NO. 1395 A.

COORDINATE TABLE

Table with columns: NORTHING, EASTING. Rows 1, 2, 3.

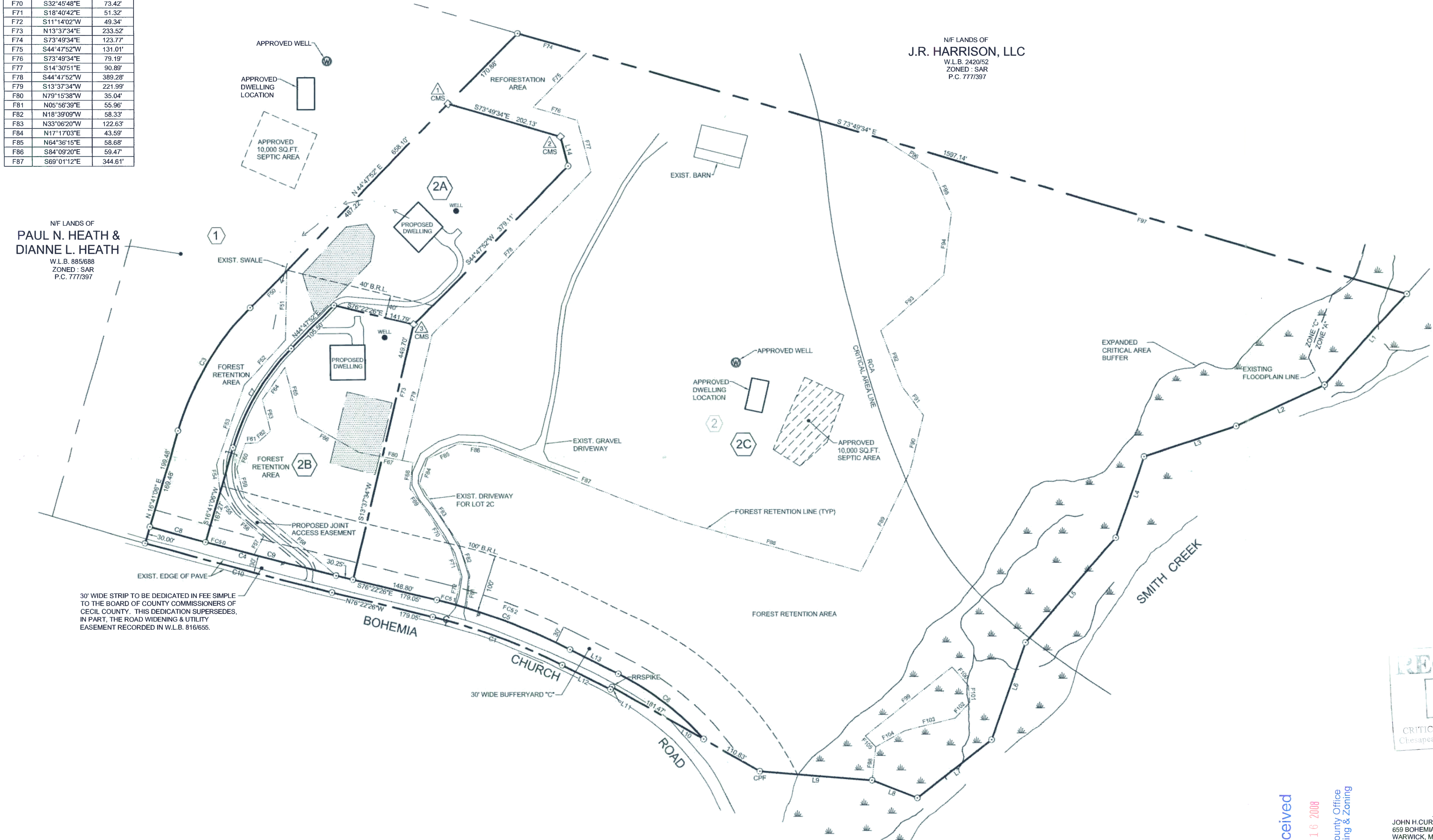
AREA TABLE

Table with columns: LOT, AREA. Rows 2A, 2B, 2C, ROAD DEDICATION, TOTAL.

TOTAL NO. OF LOTS = 3, DENSITY = 12.07 AC.±/DWLG. UNIT, MINIMUM LOT SIZE = 2.375 AC.±, PORTION OF LOT 2C IN CHESAPEAKE BAY CRITICAL AREA = 10.650 AC.±.

NF LANDS OF PAUL N. HEATH & DIANNE L. HEATH, W.L.B. 885688, ZONED: SAR, P.C. 777387.

NF LANDS OF J.R. HARRISON, LLC, W.L.B. 242052, ZONED: SAR, P.C. 777387.



30' WIDE STRIP TO BE DEDICATED IN FEE SIMPLE TO THE BOARD OF COUNTY COMMISSIONERS OF CECIL COUNTY. THIS DEDICATION SUPERSEDES, IN PART, THE ROAD WIDENING & UTILITY EASEMENT RECORDED IN W.L.B. 816655.

NOTES

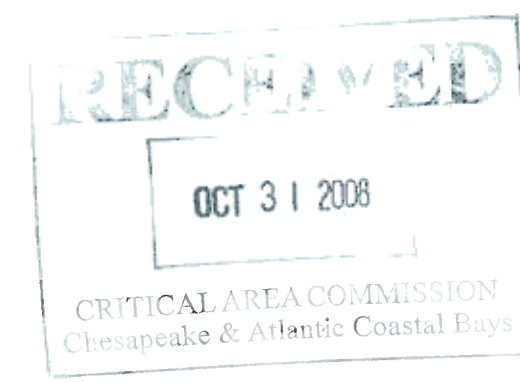
- 1. CPF DENOTES IRON PIN WITH CAP FOUND.
2. RRS DENOTES RAILROAD SPIKE SET.
3. CFS DENOTES IRON PIN WITH CAP SET.
4. CMS DENOTES CONCRETE MONUMENT SET.
5. ZONED: SAR.
6. SETBACKS: 40' FRONT & REAR 10' SIDE UNLESS OTHERWISE SHOWN.
7. WELL DENOTES PROPOSED DRILLED WELL.
8. DENOTES PROPOSED 10,000 S.F. SEPTIC AREA.
9. THE LOTS SHOWN HEREON ARE SUBJECT TO A 5' DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.
10. FOR DEED REFERENCE SEE W.L.B. 824599.
11. FOR PLAT REFERENCE SEE P.C. 805456.
12. THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.

FLOOD CERTIFICATION

THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE 'C' (AREA OF MINIMAL FLOODING) & ZONE 'A' AS SHOWN ON F.I.R.M. COMMUNITY PANEL NO. 24019 0065 A DATED APRIL 4, 1993.

RECEIVED AND ON SAME DAY RECORDED IN LIBER NO. FOLIO ONE OF THE RECORD BOOKS OF CECIL COUNTY AND EXAMINED. PER CLERK CIRCUIT COURT FOR CECIL COUNTY

Received OCT 16 2008 Cecil County Office of Planning & Zoning



OWNER JOHN H. CURTIS & SHARON K. CURTIS, 659 BOHEMIA CHURCH ROAD, WARWICK, MD. 21912-1224

SURVEYORS CERTIFICATION CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS. DATE: 10/14/08 REGISTERED SURVEYOR

OWNERS CERTIFICATION CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE, THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAN AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

WE, JOHN H. & SHARON K. CURTIS, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAN (THEREOF) WAS MADE AT OUR DISCRETION. DATE OWNER DATE OWNER