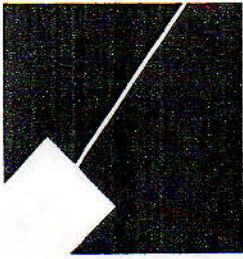


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

January 29, 1999

Mr. Michael Faerber
Samek & McMillan
1901 Research Blvd., Suite 220
Rockville, Maryland 20850

Dear Mr. Faerber:

Per your request, I am writing to confirm our discussion early this week regarding changing a conservation easement on Lot 1 at Cloverleaf Center in Germantown. A request was made by Ryan Homes to relocate an area of the conservation easement which was established on the property to meet forest conservation law planting requirements. Due to a reconfiguration of house lots by the builder, the subject easement now falls within a residential lot instead of on common area as shown on the approved plan.

Since the existing easement is not part of a stream buffer or other environmentally sensitive area, we are not opposed to swapping it for another area of the same size. The change areas are shown on the attached sketch to which I have given staff approval. The abandonment still has to be approved by the Board as part of a record plat amendment. I understand from our inspector Steve Cary that the existing easement area has not yet been planted. Therefore, we will require that the trees that were supposed to be planted in the existing easement now be placed in the relocated easement area. Since the areas are in close proximity and the same acreage, there should be no need to modify the existing planting plan.

If you have any questions please contact me at (301) 495-4542 or Steve Cary at (301) 495-4581.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Conlon'.

Cathy Conlon
Environmental Planner Coordinator

CAC:cc

FACSIMILE TRANSMITTAL - MEMO SHEET

Date: 25 JAN / 99

TRANSMITTAL TO:

Name: Cathy Conlon

Company: M.H.C. P&C - ENV. Planning

Fax #: (201) 495-1304

From: Michael Tom

GLW GUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

FAX NUMBER: 301-421-4186

No. of Pages (incl. this sheet): 7 Original to follow in mail (Y/N): Y

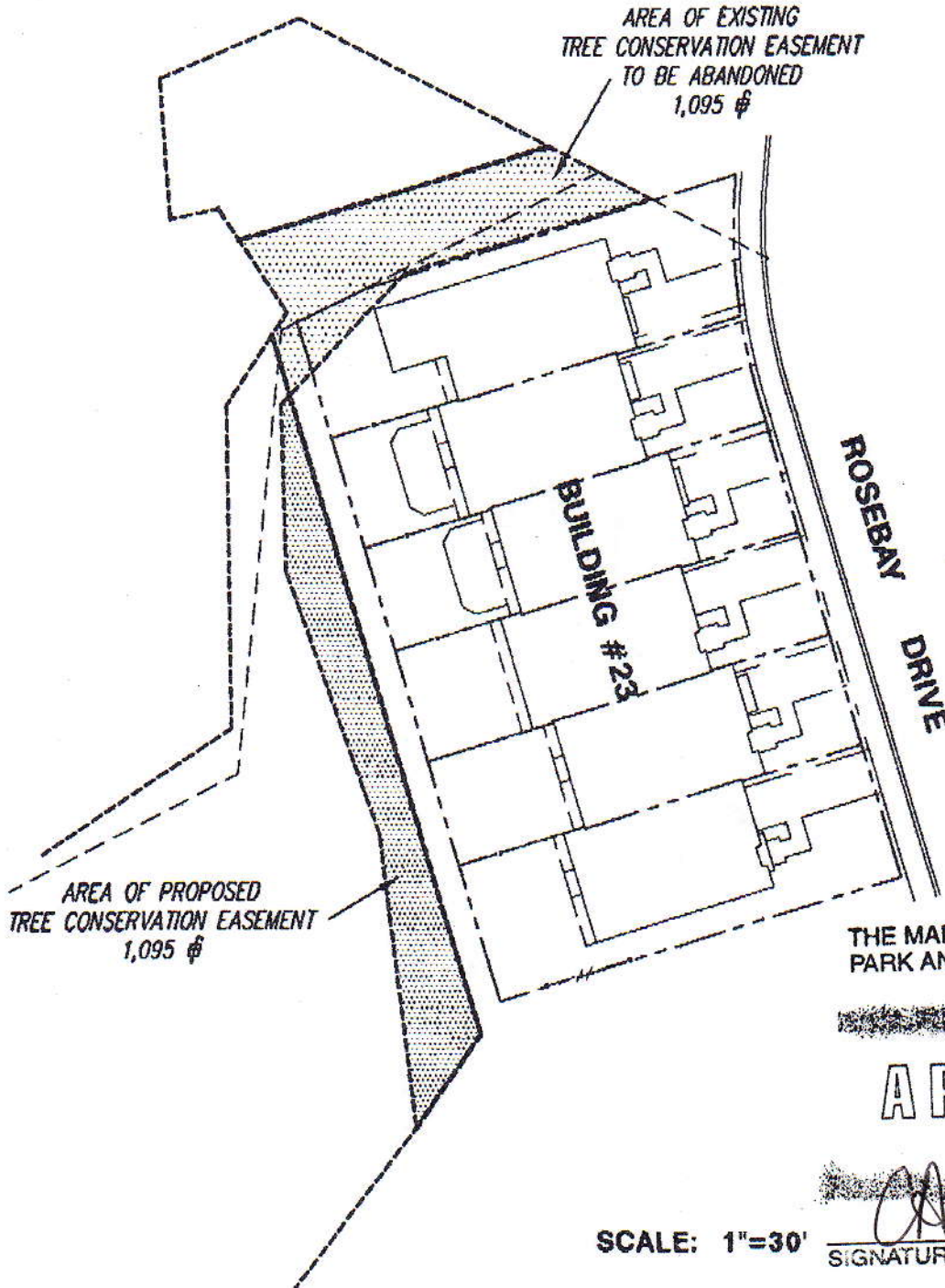
Please call (301) 421-4024 if there is a problem with this transmission, or if you received this in error. The information transmitted is intended for the person/company shown above and we request your cooperation in the event of an error in transmission.

MESSAGE:

Clowleaf Center Germantown - lot 1
Tree Conservation Plan's Adjustment

Project Name: Clowleaf - lot Project No.: 93066

CLOVERLEAF CENTER GERMAN TOWN - LOT 1 TREE CONSERVATION EASEMENT ADJUSTMENT



THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

APPROVAL

[Signature] / 1/25/99
 SIGNATURE DATE

SCALE: 1"=30'

EXHIBIT "A"
January 21, 1999
Description of

TREE CONSERVATION EASEMENTS

Clarksburg Election District No. 2
Montgomery County, Maryland

Being all those pieces of land situate, lying and being in the Clarksburg Election District No. 2, Montgomery County, Maryland, being part of Lot 1 as shown on a Plat of Subdivision entitled, "Lots 1 and 4, Cloverleaf Center Germantown", recorded among the Land Records of said County in Plat Book 172 as Plat No. 19303, and being more particularly described, in three (3) parts, as follows:

Part One

Beginning for the same at a point on the northwesterly or North 64°22'51" East, 1146.61 foot line of Lot 1, as shown on said Plat of Subdivision, 42.78 feet from the beginning thereof; thence running with part of said northwesterly Plat line

1) North 64°22'51" East, 201.19 feet to a point; thence leaving said Plat line and running in, through, over and across said Lot 1, the following thirty-five (35) courses and distances

- 2) South 22°16'19" West, 49.14 feet to a point; thence
- 3) South 10°38'12" East, 51.49 feet to a point; thence
- 4) South 68°23'05" West, 43.17 feet to a point; thence
- 5) South 16°33'49" East, 13.64 feet to a point; thence
- 6) North 79°19'06" East, 54.26 feet to a point; thence
- 7) South 35°38'40" East, 57.04 feet to a point; thence
- 8) South 47°54'25" East, 47.19 feet to a point; thence
- 9) South 70°29'27" East, 36.34 feet to a point; thence
- 10) South 00°46'58" West, 36.81 feet to a point; thence
- 11) South 32°40'47" East, 39.29 feet to a point; thence
- 12) North 56°47'38" East, 40.62 feet to a point; thence
- 13) North 00°33'54" West, 57.81 feet to a point; thence
- 14) North 33°19'49" East, 14.92 feet to a point; thence
- 15) South 16°21'41" East, 130.50 feet to a point; thence
- 16) South 35°24'35" West, 20.68 feet to a point; thence
- 17) South 37°28'37" West, 36.62 feet to a point; thence
- 18) South 11°55'52" East, 62.71 feet to a point; thence
- 19) South 16°56'59" West, 28.95 feet to a point; thence

**Description of
Tree Conservation Easements
Cloverleaf Center Germantown - Lot 1**

January 21, 1999
Page 2 of 4

20) North 18°49'48" West, 9.55 feet to a point; thence

21) South 71°10'12" West, 49.34 feet to a point on the easterly outline of a Conservation Easement, as shown on the aforesaid Plat, said point lying on the easterly or North 10°21'41" East, 99.33 foot line of a 100 Year Floodplain Easement, also shown on the aforementioned Plat, 14.45 feet from the beginning thereof; thence running with the easterly outline of said Conservation Easement, the following fifteen (15) courses and distances and running with said Floodplain Easement, the following three (3) courses and distances

22) North 10°21'41" East, 84.88 feet to a point; thence

23) North 32°30'36" West, 40.57 feet to a point; thence

24) North 66°00'40" West, 42.17 feet to a point at the intersection with a Stream Buffer, as shown on said Plat; thence running with said Stream Buffer, the following six (6) courses and distances

25) North 35°10'23" West, 13.31 feet to a point; thence

26) North 25°13'30" West, 60.25 feet to a point; thence

27) North 57°37'14" West, 42.27 feet to a point; thence

28) North 84°20'28" West, 38.13 feet to a point; thence

29) South 84°59'21" West, 21.41 feet to a point; thence

30) North 34°51'15" West, 74.02 feet to a point at the intersection with the aforesaid 100 Year Floodplain Easement; thence running with said Floodplain Easement, the following two (2) courses and distances

31) North 08°53'28" East, 18.97 feet to a point; thence

32) North 76°29'49" West, 19.74 feet to a point at the intersection with the aforesaid Stream Buffer; thence running with said Stream Buffer, the following four (4) courses and distances

33) North 34°51'15" West, 9.88 feet to a point; thence

34) North 35°40'46" West, 32.56 feet to a point; thence

35) North 67°21'57" West, 41.74 feet to a point; thence

36) North 79°21'29" West, 16.61 feet to the place of beginning, containing a computed area of 42,634 square feet or 0.9788 of an acre of land.