

**COUNTY COUNCIL
OF
TALBOT COUNTY**

2012 Legislative Session, Legislative Day No.: April 10, 2012

Resolution No.: 194

Introduced by: Mr. Bartlett, Mr. Hollis, Mr. Pack, Ms. Price

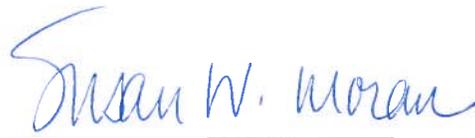
A RESOLUTION TO CONSIDER THE PETITION OF JEFFREY SMITH, STATION ROAD A/K/A CEDAR GROVE ROAD, ROYAL OAK, MARYLAND, TAX MAP 40A PARCEL 696, IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND

THE PETITION REQUESTS THAT TALBOT COUNTY FORMALLY DECLINE TO ACCEPT AN OUTSTANDING, UNACCEPTED OFFER OF DEDICATION IN AND TO A PORTION OF A CERTAIN PLATTED BUT UNIMPROVED PAPER STREET KNOWN AS PINE STREET

By the Council: April 10, 2012

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, May 8, 2012 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order:



Susan W. Moran, Secretary

A RESOLUTION TO CONSIDER THE PETITION OF JEFFREY SMITH, STATION ROAD A/K/A CEDAR GROVE ROAD, ROYAL OAK, MARYLAND, TAX MAP 40A PARCEL 696, IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND

THE PETITION REQUESTS THAT TALBOT COUNTY FORMALLY DECLINE TO ACCEPT AN OUTSTANDING, UNACCEPTED OFFER OF DEDICATION IN AND TO A PORTION OF A CERTAIN PLATTED BUT UNIMPROVED PAPER STREET KNOWN AS PINE STREET

WHEREAS, Jeffrey Smith, (the "Petitioner") the current owner of property located on Station Road a/k/a Cedar Grove Road, Royal Oak, Tax Map 40A, Parcel 696, Second Election District, Talbot County, Maryland (the "Property"), has petitioned the County to formally decline to accept an outstanding, unaccepted offer of dedication in and to a portion of a certain platted but unimproved paper street described in said Petition, which is incorporated by reference herein; and,

NOW, THEREFORE, be it resolved by the County Council of Talbot County, Maryland as follows:

Section 1. Upon introduction of this Resolution, a public hearing shall be scheduled, and the date, time, place, and purpose of the public hearing shall be advertised at Petitioners' expense once a week for three successive weeks in a newspaper of general circulation in the County in accordance with the requirements of Article 25A § 5 (B), Md. Ann. Code. The advertisement shall state the terms of any proposed disposition, the compensation, if any, to be received therefor, and shall give opportunity for objections thereto.

Section 2. The County shall conduct a public hearing, at which time the Petition will be open for receipt and consideration of public comment. Upon receipt and consideration of any recommendations from the Planning Commission and Public Works Advisory Board, and recommendations by the Talbot County Department of Public Works and the Talbot County Roads Department, conclusion of the public hearing(s), and closing of the record, the County Council will consider the merits of the Petition.

Section 3. This Petition pertains to the following described property or interest in property:

Pine Street, a platted and unimproved paper street subject to a heretofore unaccepted offer of dedication, (and the particular portion of said avenue that is the subject of this Petition) is shown on a certain plat entitled "PART OF THE LAND OF Florence C. Todd Surveyed For JAMES O. SIMMONS 2nd ELECT. DIST. TALBOT CO., MD.", prepared by J.R. McCrone, Jr., Inc., dated July, 1978, recorded among the Plat Records of Talbot County, Maryland at Plat Book 47, page 40, and attached hereto as Exhibit "A". With regard to Pine Street, the Todd/Simmons Plat refers to a plat entitled "MAP SHOWING REMAINDER OF E. P. HALL TRACT PURCHASED BY WALTER D. TODD & WIFE AT THE VILLAGE OF NEWCOMB TALBOT

COUNTY, MARYLAND”, prepared by Kastenhuber and Anderson Civil Engineers and Surveyors, dated July 1947, recorded among the Plat Records of Talbot County, Maryland at Plat Book 2, page 116, and attached hereto as Exhibit “B”. The portion of the said Pine Street that is the subject of this Petition is shown on a plat (currently under review by Talbot County) entitled “PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND”, prepared by Christopher Waters Professional Land Surveying, dated August 9, 2010, and attached hereto as Exhibit “C” and is more particularly described as follows:

BEGINNING at a point being on the westerly right of way line of Station Road being the southwest corner of the herein described paper street (Pine Street) and also being N 43°58'39" E a distance of 20.17' from an iron rod cap set which is the southwest corner of Lot 2A as shown on a plat prepared by Waters Professional Land Surveying, Inc., dated August 9, 2010, entitled “PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY MARYLAND”, THENCE, leaving the westerly right of way line of Station Road and running within Lot 2A, (1) N 46°00'27" W a distance of 266.86' to a point on the easterly property line of the lands of Lawrence Albright (deed 1069 / 647); THENCE, running with the easterly property line of the said Albright lands, (2) N 29°57'00" E a distance of 30.92' to a point; THENCE, leaving the easterly property line of the said Albright lands and running within Lot 2A, (3) S 46°00'27" E a distance of 274.36' to a point on the westerly right of way line of Station Road; THENCE, running with the westerly right of way line of Station Road, (4) S 43°58'39" W a distance of 30.00' to a point and the place of beginning.

CONTAINING an area of 0.186 Acres of land more or less.

Section 4. The County finds that there would be no public purpose served by construction, operation or maintenance of a public road or alley at this location and hereby declines to accept the offer of dedication of the above-described portion of Pine Street. These findings and disposition are subject to the following conditions:

- (a) There are no drainage facilities or public utilities located in, upon, under, or through the above-described portion of Pine Street;
- (b) The Petitioner has granted or will grant a perpetual easement to the County, in form and content acceptable to the County, for drainage and utility easements adjacent to all public roads and roadways abutting, in, upon, or through the Property, as necessary to serve the Property or other properties in the area, if any;
- (c) The Petitioner shall prepare all deeds, surveys, plats, or other documents in a form satisfactory to the County, and pay the cost thereof, including without limitation all duplication and other costs associated with all instruments prepared pursuant to this Resolution;

(d) The Petitioner shall execute a “*Release, Waiver, and Indemnification*”.

Section 5. The President of the County Council is authorized to execute a Quitclaim Deed, consistent with the terms of this Resolution, in form and content acceptable to the county attorney, to be recorded at the Petitioner’s expense among the land records of Talbot County, Maryland.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 194 having been published, a public hearing was held on Tuesday, May 8, 2012 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: May 8, 2012

By Order:



Susan W. Moran, Secretary

Pack - Aye

Hollis - Aye

Bartlett - Aye

Price - Aye

Duncan - Aye

COPY

2017 JUN 18 11:01 AM
TALBOT COUNTY CLERK
RECORDS & DEEDS
400 N. WASHINGTON STREET
EASTON, MARYLAND 21601
TEL: 410-326-1234
FAX: 410-326-1235
WWW.TALBOTCOUNTYMD.GOV

QUITCLAIM DEED

THIS QUITCLAIM DEED, dated the 18 of JUNE 2017, from Talbot County, Maryland, a charter County and political subdivision of the State of Maryland, Grantor, to Jeffrey Smith, Grantee.

The Grantor, for no monetary consideration, grants, conveys, releases, assigns and quitclaims to the Grantee, his heirs, personal representatives and assigns, all of the Grantor's right, title, interest and estate in a certain lot of ground described as follows:

Pine Street, a platted and unimproved paper street subject to a heretofore unaccepted offer of dedication, (and the particular portion of said avenue that is described below) is shown on a certain plat entitled "PART OF THE LAND OF Florence C. Todd Surveyed For JAMES O. SIMMONS 2nd ELECT. DIST. TALBOT CO., MD.", prepared by J.R. McCrone, Jr., Inc., dated July, 1978, and recorded among the Plat Records of Talbot County, Maryland at Plat Book 47, page 40. With regard to Pine Street, the Todd/Simmons Plat refers to a plat entitled "MAP SHOWING REMAINDER OF E. P. HALL TRACT PURCHASED BY WALTER D. TODD & WIFE AT THE VILLAGE OF NEWCOMB TALBOT COUNTY, MARYLAND", prepared by Kastenhuber and Anderson Civil Engineers and Surveyors, dated July 1947, and recorded among the Plat Records of Talbot County, Maryland at Plat Book 2, page 116. The portion of the said Pine Street that is the subject of this instrument is shown on a plat entitled "PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND", prepared by Christopher Waters Professional Land Surveying, dated August 9, 2010, attached hereto as Exhibit "A" and incorporated by reference herein; said portion of Pine Street being more particularly described as follows:

BEGINNING at a point being on the westerly right of way line of Station Road being the southwest corner of the herein described paper street (Pine Street) and also being N 43°58'39" E a distance of 20.17' from an iron rod cap set which is the southwest corner of Lot 2A as shown on a plat prepared by Waters Professional Land Surveying, Inc., dated August 9, 2010, entitled "PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY MARYLAND", THENCE, leaving the westerly right of way line of Station Road and running within Lot 2A, (1) N 46°00'27" W a distance of 266.86' to a point on the easterly property line of the lands of Lawrence Albright (deed 1069 / 647); THENCE, running with the easterly property line of the said Albright lands, (2) N 29°57'00" E a distance of 30.92' to a point; THENCE, leaving the easterly property line of the said Albright lands and running within Lot 2A, (3) S 46°00'27" E a distance of 274.36' to a point on the westerly right of way line of Station Road; THENCE, running with the westerly right of way line of Station Road, (4) S 43°58'39" W a distance of 30.00' to a point and the place of beginning.

CONTAINING an area of 0.186 Acres of land more or less.

CERTIFICATION IS MADE THAT ALL TAXES DUE ON THE PROPERTY INDICATED IN THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY
John C. Craig Fin. Officer

DATE 6/21/2017

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED HEREIN HAS BEEN TRANSFERRED ON THE ASSESSMENT RECORDS OF TALBOT COUNTY.

DAVID H. EWING
SUPERVISOR OF ASSESSMENTS
John C. Craig Fin. Officer
PER 6/21/2017

Ewing, Dietz, Fountain + Kahoe, Inc. S. Washington Street, Easton, MD 21601

Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto. Subject to, however, any rights of access of adjoining property owners over any of said unimproved alley or way.

WITNESS the hand and seal of the Grantor.

ATTEST:

Talbot County, Maryland

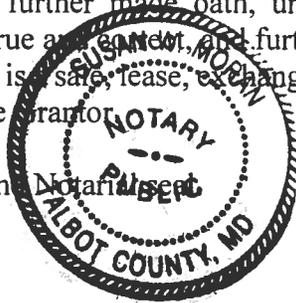
Susan W. Moran
, Secretary

By: [Signature]
President, Talbot County Council

STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, That on this 18th day of May, 2012, before me, the subscriber, a Notary Public of the State of Maryland, County of Talbot, personally appeared Corey W. Pack who acknowledged himself to be the President of the Talbot County Council of Talbot County, Maryland, a Maryland political subdivision, and that he as such President, being authorized so to do, acknowledged that he executed the foregoing instrument for the purposes therein contained, by signing the name of Talbot County by himself as President of the Talbot County Council, and further made oath, under the penalties of perjury, that the consideration as recited herein is true and correct, and further certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the grantor.

AS WITNESS my hands and



Susan W. Moran
Notary Public

My commission expires:

RELEASE, WAIVER AND INDEMNIFICATION AGREEMENT

Grantee, on behalf of himself, his personal representatives, heirs, successors and assigns, hereby agrees to indemnify, defend, and hold Talbot County, Maryland, harmless from and against any and all claims, actions, demands, damages, liabilities, losses, expenses, suits, costs, or judgments of every kind, nature, or description whatsoever arising from or related to Resolution No. 194, declining to accept an offer of dedication for a public street or declining to improve or otherwise make the subject paper street available for public use. Grantee's obligation to indemnify and defend shall include Talbot County, Maryland, its elected and appointed officials, officers, boards, commissions, agencies, department heads, employees, servants, and agents and shall run with and bind the land, and shall be binding upon the Grantee, his personal representatives, heirs, successors and assigns, in perpetuity.

WITNESS:

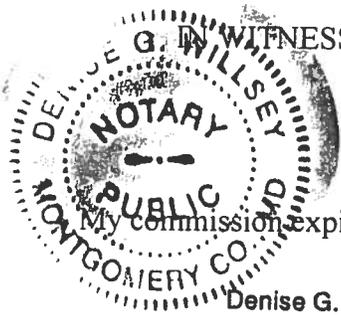
Denise Willsey

Jeffrey Smith (SEAL)
Jeffrey Smith

STATE OF MARYLAND, COUNTY OF MONTGOMERY TO WIT:

I HEREBY CERTIFY, on this 18th day of JUNE 2012 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared JEFFREY SMITH, known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.



My commission expires: 9.12.2013

Denise G. Willsey
Notary Public

Denise G. Willsey
NOTARY PUBLIC
Montgomery County, Maryland
My Commission Expires 9/12/2013

CERTIFICATION

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

Patrick J. Fitzgerald
Patrick J. Fitzgerald, Attorney at Law



COUNTY COUNCIL OF TALBOT COUNTY

COURT HOUSE
11 N. WASHINGTON STREET
EASTON, MARYLAND 21601-3178
PHONE: 410-770-8001
FAX: 410-770-8007
TTY: 410-822-8735
www.talbotcountymd.gov

COREY W. PACK, President
R. ANDREW HOLLIS, Vice President

DIRCK K. BARTLETT
THOMAS G. DUNCAN
LAURA E. PRICE

May 22, 2012

I, Susan W. Moran, the appointed, qualified and acting Secretary to the County Council of Talbot County, Maryland hereby certify the attached copy of:

Resolution No. 194, A RESOLUTION TO CONSIDER THE PETITION OF JEFFREY SMITH, STATION ROAD A/K/A CEDAR GROVE ROAD, ROYAL OAK, MARYLAND, TAX MAP 40A PARCEL 696, IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND - THE PETITION REQUESTS THAT TALBOT COUNTY FORMALLY DECLINE TO ACCEPT AN OUTSTANDING, UNACCEPTED OFFER OF DEDICATION IN AND TO A PORTION OF A CERTAIN PLATTED BUT UNIMPROVED PAPER STREET KNOWN AS PINE STREET, a true and correct copy as enacted by the Talbot County Council on Tuesday, May 8, 2012.


Susan W. Moran, Secretary



COUNTY COUNCIL

OF

TALBOT COUNTY

2012 Legislative Session, Legislative Day No.: April 10, 2012

Resolution No.: 194

Introduced by: Mr. Bartlett, Mr. Hollis, Mr. Pack, Ms. Price

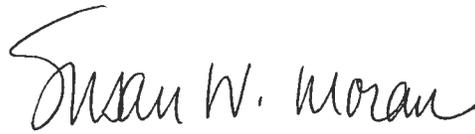
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By order:



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WHEREAS, Jeffrey Smith, (the "Petitioner") the current owner of property located on Station Road a/k/a Cedar Grove Road, Royal Oak, Tax Map 40A, Parcel 696, Second Election District, Talbot County, Maryland (the "Property"), has petitioned the County to formally decline to accept an outstanding, unaccepted offer of dedication in and to a portion of a certain platted but unimproved paper street described in said Petition, which is incorporated by reference herein; and,

NOW, THEREFORE, be it resolved by the County Council of Talbot County, Maryland as follows:

Section 1. Upon introduction of this Resolution, a public hearing shall be scheduled, and the date, time, place, and purpose of the public hearing shall be advertised at Petitioners' expense once a week for three successive weeks in a newspaper of general circulation in the County in accordance with the requirements of Article 25A § 5 (B), Md. Ann. Code. The advertisement shall state the terms of any proposed disposition, the compensation, if any, to be received therefor, and shall give opportunity for objections thereto.

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CONTAINING an area of 0.186 Acres of land more or less.

Section 4. The County finds that there would be no public purpose served by construction, operation or maintenance of a public road or alley at this location and hereby declines to accept the offer of dedication of the above-described portion of Pine Street. These findings and disposition are subject to the following conditions:

- (a) There are no drainage facilities or public utilities located in, upon, under, or through the above-described portion of Pine Street;
- (b) The Petitioner has granted or will grant a perpetual easement to the County, in form and content acceptable to the County, for drainage and utility easements adjacent to all public roads and roadways abutting, in, upon, or through the Property, as necessary to serve the Property or other properties in the area, if any;
- (c) The Petitioner shall prepare all deeds, surveys, plats, or other documents in a form satisfactory to the County, and pay the cost thereof, including without limitation all duplication and other costs associated with all instruments prepared pursuant to this Resolution;

(d) The Petitioner shall execute a “*Release, Waiver, and Indemnification*”.

Section 5. The President of the County Council is authorized to execute a Quitclaim Deed, consistent with the terms of this Resolution, in form and content acceptable to the county attorney, to be recorded at the Petitioner’s expense among the land records of Talbot County, Maryland.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

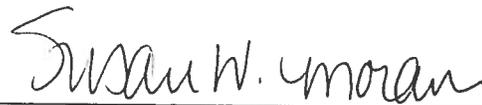
Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 194 having been published, a public hearing was held on Tuesday, May 8, 2012 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: May 8, 2012

By Order:



Susan W. Moran, Secretary

Pack - Aye

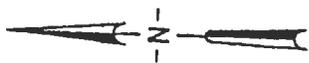
Hollis - Aye

Bartlett - Aye

Price - Aye

Duncan - Aye

06/24



ZONING CLASSIFICATION: "V-2" VILLAGE ZONE
 MINIMUM LOT SIZE: 20,000 SQUARE FEET
 THE PRESENT OWNER OF THE LAND OF WHICH THIS SUBDIVISION IS COMPRISED IS
 FLORENCE C. TODD, 1007 BRADY JR. ROAD, BRAYTON 21662. THIS PLAN WAS PREPARED FOR
 AND WILL BE RECORDED AT HER REQUEST.

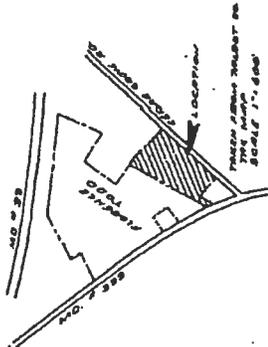
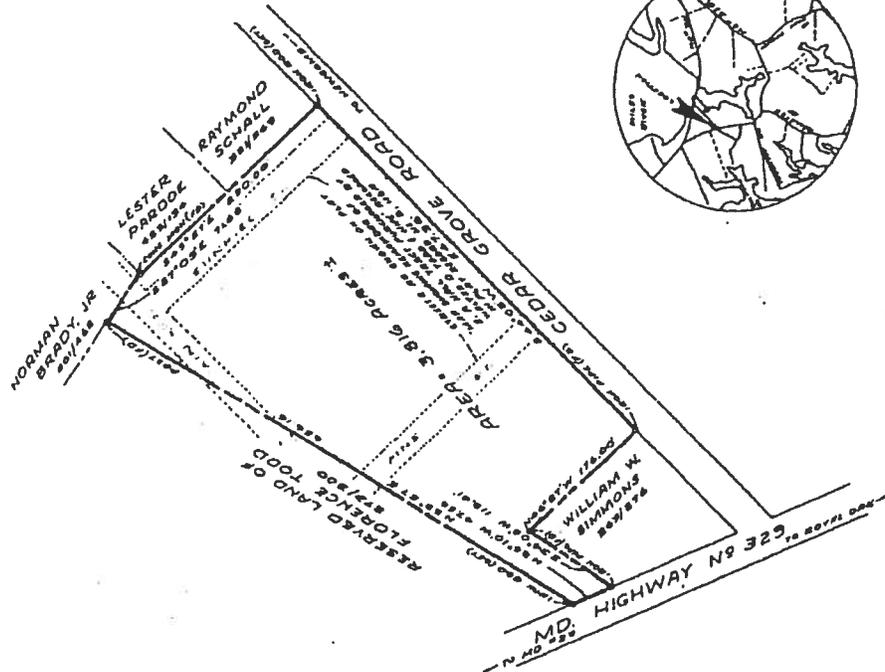
DATE: 17 July 1976
 DATE: _____
 FLORENCE C. TODD
 TRUSTEE, BRAYTON 21667

I, FLORENCE C. TODD, OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON,
 HEREBY ADAPT THIS PLAN OF SUBDIVISION.
 DATE: 9/4/76

THE LOT AS SHOWN IS APPROVED FOR INTRUDER WATER AND SEWERAGE SYSTEMS AND
 THE PLAN IS IN ACCORDANCE WITH THE COUNTY COMPREHENSIVE WATER AND
 SEWERAGE PLAN. THE APPLICANT OR ANY FUTURE OWNER MUST DISCLOSED THE USE
 OF THESE INTRUDER SYSTEMS AND CONNECT TO THE COMMUNITY SYSTEMS WHEN
 SUCH BECOME AVAILABLE.
 DATE: 9-28-77

DATE: 9-6-78
 DATE: 9-6-78
 DATE: 9-6-78

COMMISSIONER OFFICE
 DATE: _____
 COUNTY ENGINEER
 COUNTY ENGINEER



Scale 1"=100'	Part of the Land of	Sheet No.
Prepared by	Florence C. Todd	1 of 1
Drawn by	Surveyed For	
Checked by	JAMES O. SIMMONS	
Approved by	2 ND ELECT. DIST. TALBOT CO., MD.	



J. B. McCann, Jr., Inc.
 REGISTERED PROFESSIONAL ENGINEERS
 AND LAND SURVEYORS

DATE	REVISION



LAND OWNER STATEMENT:

I, the undersigned, being the owner of the above described land, do hereby certify that the facts stated herein are true and correct to the best of my knowledge and belief.

DATE: _____
 BY: _____
 TITLE: _____

PREPARED BY:

DATE: _____
 BY: _____
 TITLE: _____

APPROVED BY:

DATE: _____
 BY: _____
 TITLE: _____

NOTICE OF PUBLIC HEARING:

Notice is hereby given that the undersigned has received from the Planning and Zoning Commission of Talbot County, Georgia, a resolution of approval for the subdivision of land in the above described area into lots as shown on the attached plat. The Commission's resolution is based on the following findings:

U.S. FISH AND WILDLIFE REVIEW:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

CLEARING AND BLDG STATEMENT:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

CRITICAL AREA, 57A REGULATORY:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

ADDITIONAL REGULATORY, 57A REGULATORY:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

DRAINAGE AND UTILTY EASEMENTS:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

ADDITIONAL NOTE:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

TREE CUTTING & CLEARING NOTE:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

A GOOD ZONE INFORMATION:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

ADDITIONAL NOTE:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

DEVELOPMENT RIGHTS STATEMENT:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

ENVIRONMENTAL NOTE:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

GENERAL NOTES:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

GENERAL NOTES:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

GENERAL NOTES:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

WATER AND SEWER:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

TALBOT COUNTY OFFICE OF PLANNING AND ZONING:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

STUDY AND PLAN DEVELOPMENT:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

TALBOT COUNTY:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

AREA CALCULATIONS LOT 2A:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

AREA CALCULATIONS LOT 2B:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2A:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2B:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2C:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2D:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2E:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2F:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2G:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2H:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2I:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2J:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2K:

The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.

LOT 2L:

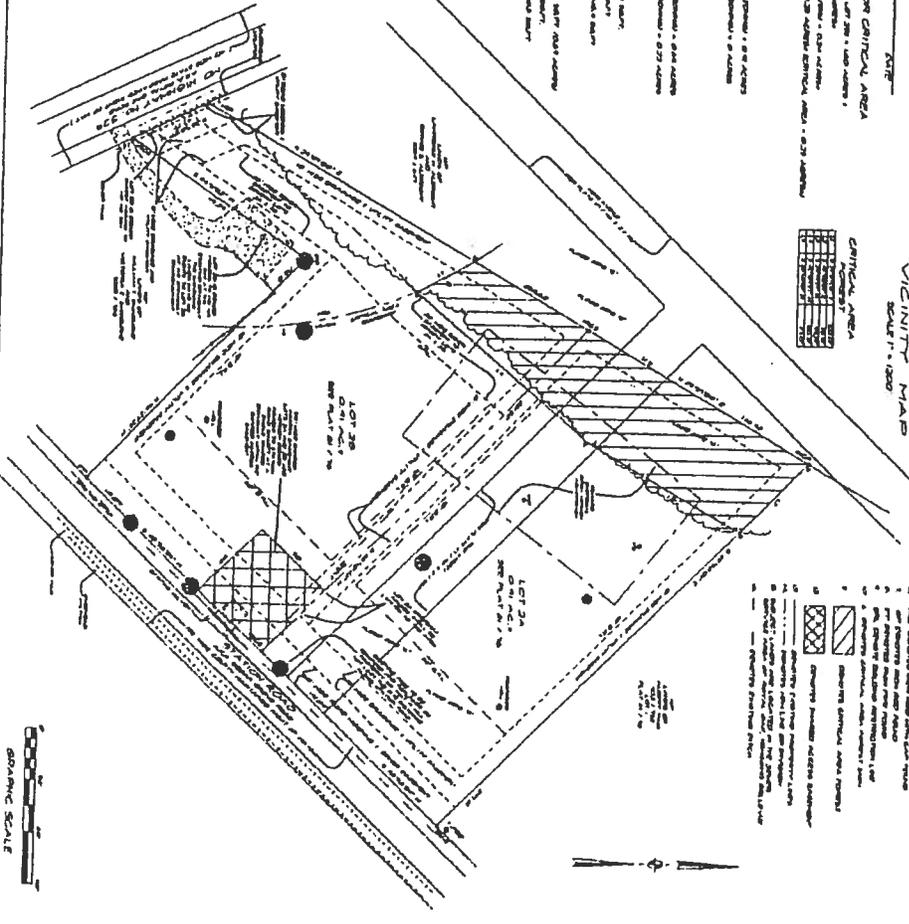
The proposed subdivision does not affect any wetlands or other areas of special concern under the provisions of the Federal Water Pollution Control Act, the Federal Duck Stamp Act, the Migratory Bird Conservation Act, the Wetlands Conservation Act, or the Wetlands of the World Act.



VICINITY MAP
SCALE 1" = 100'

CRITICAL AREA

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49	CRITICAL AREA
50	CRITICAL AREA



PLAT SHOWING SUBDIVISION
 LOTS 2A & 2B
 ON THE LANDS OF
 JEFFREY SMITH
 TAX MAP 40A PARCEL 096
 SECOND ELECTION DISTRICT TALBOT COUNTY, GEORGIA

WATERS
 Professional Land Surveying

7810 Emerald-Century Road
 Columbia, MD 21045
 (410) 871-2323
 www.watersurveying.com
 Surveying, Site Plan
 Boundary, Construction, Landmark, Boundary
 Location, Survey, Subdivision,
 and other land surveying

APPROVED BY: _____
 TALENT COUNTY COMMISSIONER

LIBER 1994 FOLIO 507

BEFORE THE COUNTY COUNCIL FOR TALBOT COUNTY, MARYLAND

IN THE MATTER OF

THE PETITION OF
JEFFREY SMITH

* Station Road aka Cedar Grove Road
* Royal Oak, Maryland
* Tax Map 40A, Parcel 696,
* Second Election District,
* Talbot County, Maryland

PETITION OF JEFFREY SMITH REQUESTING TALBOT COUNTY COUNCIL TO
DECLINE UNACCEPTED OFFER OF DEDICATION OF PAPER STREET

1. The undersigned, Jeffrey Smith, (the "Petitioner"), by and through Patrick J. Fitzgerald and Ewing, Dietz, Fountain & Kehoe, P.A., his Attorneys, petitions the County Council of Talbot County, Maryland to formally decline to accept an outstanding, unaccepted offer of dedication in and to a portion of a certain platted but unimproved paper street known as Pine Street.
2. Petitioner is the owner of property located on Station Road a.k.a. Cedar Grove Road, Royal Oak, Tax Map 40A, Parcel 696, Second Election District, Talbot county, Maryland and shown on a Plat (currently under review by Talbot County) entitled "PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND", prepared by Christopher Waters Professional Land Surveying, dated August 9, 2010, and attached hereto as Exhibit "A".
3. Pine Street, a platted and unimproved paper street subject to a heretofore unaccepted offer of dedication, (and the particular portion of said avenue that is the subject of this Petition) is shown on a certain plat entitled "PART OF THE LAND OF Florence C. Todd Surveyed For JAMES O. SIMMONS 2nd ELECT. DIST. TALBOT CO., MD.", prepared by J.R. McCrone,

Jr., Inc., dated July, 1978, recorded among the Plat Records of Talbot County, Maryland at Plat Book 47, page 40, and attached hereto as Exhibit "B". With regard to Pine Street, the Todd/Simmons Plat refers to a plat entitled "MAP SHOWING REMAINDER OF E. P. HALL TRACT PURCHASED BY WALTER D. TODD & WIFE AT THE VILLAGE OF NEWCOMB TALBOT COUNTY, MARYLAND", prepared by Kastenhuber and Anderson Civil Engineers and Surveyors, dated July 1947, recorded among the Plat Records of Talbot County, Maryland at Plat Book 2, page 116, and attached hereto as Exhibit "C". The portion of the said Pine Street that is the subject of this Petition is shown on Exhibit "A" identified hereinabove and is more particularly described as follows:

BEGINNING at a point being on the westerly right of way line of Station Road being the southwest corner of the herein described paper street (Pine Street) and also being N 43°58'39" E a distance of 20.17' from an iron rod cap set which is the southwest corner of Lot 2A as shown on a plat prepared by Waters Professional Land Surveying, Inc., dated August 9, 2010, entitled "PLAT SHOWING SUBDIVISION LOTS 2A & 2B ON THE LANDS OF JEFFREY SMITH TAX MAP 40A PARCEL 696 SECOND ELECTION DISTRICT TALBOT COUNTY MARYLAND", THENCE, leaving the westerly right of way line of Station Road and running within Lot 2A, (1) N 46°00'27" W a distance of 266.86' to a point on the easterly property line of the lands of Lawrence Albright (deed 1069 / 647); THENCE, running with the easterly property line of the said Albright lands, (2) N 29°57'00" E a distance of 30.92' to a point; THENCE, leaving the easterly property line of the said Albright lands and running within Lot 2A, (3) S 46°00'27" E a distance of 274.36' to a point on the westerly right of way line of Station Road; THENCE, running with the westerly right of way line of Station Road, (4) S 43°58'39" W a distance of 30.00' to a point and the place of beginning.

CONTAINING an area of 0.186 Acres of land more or less.

4. Petitioner avers that the paper street known as Pine Street is unimproved, that it does not now nor has it ever served the public or the owners in the subdivision where the same is located.

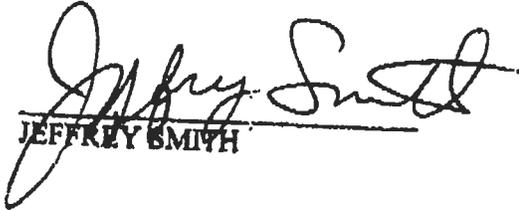
5. Petitioner avers that there would be no public purpose served by construction, operation or maintenance of a public road, alley, or thoroughfare at this location and it would be in the County's interest to formally decline to accept any outstanding offer of dedication concerning the above-described portion of Pine Street.

6. Pursuant to the requirements of Article 25A § 5 (B), Md. Ann. Code, Petitioner agrees to pay for and otherwise assure publication of an advertisement once a week for three successive weeks in one or more newspapers of general circulation published in Talbot County, Maryland, stating the terms of the proposed disposition, stating the compensation, if any, to be received by the County therefor, and giving opportunity for objections thereto. A copy of the proposed Notice to be published is appended hereto and made a part hereof.

7. In the event this Petition is granted, Petitioner, for himself and for his successors-in-interest or title to the Property, agrees to indemnify and hold the County harmless to the maximum extent permitted by law from any and all liabilities, damages, expenses, suits, actions, causes of action, demands, or judgments (collectively "Claim" or "Claims"), including payment of reasonable attorneys' fees, costs of defense, and investigation of any such Claim or Claims arising from or relating in any way from any decision to formally decline to accept the outstanding offer of dedication of the above-described portion of Pine Street. This indemnification and hold harmless agreement shall include, without limitation, the County's elected and appointed officials, directors, employees, agents, successors, assigns, and representatives.

WHEREAS, your Petitioner requests the County Council of Talbot County to formally determine and decide to decline to accept the outstanding offer of dedication concerning the

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING PETITION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.


JEFFREY SMITH

Counsel:


Patrick J. Fitzgerald
Ewing, Dietz, Fountain & Kehoe, PA
16 South Washington St
Easton, Maryland 21601
(410) 822-1988

LAND OWNER STATEMENT:

I, the undersigned, being the owner of the above described property, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief.

DATE: _____
 BY: _____

STATEMENT:

I, the undersigned, being the owner of the above described property, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief.

DATE: _____
 BY: _____

NOTICE OF PUBLIC HEARING:

Notice is hereby given that the following proposed subdivision is being submitted to the Planning and Zoning Commission for their consideration and approval.

U.S. FISH AND WILDLIFE REVIEW:

This subdivision is being submitted for review to the U.S. Fish and Wildlife Service under the provisions of the National Wetlands Act.

CLEARING AND SOIL STATEMENT:

This subdivision is being submitted for review to the U.S. Department of Agriculture under the provisions of the National Forest Management Act.

CRITICAL AREA STATEMENT:

This subdivision is being submitted for review to the U.S. Environmental Protection Agency under the provisions of the National Sanitation Act.

DEVELOPER AND TITLE INSURANCE:

This subdivision is being submitted for review to the U.S. Department of Justice under the provisions of the National Housing Act.

THREE CLIPPING / CLEARING NOTE:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

GOOD FIDELITY INFORMATION:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

DEVELOPER RIGHTS SUMMARY:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

PLAT AND SPLIT:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

DATE: _____
 BY: _____

TOTAL COVER CALCULATIONS:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

FOREST COVER CALCULATIONS FOR CRITICAL AREA:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

AREA CALCULATIONS LOT 2A:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

AREA CALCULATIONS LOT 2B:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

LOT COVER LOT 2A:

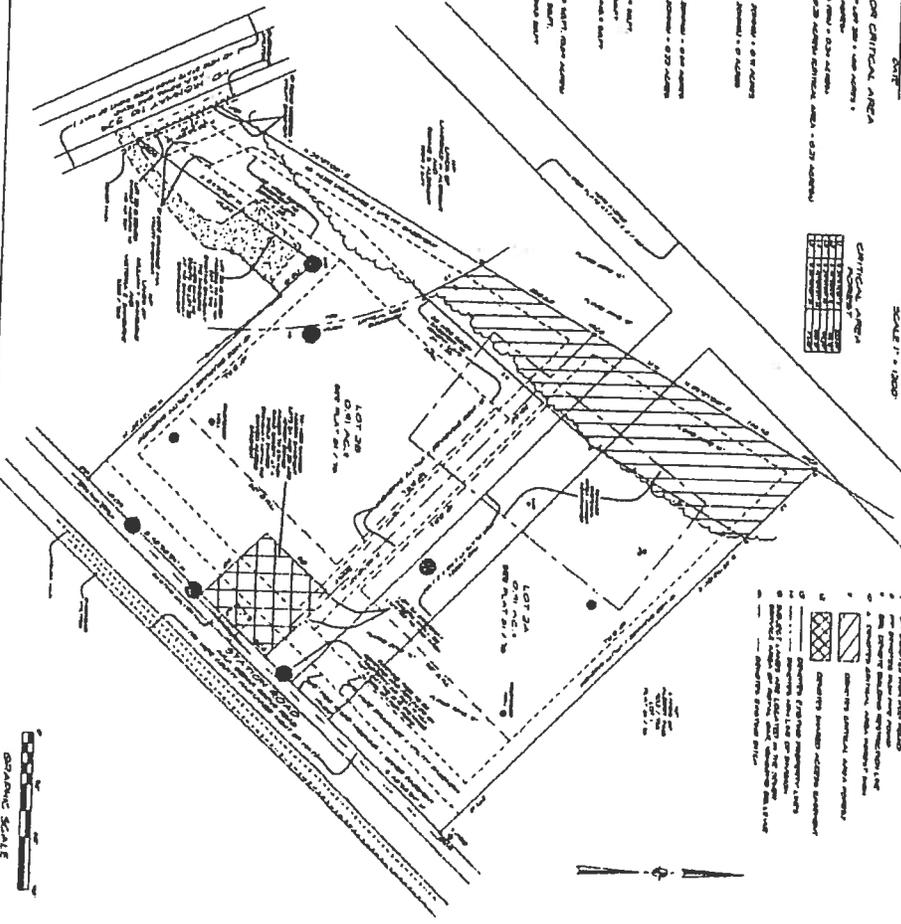
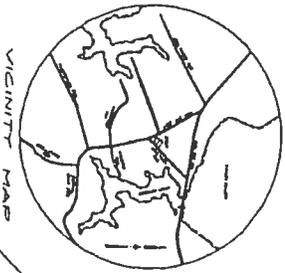
This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

LOT COVER LOT 2B:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.

ENVIRONMENTAL NOTE:

This subdivision is being submitted for review to the U.S. Department of the Interior under the provisions of the National Antiquities Act.



CRITICAL AREA	CRITICAL AREA	CRITICAL AREA
CRITICAL AREA	CRITICAL AREA	CRITICAL AREA
CRITICAL AREA	CRITICAL AREA	CRITICAL AREA

- GENERAL NOTES:**
1. THIS PLAT IS SUBJECT TO ALL APPLICABLE ZONING REGULATIONS AND ORDINANCES.
 2. THE SUBDIVISION IS BEING SUBMITTED FOR REVIEW TO THE U.S. DEPARTMENT OF THE INTERIOR UNDER THE PROVISIONS OF THE NATIONAL ANTIQUITIES ACT.
 3. THE SUBDIVISION IS BEING SUBMITTED FOR REVIEW TO THE U.S. DEPARTMENT OF THE INTERIOR UNDER THE PROVISIONS OF THE NATIONAL ANTIQUITIES ACT.
 4. THE SUBDIVISION IS BEING SUBMITTED FOR REVIEW TO THE U.S. DEPARTMENT OF THE INTERIOR UNDER THE PROVISIONS OF THE NATIONAL ANTIQUITIES ACT.
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PLAT SHOWING SUBDIVISION
 LOTS 2A & 2B
 ON THE LANDS OF
 JEFFREY SMITH
 TAX MAP 40A PARCEL 696
 WECOS BURTON DISTRICT TALBOT COUNTY MARYLAND

WATERS
 Professional Land Surveying

29418 Dulles-Corson Road
 Fairfax, VA 22031
 (703) 271-1229
 www.watersurveying.com

NO.	DATE	DESCRIPTION
1	11/11/03	PRELIMINARY PLAT
2	11/11/03	FINAL PLAT
3	11/11/03	REVISION
4	11/11/03	REVISION
5	11/11/03	REVISION

C

