

PAR ID  
02-03282935

Department of Environmental  
Protection  
101 Monroe St.  
Rockville, MD 20850

**GRANT OF STORMWATER  
MANAGEMENT EASEMENT  
AND  
RIGHT OF WAY  
TO  
MONTGOMERY COUNTY, MARYLAND**

Made this 5<sup>th</sup> day of April, 2002, by and between TERRABROOK CLARKSBURG, L.L.C., a Delaware limited liability company, Grantor, and MONTGOMERY COUNTY, MARYLAND, hereinafter referred to as the County.

**WITNESSETH:** That in consideration of the sum of One Dollar (\$1.00) paid by the County, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to the County, its successors and assigns, a Stormwater Management Easement and Right of Way described as follows:

**SEE SCHEDULE A**

**TO HAVE AND TO HOLD** said easement and right of way together with the rights and privileges pertinent to their proper use and benefits forever by the County, its successors and assigns.

**AND** the Grantor, for himself, his heirs and assigns, covenant and agree with the County, its successors and assigns, as follows:

**FIRST:** That the Grantor will never erect nor permit to be erected any building or structure of any nature whatsoever, nor fill or excavate, nor plant trees within said easement and right of way without the County's written consent;

**SECOND:** That the County, its successors and assigns, shall at all times have a right to enter said easement and right of way for the purpose of installing, constructing, reconstructing, modifying, altering, maintaining, repairing, operating, monitoring and inspecting the stormwater management facility within said easement and right of way, the right of entry to be along the line herein designated and along such other lines as the Grantor may designate; and

**THIRD:** The maintenance of the facility shall be in accordance with the maintenance covenant for this facility; and

**FOURTH:** That the Grantor will warrant specially said easement and right of way, and

shall execute such further assurances thereof as may be requisite.

**WITNESS:** (his) hand and seal, the day and year first hereinabove written.

WITNESS:

Terrabrook Clarksburg, L.L.C.,  
A Delaware limited liability company

By:

Witness: Jeanne Nelson By: Tracy Z. Graves

State of Virginia

: SS:

County of Loudoun

I HEREBY CERTIFY that on this 5<sup>th</sup> day of April, 2002, before the subscriber, a Notary Public of the State of Virginia, and for the County of Loudoun personally appeared Tracy Z. Graves, and did acknowledge the foregoing instrument to be his act.

IN TESTIMONY WHEREOF, I have affixed my official seal.

[Signature]  
Notary Public



My Commission expires 08/31/05

MONTGOMERY COUNTY  
DEPARTMENT OF PERMITTING SERVICES  
APPROVED FOR

SM EASEMENT  
SM 1-95042/204260

SC 203914

[Signature] 4/18/02  
Approved Date

**SCHEDULE 'A'**  
**DESCRIPTION OF**  
**STORM WATER MANAGEMENT EASEMENT**  
**ACROSS THE PROPERTY OF**  
**TERRABROOK CLARKSBURG, L.L.C.**  
**A DELAWARE LIMITED LIABILITY COMPANY**  
**CLARKSBURG (2<sup>ND</sup>) ELECTION DISTRICT**  
**MONTGOMERY COUNTY, MARYLAND**

**BEING** two strips or parcels of land hereinafter described as running in, through, over and across the property acquired by Terrabrook Clarksburg, L.L.C., a Delaware limited liability company from Clarksburg Land Associates LLLP., a Maryland limited liability limited partnership, and Piedmont Land Associates LLLP, a Maryland limited liability limited partnership by deed dated February 4, 2000 and recorded among the Land Records of Montgomery County, Maryland in Liber 17865 at Folio 495 and being more particularly described in the datum of the Maryland State Plane (NAD 83/91) as follows.

**PART ONE**

**BEGINNING** for the same at a point, distant, South 05°23'03" West, 96.78 feet from the easterly end of the northerly or North 40°02'55" East, 11.47 feet plat line as shown on a subdivision record plat entitled "Lots 1 through 28 and Parcels C and E, Block F, Clarksburg Town Center" to be recorded among the aforesaid land records, and running thence, in, through, over and across the property of the owners hereto the following six (6) courses and distances

1. South 41°10'00" East, 21.93 feet to a point, thence
2. South 47°49'23" West, 3.78 feet to a point, thence
3. 49.05 feet along the arc of a curve, deflecting to the right, having a radius of 1723.00 and a chord bearing and distance of South 48°38'19" West, 49.05 feet to a point, thence
4. North 41°13'39" West, 42.61 feet to a point, thence
5. North 48°35'35" East, 14.12 feet to a point, thence

SCHEDULE A  
DESCRIPTION OF A  
STORM WATER MANAGEMENT EASEMENT  
ACROSS THE PROPERTY OF  
TERRABROOK CLARKSBURG, L.L.C.  
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6. North 76°47'00" East, 43.87 feet to the point of beginning, containing 1,859 square feet or 0.0427 of an acre of land.

**PART TWO**

**BEGINNING** for the same at a point on the westerly or North 40°02'55" East, 614.65 feet right of way line of Murphy Grove Terrace, as shown on a subdivision record plat entitled "Lots 1 through 13 and Parcel B, Block D, Lots 1 through 29 and Parcel A, Block E, Clarksburg Town Center, and recorded among the aforesaid land records as Plat No. 21973, distant, 340.49 feet southerly from the northerly end thereof, and running thence reversely with and binding on said right of way line the following course and distance

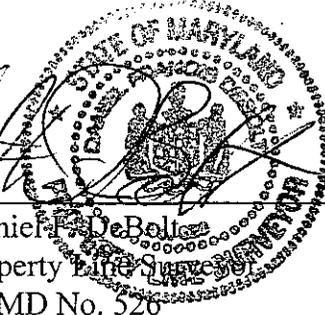
1. South 40°02'55" West, 62.00 feet to a point, running thence, in, through, over and across Parcel A, Block F as shown on a subdivision record plat entitled "Lots 29 through 53 & Parcels A and D, Block F and Lots 9 through 24 & Parcel A, Block O, Clarksburg Town Center", to be recorded among the aforesaid land records, the following three courses and distances
2. North 50°07'25" West, 51.00 feet to a point, thence
3. North 40°02'55" East, 62.00 feet to a point, thence
4. South 50°07'18" East, 51.00 feet to the point of beginning, containing 3,162 square feet or 0.0726 of an acre of land.

RECORD LEGAL DESC.:

L. 17865 F. 495

TAX ID No.:

02-03282935

  
  
Daniel F. DeBelle  
Reg. Property Life Surveyor  
MD No. 526

