

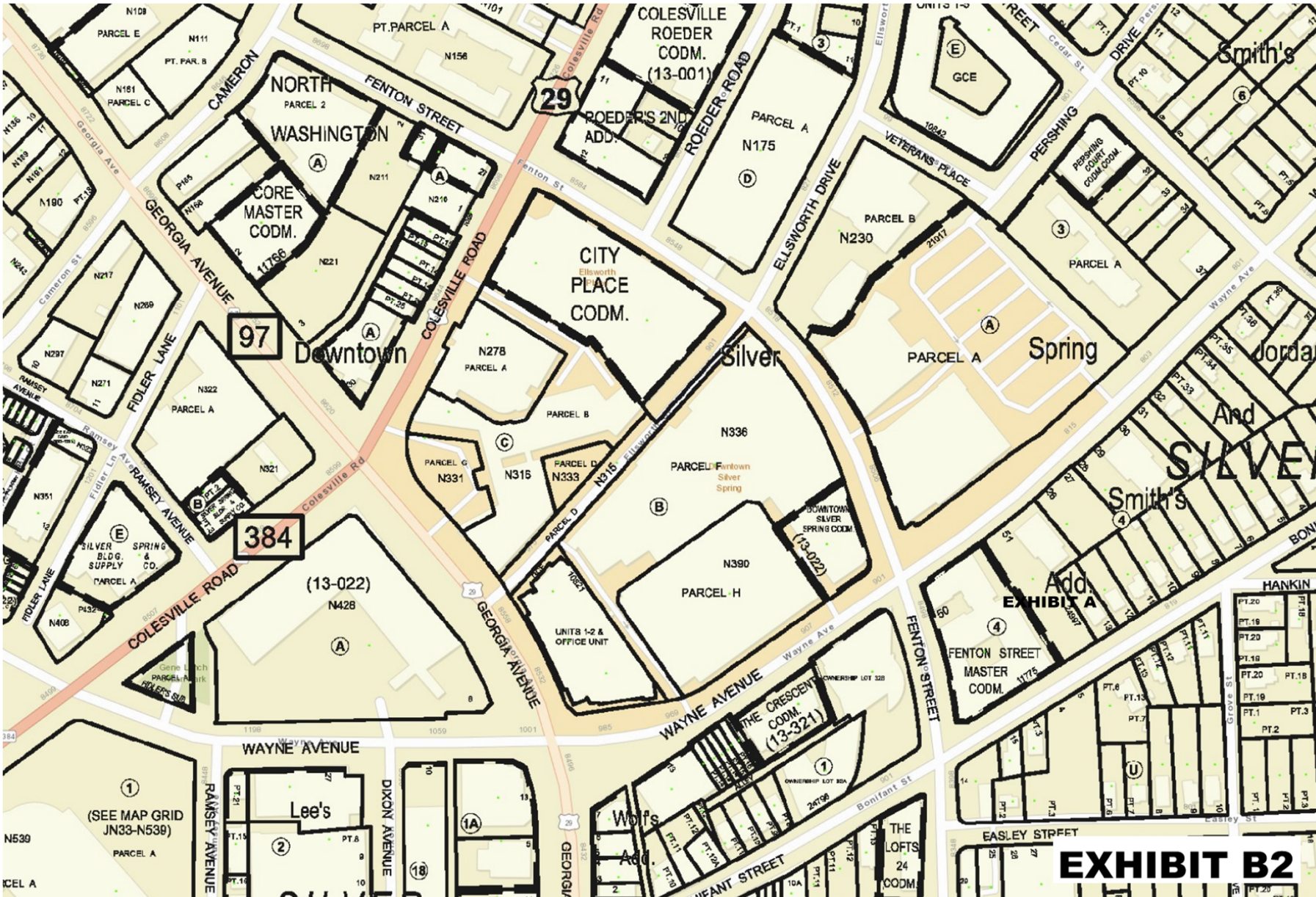
09.14.20

MCDOT Abandonment Hearing

Ellsworth Drive: Abandonment No. AB771

EXHIBIT B2

EXISTING TAX MAP





**ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS**
A/E/C MAINTENANCE, LLC
20251 CENTURY BOULEVARD, SUITE 400
GAPPAH/TONY, MANASSAS 20108
PHONE: (703) 556-4200
FAX: (703) 556-2242
GERMANTOWN, MD THUNDER, VA

PREPARED FOR:
PETERSON COMPANIES
12500 Fair Lakes Circle
Suite 400
FAIRFAX, VA 22033
(800) 631-7507
Paul S. Weissbrock

DESIGN CONSULTANTS

ARCHITECT
ECT
120 N. Charles St.
18th Floor
Baltimore, MD 21201
(410) 835-3727
Ted Cornsley

LANDSCAPE ARCHITECT
OCULUS
1811 Connecticut Avenue NW
3rd Floor
Washington, DC 20009
(202) 518-5454
Matthew Traucht

LIGHTING CONSULTANT
CM KLING + ASSOCIATES
3300 Cameron Street
Newark, VA 22056
(703) 684-6278
E-mail: Bill@cmkling.com

**ATTORNEY
DINOWS AND BLOCH**
7780 Whittier Circle, Apartment
Suite 303
Berthoud, CO 80514
(303) 854-8564

PLANNER, CIVIL ENGINEER
VIKA MARYLAND, LLC
28755 Century Boulevard
Suite 408
Greenbelt MD, 20774
(301) 566-4308
www.vika.com

[illegible]

PROFESSIONAL SEAL

**DOWNTOWN
SILVER SPRING**
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NPA01
TAX MAP: JN343

AREAS
TO BE
ABANDONED

DRAWN BY: _____
DESIGNED BY: _____
DATE ISSUED: _____
VBA
PROJECT
AGENCY
NO. 81999002
SP-3

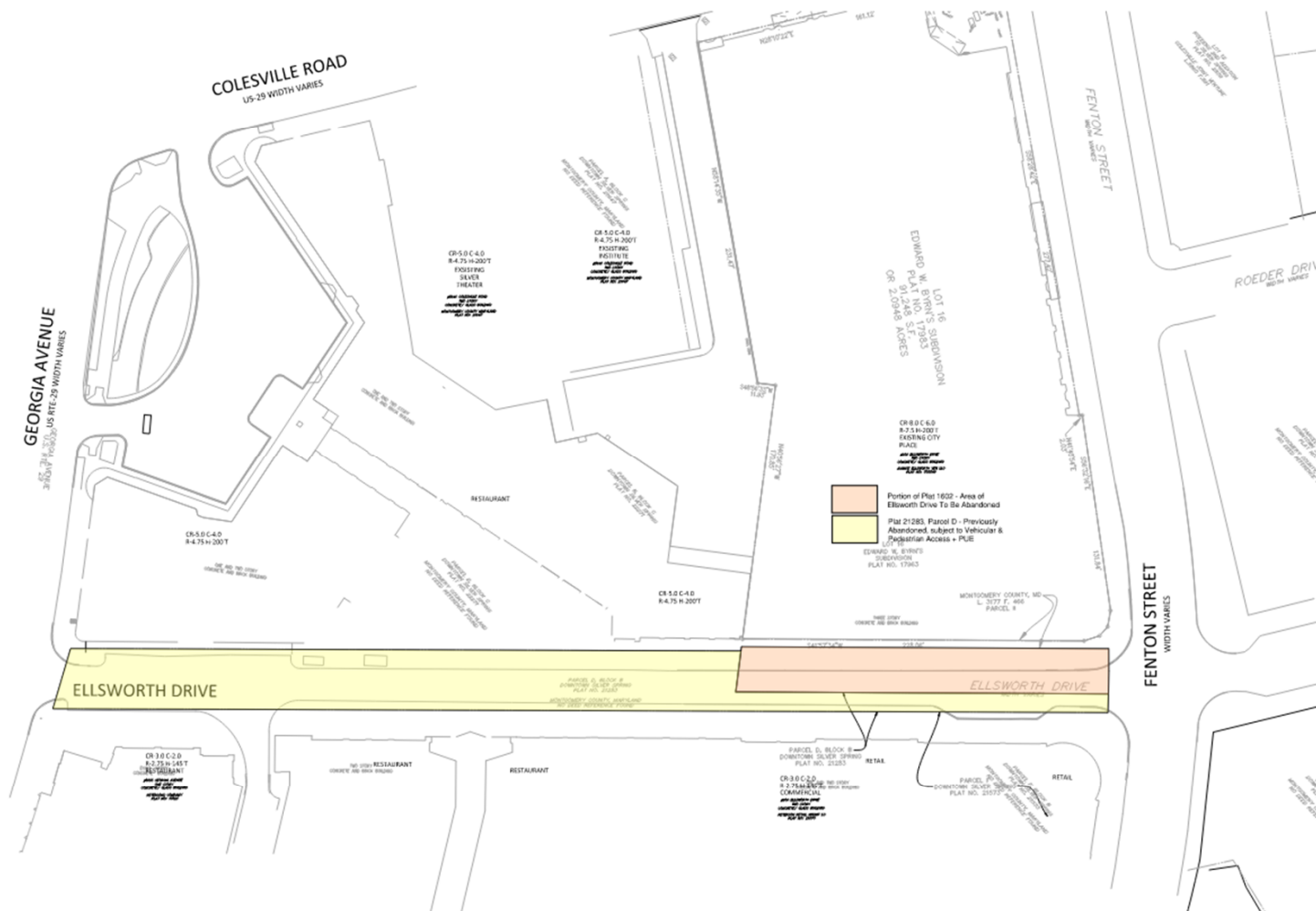


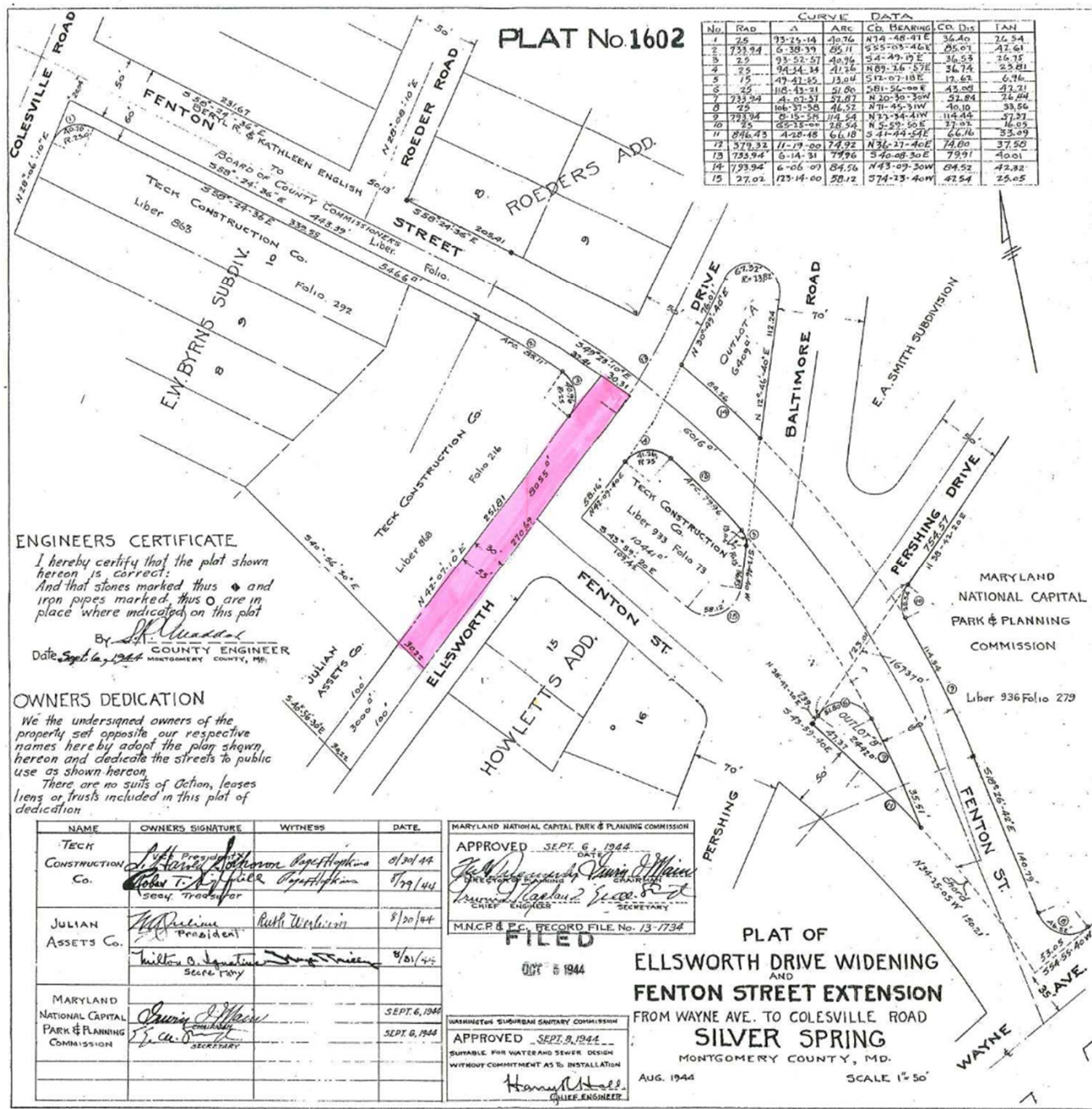
EXHIBIT C

AREAS TO BE ABANDONED

EXHIBIT F

PLAT NO 1602

PLAT OF ELLSWORTH DRIVE WIDENING



marked -
Dated: *June 10, 1964* *Rebelle not 2-00-64*

3177 406
Recorded Jan. 16th, 1964-at-10:40 A. M.

DEED

THIS DEED made this *1st* day of *October*, in the year 1963, by and between THE H. K. S. CORPORATION, GRANTOR, and MONTGOMERY COUNTY, MARYLAND, GRANTEE, hereinafter called the COUNTY,

WITNESSETH:

That in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the said GRANTOR does grant and convey unto the said COUNTY, a body corporate, its successors and assigns, in fee simple, all that piece or parcel of ground situate and lying in Montgomery County, Maryland, and being more particularly described as follows:

PARCEL I

Being a part of Lot #1 in a subdivision entitled "H. K. S. Subdivision," recorded in Plat Book 51 at Plat 4018, among the Land Records of Montgomery County, Maryland. Being also parts of the following three land conveyances; Teck Construction Company a corporation existing under the laws of the State of Delaware to H. K. S. Corporation also of Delaware in a deed made July 14, 1947, and recorded in Liber 1090 at Folio 140; The Hecht Company Inc. to H. K. S. the aforementioned corporation from Delaware in a deed dated July 14, 1947 and recorded in Liber 1090 at Folio 141; and the Hecht Company Inc. to H. K. S. the aforesaid Delaware Corporation in a deed made Oct. 29, 1947, and recorded in Liber 1115 at Folio 161, all three deeds being recorded among the Land Records of Montgomery County, Maryland. Said part of Lot #1 being more particularly described as follows:

Beginning for the same at a point, said point being the southwest corner of aforesaid Lot #1 recorded in Plat Book 51 at Plat 4018, and also being the beginning of said 1st line in the previously mentioned conveyance recorded in Liber 1090 at Folio 140. Thence leaving said point of beginning and running with the 1st two lines mentioned in Liber 1090 at Folio 140 the following courses and distances; N 28° 05' 10" E 29.11' along the east side of Coleville Road to a point of curve, thence leaving said point of curve with the curve to the right having a radius of 25.00'; an arc distance of 40.75' and a chord bearing and distance of N 74° 50' 47" E 36.41' to the point of tangency of said curve. Thence leaving said point of tangency and running with the south line of Fenton Street S 58° 24' 36" E 294.34'; said course and distance being all of the 3rd line previously mentioned in Liber 1090 at Folio 140, all of the 4th line previously mentioned in Liber 1090 at Folio 141, and part of the 3rd line in aforesaid Liber 1115 at Folio 161. Thence leaving said point, the south line of Fenton Street, and running with the east line of aforesaid Lot #1 S 42° 08' 31" W 8.09'. Thence leaving said east line of Lot #1, and running with the proposed south right-of-

11/1/63

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) Case 3177, p. 048, MD-CG-2138. Date available 04/09/2008. Filed 01/24/2020.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) CKW 3177, p. 0487, MSA, CE63_3135. Date available 04/09/2008. Printed 01/24/2020.

3177 467

way line of Fenton Street N 58° 24' 36" W 292.95' to the point of a curve. Thence leaving the south right-of-way line of Fenton Street, with a curve to the left having a radius of 9.50', an arc distance of 15.47', and a chord bearing and distance of S 74° 56' 14" W 13.82' to the point of tangency of said curve. Thence leaving said point and running with the proposed east right-of-way line of Coleville Road S 28° 17' 04" W 37.63' to intersect the south line of aforesaid lot #1. Thence leaving said point, and running S 58° 24' 36" W 175' to the point of beginning, containing 3,167 square feet of land more or less.

. PARCEL II

Being part of a tract of land conveyed by the Hecht Company, a Maryland corporation to H. K. S. Corporation, a corporation existing under the laws of the State of Delaware by deed dated Oct. 29, 1947, and recorded in Liber 1115 at Folio 161 among the Land Records of Montgomery County, Maryland. Being more particularly described as follows:

Beginning for the same at a point, said point being 13.50' from the beginning of the 3rd line in the abovementioned deed to H. K. S. Corporation. Thence leaving said point of beginning, and running with the remaining part of aforesaid 3rd line, and along the south side of Fenton Street S 58° 24' 36" E 49.24' to the end thereof, and a point of curve. Thence leaving said 3rd line, and running with the 4th line of the same deed with a curve to the left having a radius of 223.84', an arc distance of 85.11', and a chord bearing and distance of S 55° 05' 16" E 85.07' to the end thereof, and the point of a compound curve. Said line also following the south side of Fenton Street. Thence leaving said 4th line, and running with the 5th line of the same deed with a curve to the right having a radius of 23', an arc distance of 40.97' and a chord bearing and distance of S 4° 49' 23" E 36.53' to the end thereof, and the point of tangency. Thence leaving said 5th line, and running with the 6th line of the previously mentioned deed, along the west side of Ellsworth Drive S 42° 07' 10" W 228.62' to the end thereof. Thence leaving Ellsworth Drive, and running with a part of the 7th line in the abovementioned deed N 42° 08' 31" E 7.93' to the proposed west right-of-way line of Ellsworth Drive. Thence leaving said point, and running with said west right-of-way line, to an angle point in said proposed west right-of-way line. Thence leaving Ellsworth Drive, said angle point, and running the following three courses and distances with the proposed right-of-way line and the face of the Hecht Co. Building as now existing N 24° 05' 58" E 10.99', N 77° 03' 48" W 8.05', and N 38° 04' 00" W 11.01'. Thence leaving said point, and running with the proposed south right-of-way line of Fenton Street S 56° 28' 47" W 121.58' to intersect the east line of lot #1 in a subdivision entitled "H. K. S. Sub-division", and recorded in Plat Book 3 at Plat 4618 among the land Records of Montgomery County, Maryland. Thence leaving said point, and running with said east line of lot #1, N 42° 08' 31" E 7.93' to the point of beginning containing 2,569 square feet of land more or less.

The County proposes to use the land herein conveyed for the improvement of Fenton Street.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) CKW 3177, p. 0468, MSA_CE63_3135. Date available 04/09/2008. Printed 01/24/2020.

TOGETHER WITH the buildings and improvements thereupon, and all the rights, privileges, easements, appurtenances and advantages thereto belonging or appertaining; together with a right of entry by the COUNTY upon so much of the contiguous land remaining in said GRANTOR as is necessary for the purpose of constructing, installing, maintaining or reconstructing necessary slopes for draining and/or stabilizing the abutting property.

TO HAVE AND TO HOLD the premises herein granted unto the COUNTY, its successors and assigns, forever upon condition, however, that the said COUNTY, its successors and assigns, shall use and maintain the said property for street and sidewalk purposes, and upon the further condition that, if the said COUNTY shall abandon, fail, neglect or omit to maintain and use the said premises for street and sidewalk purposes, then, and in such event, the said premises and land shall revert to and the title shall vest in the GRANTOR, its successors and assigns, with the same force and effect as if this deed had not been made, executed, and delivered.

AND the GRANTOR does hereby covenant that it will warrant specially the property hereby conveyed, and that it will execute such further assurances of said land as may be requisite.

As in witness whereof the H. K. S. CORPORATION, GRANTOR, has caused these presents to be signed by its President and its corporate seal hereunto fixed, and attested by its Secretary, under proper authority unto them granted this 30th day of October, 1963.

WITNESSES:
E. Harold Moss
SECRETARY

H. K. S. CORPORATION
By *Harvey Roberts* (SEAL)
PRESIDENT

STATE OF MARYLAND }
COUNTY OF MONTGOMERY } ss:

I hereby certify that on this 30th day of October,

ONTGOMERY COUNTY CIRCUIT COURT (Land Records) CKW 3177, p. 0469, MSA, CE63_3135. Date available 04/09/2008. Printed 01/24/2020.

1963, before me, the subscriber, a Notary Public of the foresaid State and County, personally appeared J. H. ..., personally well known (or satisfactorily proven) to be the President of the E. K. S. Corporation, whose name is signed to the foregoing instrument, and, being authorized to do so, did acknowledge the same to be the act and deed of said corporation.

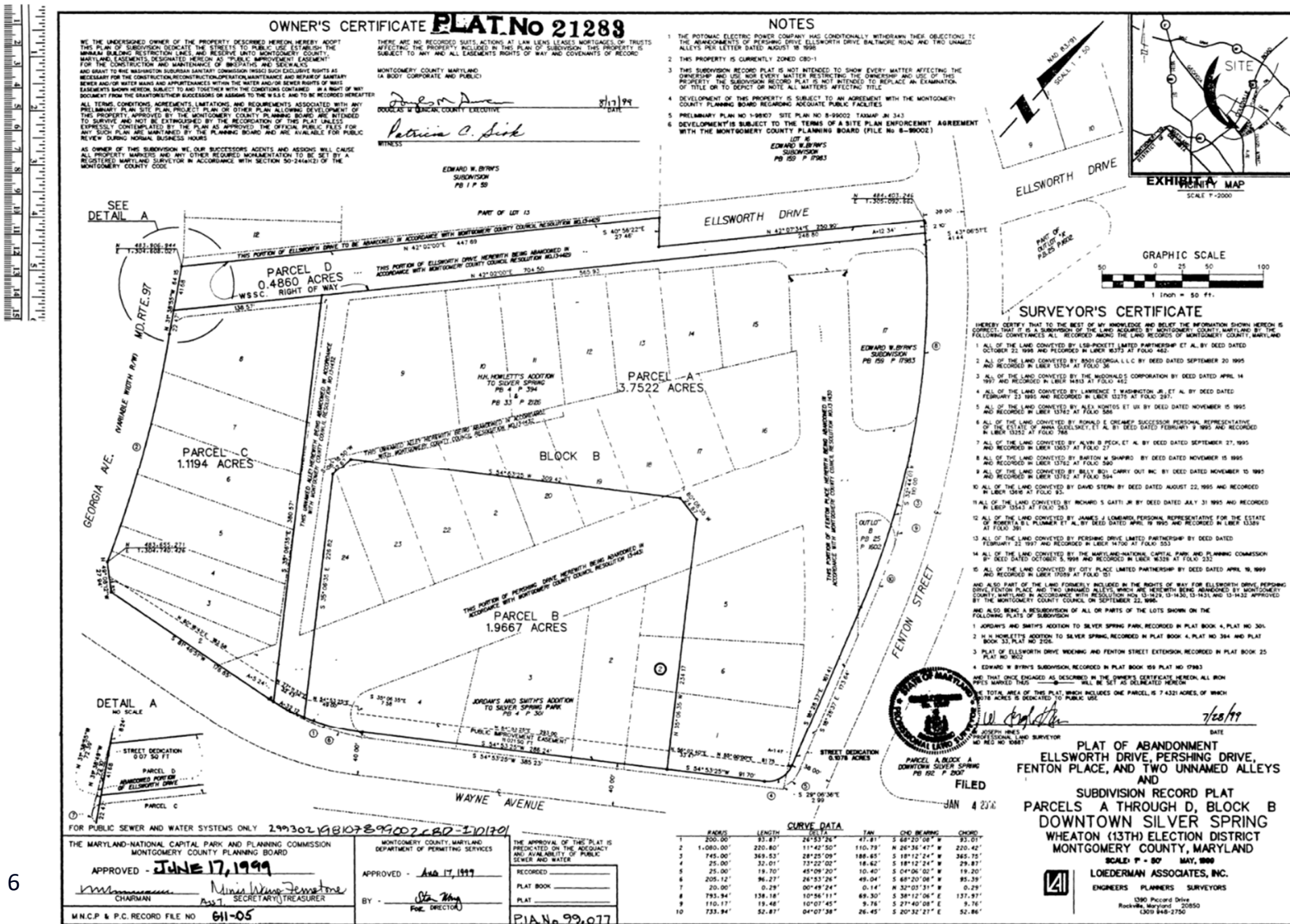
Notary Public

EXHIBIT H
DEED DATED
OCTOBER 30, 1963
AND RECORDED AT
LIBER 317 FOLIO 466,
CONVEYING PORTION

EXHIBIT H
DEED DATED
OCTOBER 30, 1963
AND RECORDED AT
LIBER 317 FOLIO 466,
CONVEYING PORTIONS
OF ELLSWORTH
TO THE COUNTY
FOR CONSIDERATION

EXHIBIT E

PLAT OF ABANDONMENT PLAT 21283



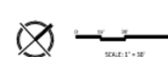
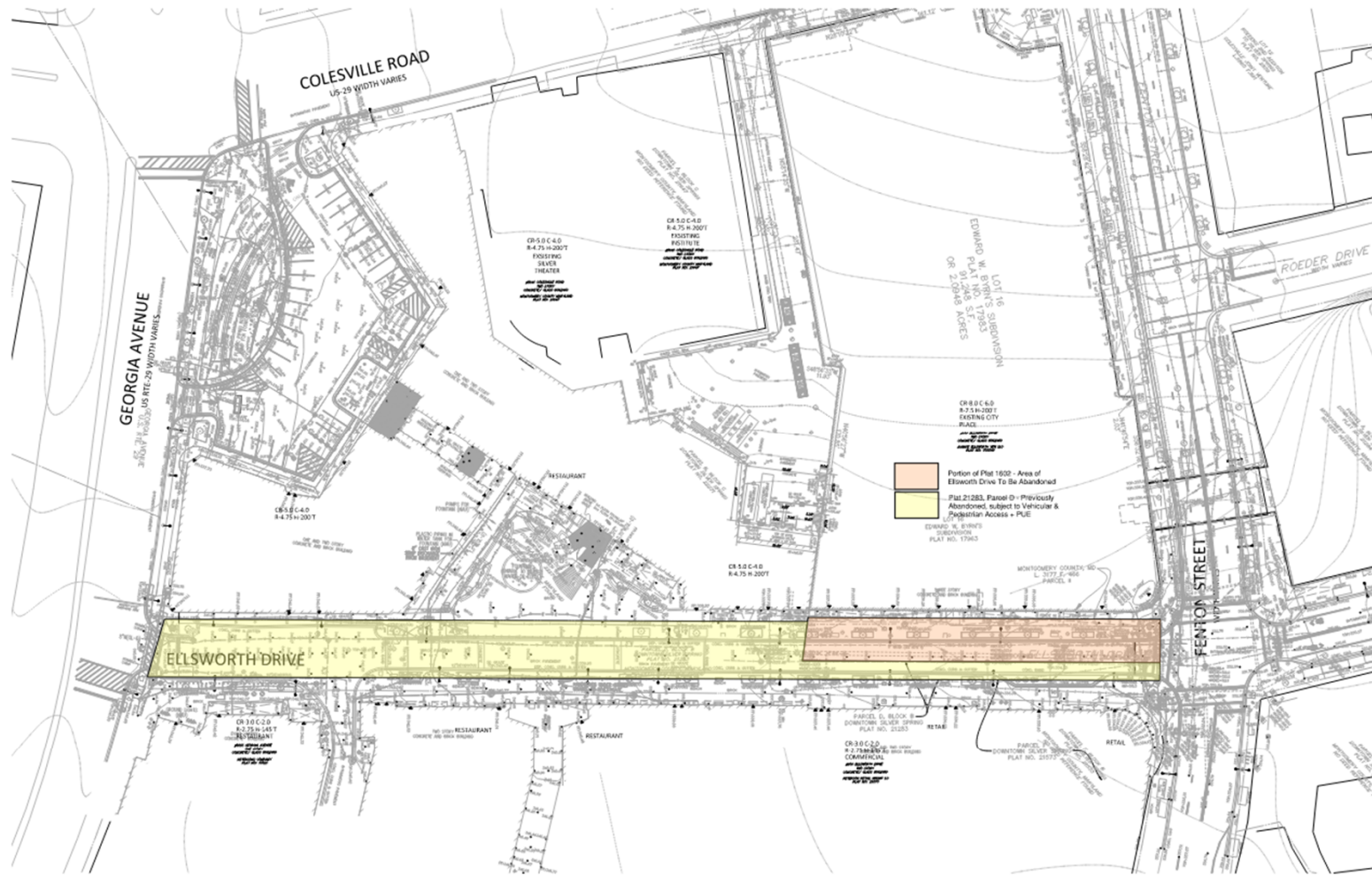


EXHIBIT J

EXISTING CONDITIONS

[illegible]

PROFESSIONAL SEAL

**DOWNTOWN
SILVER SPRING**
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210N/A01
TAX MAP: JN343

EXISTING
CONDITIONS

DRAWN BY: _____
DESIGNED BY: _____
DATE ISSUED: _____
TBA
PROJECT
AGENCY NO. 81999002M
SHEET NO. SP-3

21768 10

2173 101

EXHIBIT "B-16"

FENTON STREET

LOT 15
EDWARD W. BURK'S SUBDIVISION
PB 159 P 17983ELLSWORTH DRIVE
N 42° 07' 34" E 248.80'
S 40° 56' 22" E 317.46'PARCEL B BLOCK C
P 22271PARCEL C BLOCK C
P 22271PARCEL D BLOCK C
P 22271PARCEL F BLOCK B
P 21573

GEORGIA AVENUE (MD RTE 97)

CURVE DATA
RADIUS ARC DELTA TAN CHD BEARING CHD
745.00' 12.34' 00° 55' 56" 6.17' S 46° 25' 18" E 12.34'DESCRIPTION PLAT
VEHICULAR & PEDESTRIAN
ACCESS EASEMENT & P.U.E.
DOWNTOWN SILVER SPRING
WHEATON (13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
1" = 50' AUGUST, 2002Loiederman
Soltesz AssociatesCivil Engineering Land Planning Land Surveying Environmental Sciences
3300 Lands Drive Suite 100 Eastover, Annapolis, MD 21406 301-412-2112 fax: 301-915-4607EXHIBIT A-16
DESCRIPTION OF A
VEHICULAR & PEDESTRIAN
ACCESS EASEMENT & P.U.E.

Being all of that piece or parcel of land lying in the Wheaton (13th) Election District of Montgomery County, Maryland and being part of the land acquired by Montgomery County, Maryland from Fred Burka, Louise L. Burka, Marvin Goldman and the Sarabelle K. Burka Income Trust by deed dated January 10, 1996 and recorded among the Land Records of Montgomery County, Maryland in Liber 13865 at Folio 701, said easement area also being all of Parcel D, Block B as shown on a plat of subdivision entitled "Subdivision Record Plat, Parcels A Through D, Block B, Downtown Silver Spring" and recorded among the aforesaid Land Records as Plat No. 21283, said easement area containing 21,170 square feet or 0.4860 acres as shown on Exhibit B-16 attached hereto and made a part hereof.

EXHIBIT I

SKETCH AND DESCRIPTION OF ACCESS EASEMENT

DESCRIPTION OF A
VEHICULAR AND PEDESTRIAN
ACCESS EASEMENT AND P.U.E.
LIBER 21768 FOLIO 658
BEING ALL OF
PARCEL D, BLOCK B
DOWNTOWN SILVER SPRING
PLAT NO. 21283
13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

Being all of Parcel D, Block B, as shown on a plat entitled "Parcels A through D, Block B, Downtown Silver Spring" recorded as Plat No. 21283 and also being all of a Vehicular and Pedestrian Access Easement and P.U.E. as described in Liber 21768 at Folio 658 all among the Land Records of Montgomery County, Maryland, and being more particularly described in the datum of said Plat No. 21283 as follows:

Beginning for the same at a point marking the southerly end of the North 31° 38' 55" West, 41.68 foot plat line of said Parcel D, Block B, said point also marking the northeasterly line of Georgia Avenue, Maryland 97, width varies and also marking the common corner of Parcel E, Block B, as shown on Plat No. 21573 among the aforesaid Land Records; thence running with said plat line and said northeasterly line of Georgia Avenue

- 1.) North 31° 38' 55" West, 41.68 feet to a point marking the common corner of Parcel B, Block C, Downtown Silver Spring, recorded as Plat No. 22271 among the aforesaid Land Records; thence running with the common line of said Parcel B, Block C and Parcel D, Block C, as shown on said Plat No. 22271
- 2.) North 42° 02' 00" East, 447.69 feet to a point marking the common line of Ellsworth Drive, 30 feet wide, shown on Plat No. 1602 among the aforesaid Land Records; thence running with the common line of said Ellsworth Drive, the following two (2) courses and distances
- 3.) South 40° 56' 22" East, 27.46 feet to a point; thence
- 4.) North 42° 07' 34" East, 248.80 feet to a point on the southwest line of Fenton Street, width varies; thence running with said southwest line of Fenton Street
- 5.) 12.35 feet along the arc of a non-tangent curve to the right, having a radius of 793.94 feet and a chord bearing and distance of South 46° 22' 28" East, 12.35 feet to a point marking the common corner of Parcel F, Block B, Downtown Silver Spring, recorded on said Plat No. 21573; thence running with the common line of said Parcel F and Parcel E, Block B, Downtown Silver Spring
- 6.) South 42° 02' 00" West, 704.50 feet to the point of beginning, containing 21,170 square feet or 0.48600 acres of land.

The undersigned hereby states that the metes and bounds description hereon was prepared by myself or under my direct supervision and that it complies with the Minimum Standards of Practice for Metes and Bounds Descriptions as established in Title 9, Subtitle 13, Chapter 6, Section 8 and 12 of the Code of Maryland Regulations (COMAR) as enacted and amended.

April 3, 2020
Date

Harry L. Jenkins
Property Line Surveyor
Maryland No. 606
License Expires: April 21, 2021



ARC TABLE						
NO.	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
1	793.94'	12.35'	6.17'	S 46° 22' 28" E	12.35'	Δ=00° 53' 28"



VIKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com
Our Site Set on the Future.

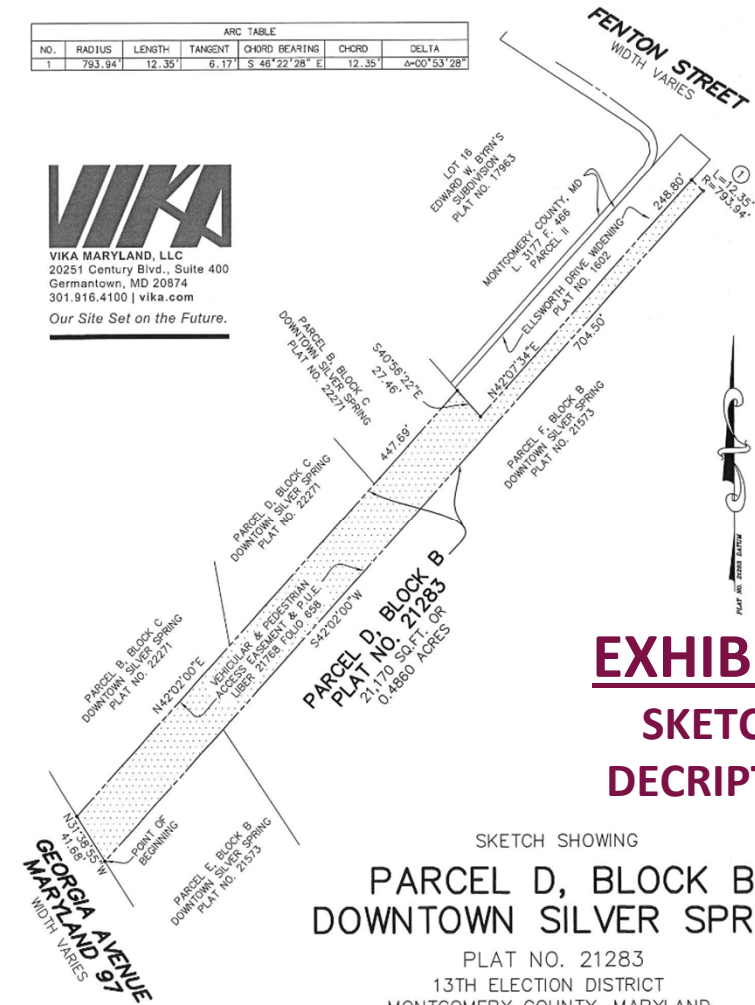


EXHIBIT D1
SKETCH & DESCRIPTIONS

SKETCH SHOWING
PARCEL D, BLOCK B
DOWNTOWN SILVER SPRING
PLAT NO. 21283
13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 80' APRIL 2020

Z:\50000-50500\50378_DOCUMENTS\ SURVEY DOCS\LEGAL DESCRIPTIONS\Downtown Silver Spring_2020-04-03.docx



VIKA Maryland, LLC

20251 Century Boulevard, Suite 400 • Germantown, Maryland 20874 • 301.916.4100 Fax 301.916.2262
Tysons, VA • Germantown, MD • Washington, DC
www.vika.com

**DESCRIPTION OF
ELLSWORTH DRIVE
PLAT NO. 1602
13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND**

Being part of Ellsworth Drive widening, as shown on a plat entitled "Plat of Ellsworth Drive widening and Fenton Street Extension" recorded in Plat No. 1602 among the Land Records of Montgomery County, Maryland and being more particularly described in the datum of said Plat No. 1602 as follows:

Beginning for the same at a point marking the southwesterly end of the North 42° 07' 10" East, 251.81 foot line as shown on said Plat No. 1602, said point marking the common corner of Montgomery County, Maryland, recorded in Liber 3177 at Folio 466 among the aforesaid Land Records; thence running with said plat line and a portion of said common line of Montgomery County, Maryland

- 1.) North 42° 07' 10" East, 245.13 feet to a point; thence running so as to cross and include a portion of Ellsworth Drive widening
- 2.) 30.00 feet along the arc of a non-tangent curve to the right, having a radius of 793.94 feet and a chord bearing and distance of South 47° 55' 09" East, 30.00 feet to a point marking the common corner of Parcel D, Block B, Downtown Silver Spring, recorded as Plat No. 21283 among the aforesaid Land Records; thence running with the common line of Parcel D, Block B, the following two (2) courses and distances
- 3.) South 42° 07' 10" West, 248.80 feet to a point; thence
- 4.) North 40° 56' 30" West, 30.22 feet to the point of beginning, containing 7,412 square feet or 0.17016 acres of land.

The undersigned hereby states that the metes and bounds description hereon was prepared by myself or under my direct supervision and that it complies with the Minimum Standards of Practice for Metes and Bounds Descriptions as established in Title 9, Subtitle 13, Chapter 6, Section 8 and 12 of the Code of Maryland Regulations (COMAR) as enacted and amended.

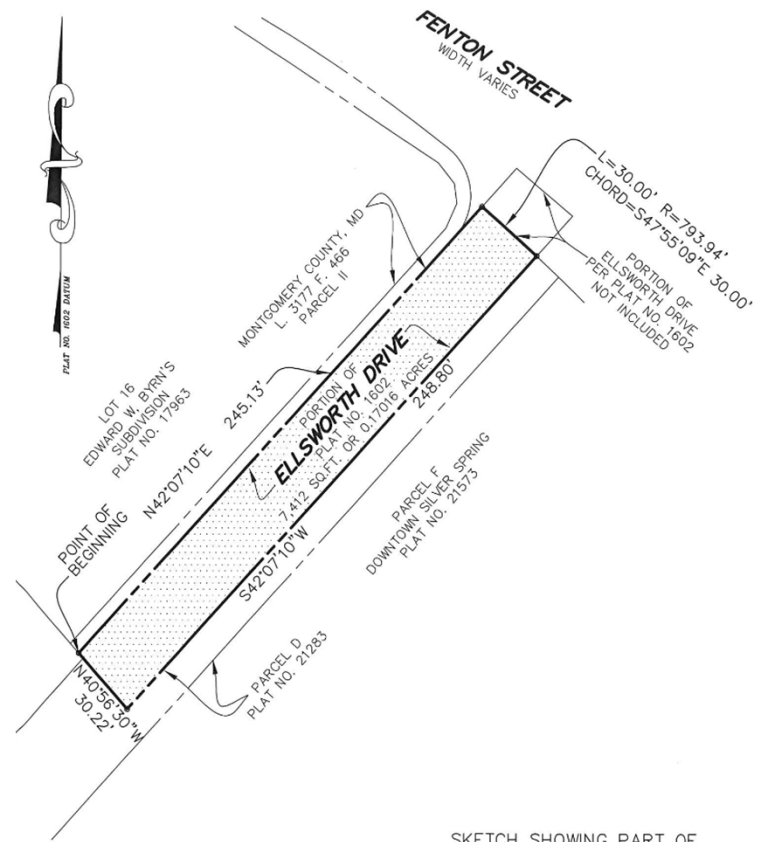
April 14, 2020
Date

[Signature]
Harry L. Jenkins
Property Line Surveyor
Maryland No. 606
License Expires: April 21, 2021



Z:\50006-50500\50378_DOCUMENTS_SURVEY\DOCS\LEGAL DESCRIPTIONS\Ellsworth Plac_2020-03-30.docx

VIKA Maryland, LLC
20251 Century Boulevard, Suite 400 • Germantown, Maryland 20874 • 301.916.4100 Fax 301.916.2262
Tysons, VA • Germantown, MD • Washington, DC
www.vika.com



VIKA
VIKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com
Our Site Set on the Future.

SKETCH SHOWING PART OF
ELLSWORTH DRIVE
PLAT NO. 1602
13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 40' APRIL 2020

EXHIBIT D2

SKETCH & DESCRIPTIONS

EXHIBIT K2

RENDERED SITE PLAN



WFA
 CONSULTING ARCHITECTS
 12000 Fair Lakes Circle
 Suite 400
 Fairfax, VA 22033
 (703) 261-7500
 Paul S. Wernicki, AIA

PETERSON COMPANIES
 12000 Fair Lakes Circle
 Suite 400
 Fairfax, VA 22033
 (703) 261-7500
 Paul S. Wernicki, AIA

DESIGN CONSULTANTS

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 Ted C. Burt

LANDSCAPE ARCHITECT
 OCCURS
 1000 Connecticut Avenue NW
 9th Floor
 Washington, DC 20006
 (202) 338-5454
 Matthew Toppin

LIGHTING CONSULTANT
 CHILKING + ASSOCIATES
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 Alexandria, VA 22304
 (703) 836-1278
 Brian Kline

ADVISOR
 CONOVERS AND BLOCHER
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 Suite 400
 Bethesda, MD 20814
 (202) 351-8800
 Barbara Stern

PLANNER CONSULTING ENGINEER
 WFA MARYLAND, LLC
 1000 Old Mary Washington
 Suite 400
 Washington, DC 20006
 (202) 338-5454
 Lee P. Dube

REVISIONS	DATE
1. INITIAL REVIEW	10/25/11

PROJECT/OWNER

DOWNTOWN SILVER SPRING
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY,
 MARYLAND
 WSSC GRID: 210N/A01
 TAX MAP: JN343

DRAWN BY: _____
DESIGNED BY: _____
DATE ISSUED: _____
FILE: _____
PROJECT: 81999002M
DATE: 10/25/11
SHEET NO: SP-3

EXHIBIT K2

EXHIBIT K3
ELLSWORTH DRIVE



Ellsworth Drive

EXHIBIT K4
ELLSWORTH DRIVE



EXHIBIT K5

PUBLIC REALM ACTIVATION



09.14.20

MCDOT Abandonment Hearing

Ellsworth Drive: Abandonment No. AB771

PFA Silver Spring

OCULUS

Miles & Stockbridge



