



Barbara A. Sears
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April 20, 2020

By Electronic Mail

Mr. Christopher Conklin, Director
Montgomery County Dept. of Transportation
101 Monroe Street, 10th Floor
Rockville, MD 20850

Re: Petition for Abandonment of Portions of Ellsworth Drive, Silver Spring, Maryland (the "Petition")

Dear Mr. Conklin:

Petitioners, 8515 Georgia Avenue Associates LLC, PFA-A Silver Spring LC, PFA-B Silver Spring LC, PFA-C Silver Spring LC, PFA-D Silver Spring, PFA-H Silver Spring LC, and PFA Manager LC ("Petitioners"), request the abandonment of (i) 8,055 square feet of right-of-way improved as a public road known as Ellsworth Drive along the northwestern border of property owned by Montgomery County, Maryland, located in Silver Spring, Maryland ("Upper Ellsworth"), and (ii) 21,170 square feet of a vehicular and pedestrian access easement and P.U.E. in the former Ellsworth Drive right-of-way ("Access Easement") previously abandoned by Montgomery County (the "County") on September 22, 1998, by Resolution 13-1430 (the "1999 Abandonment"), pursuant to Section 49-62, *et seq.*, of the Montgomery County Code (collectively, the "Abandonments").¹

Petitioners own or ground lease from the County certain property containing approximately 22.5 acres (the "Property") known as Downtown Silver Spring, a mixed-use urban renewal project constructed by Petitioners approximately seventeen (17) years ago ("Downtown Silver Spring" or "Project"). The Property includes the Access Easement and abuts Upper Ellsworth, as more fully described below and generally shown on the Local Area Map attached hereto as Exhibit "A" and Tax Maps attached as Exhibits "B1" and "B2". The area of the Access Easement (the "Access Easement Abandonment Area") and of Upper Ellsworth (the "Upper Ellsworth Abandonment Area") requested to be abandoned (collectively called the "Abandonment Areas") are shown on the Areas to be Abandoned Exhibit attached as Exhibit "C". Legal descriptions and sketches of the Abandonment Areas are attached as Exhibit "D". The record plats covering the Abandonment Areas (Plat No. 21283 and Plat No. 1602) are attached as Exhibit "E" (the "Parcel D Plat") and

¹ For ease of reference, a list of the exhibits referenced in this letter, as well as all exhibits, have been attached.

Exhibit “F”, respectively. A list of owners whose property abuts the Abandonment Areas is contained in the Adjoining and Confronting Property Owners List attached hereto as Exhibit “G”.

The County owns the entirety of the properties abutting the Upper Ellsworth Abandonment Area by deed recorded among the Land Records of Montgomery County (“Land Records”) at Liber 3177, folio 466, attached hereto as Exhibit “H”, and the Parcel D Plat. The County also owns the entirety of the property subject to the Access Easement Area. See the Parcel D Plat. The Access Easement Abandonment Area is leased to Petitioners pursuant to a ground lease agreement between Montgomery County, Maryland, and PFA Silver Spring LC dated September 5, 2002 (the “Ground Lease”). A Declaration of Easements for Section C Downtown Silver Spring, recorded by Montgomery County as the Declarant among the Land Records at Liber 21768, folio 658 (the “Declaration”), established the Access Easement. As discussed in greater detail below, the Abandonments are requested to facilitate the much needed upgrade, refresh and expansion of the public use spaces and amenities located within Downtown Silver Spring.

Section 49-62 of the Montgomery County Code (the “Code”) authorizes the County Council, by adopting a resolution, to close or abandon the County’s right to use any right-of-way. The Code defines “right-of-way” to include, among other things, any road, sidewalk, pedestrian walkway or shared use path used by the public, including by pedestrians and bicyclists. Pursuant to Section 49-63(c)(1)-(2) of the Code, the Council may abandon a right-of-way if the Council finds that “(1) the right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future, or (2) the abandonment and closing is necessary to protect the health, safety and welfare of the residents near the right-of-way to be abandoned or closed.” As described more fully below and in the attached materials, the Abandonments requested by this Petition satisfy Section 49-63(c)(1) of the Code as the Abandonment Areas will no longer be necessary for present public use or anticipated public use in the foreseeable future.

BACKGROUND

A. Ellsworth Drive

Upper Ellsworth was dedicated to the County by a subdivision plat recorded among the Land Records of Montgomery County at Plat No. 1602 (Exhibit “F”). The Access Easement was created by the Declaration. The legal description and sketch of the Access Easement contained in the Declaration are attached as Exhibit “I”. The location of these areas, previously defined as the “Abandonment Areas,” are shown on Exhibit “C”. The existing conditions within and around the Abandonment Areas are shown on Exhibit “J” (the “Existing Conditions Plan”).

B. The Property

The Property is located within an area generally bounded by Colesville Road, Georgia Avenue, Cedar Street, and Wayne Avenue in Silver Spring and is more particularly described as follows:

- Parcel A, Block A, as shown on Plat No. 21017 recorded among the Land Records on April 15, 1999.
- Parcel A, Block E, and Parcel B, Block A, as shown on Plat No. 22598 recorded among the Land Records on June 17, 2003.
- Parcel A Block D as shown on Plat No. 21284 recorded among the Land Records on January 4, 2000.
- Parcels D, E, F, G and H, Block B, as shown on Plat No. 21573 recorded among the Land Records on September 1, 2000.
- Parcels A, B, C, and D, Block C, as shown on Plat No. 22271 recorded among the Land Records on August 13, 2002.

The Property lies within the boundaries of the Amended Silver Spring Urban Renewal Plan (“Urban Renewal Plan”) approved by County Council Resolution No. 13-186 on March 11, 1997, and the Silver Spring CBD Sector Plan, Approved and Adopted in February 2000 (“Sector Plan”). Development approvals applicable to the Property consist of Project Plan No. 9-98005 (“Project Plan”), Preliminary Plan No. 1-98107, and Site Plan No. 8-99002 (“Site Plan”), all approved on March 2, 1999, and subsequently amended several times (the “Previous Entitlements”). The Site Plan permits 1,173,054 square feet of total development, including 288,931 square feet of office, 507,340 square feet of mixed-use retail, 151,130 (242 rooms) of hotel, 48,000 square feet of civic building, 236,320 square feet of residential (222 units), and 232,320 square feet of public use space (see Site Plan Amendment No. 8-99002B, which relevant conditions regarding use and density remained unchanged by subsequent amendments 81999002C, 81999002D, 81999002E, and 81999002F). Existing development on the Property consists of approximately 1,153,635 square feet of total development, including 228,931 square feet of office, 507,340 square feet of retail mixed use (retail, restaurants, and theater), 151,130 square feet of hotel, 40,000 square feet of civic building, and 226,234 square feet of residential. Existing development also includes 268,758 square feet of public use space, which includes Veterans’ Plaza at the corner of Ellsworth Drive and Fenton Street, Silver Plaza, and Gateway Plaza.

Since the approval of the Previous Entitlements, Montgomery County has comprehensively revised its Zoning Ordinance (ZTA 13-04, adopted on March 4, 2014 and effective October 30, 2014) and zoning map (District Map Amendment G-956, adopted on July 15, 2014, the “2014 District Map Amendment”). These processes resulted in rezoning the Property to CR-3.0 C-2.0 R-2.75 H-145 T; CR-5.0 C-4.0 R-4.75 H-200 T; CR-1.5 C-1.0 R-1.5 H-90 T; and CR-1.5 C-1.0 R-1.5 H-60 T, as shown on the Zoning Map for Montgomery County.

On November 19, 2019, Applicants filed amendments to the Project Plan and Site Plan (the “Amendments”). The Amendments propose to amend the Site Plan to reflect, among other things, (i) changes to hardscape and landscape design to improve the quality and quantity of available

outdoor space, including changes within the Abandonment Areas; (ii) minor reductions in parking; and (iii) installation of new art.

The improvements included in the Amendments will take place on (1) Parcel C, Block C (“Gateway Plaza”) located in the southeastern quadrant of the intersection of Georgia Avenue and Colesville Road, (2) Ellsworth Drive between Georgia Avenue and Fenton Street, and (3) Parcel D, Block C (“Silver Plaza”). The purpose of the Amendments is to significantly enhance and refresh the public use space on the Property in a manner that conforms to the Sector Plan, is compatible with the character of the Project and surrounding area, and complies with the applicable zoning standards. The Amendments increase public use space and include the removal of four on-street parking spaces along Ellsworth Drive at its intersection with Georgia Avenue. No changes to the density, height or footprint of existing buildings are proposed.

Ellsworth Drive runs east to west through the Property from Georgia Avenue to Fenton Street. As explained above, the majority of Ellsworth Drive between Georgia Avenue and Fenton Street was abandoned pursuant to the 1999 Abandonment, and has been closed to all non-essential vehicular traffic for many years. The remainder of Ellsworth Drive (previously defined as “Upper Ellsworth”) at Fenton Street has also been closed to all non-essential vehicular traffic for several years.

This Petition seeks to abandon the Access Easement which was created after the 1999 Abandonment and Upper Ellsworth, which remained a public street after the 1999 Abandonment, to formally restrict non-essential vehicular traffic on Ellsworth Drive while allowing emergency vehicles and deliveries. Petitioners propose to modify the hardscape, streetscape, and landscaping within the Abandonment Areas to create a comfortable and inviting urban space where the community may gather, stay for varying periods of time and enjoy. This pedestrian friendly zone will be delineated by a raised brick walkway at the Fenton Street intersection and the installation of stone paving and synthetic turf within the Abandonment Areas. Mountable curbs and collapsible bollards to restrict vehicular access at both ends of Ellsworth are proposed. The brick paved sidewalks on either side of existing Ellsworth Drive will remain, but portions of the sidewalk paving will be changed to match the Silver Spring Standard brick. Additionally, in-grade placards will be installed to indicate that the walk on the southern side of Ellsworth will accommodate bicycles, as well as pedestrians, in conformance with the Bicycle Master Plan, approved and adopted in 2018 (“Bicycle Master Plan”). Existing tree pits along the southern side of Ellsworth Drive will be expanded to allow for the planting of more perennials and shrubs. Existing street trees shall remain, and additional new trees will be planted. A detailed drawing showing the Amendments is attached as Exhibit “K1” (the “Detailed Plan”). An illustrative site plan showing these improvements is attached as Exhibit “K2” (the “Illustrative Plan”). Finally, a Post-Abandonment Conditions Plan is attached as Exhibit “L” (the “Post-Abandonment Conditions Plan”).

Vehicular access will be provided from Georgia Avenue to the alley between Parcel E, Block B, and Parcel F, Block B, as a one-way street leading to the parking garage. Vehicles

entering from Georgia Avenue will be directed to the alley from which they can enter the Wayne Avenue Garage or access Wayne Avenue. In this area, Petitioners propose to widen the adjacent sidewalk and install three new street trees on the northern side of the street by removing four existing off-street parking spaces. This new access pattern is shown on the Circulation Plan attached as Exhibit “M” (the “Circulation Plan”).

Petitioners further propose to modify Silver Plaza to enlarge the usable space, enliven the area, and create more flexibility. Silver Plaza currently includes raised outdoor planters, lighting, benches for seating, dining areas, a splash fountain, large outdoor staircase and an exterior elevator. The Amendments propose to remove the existing elevator and locate a new elevator in the interior space, replace the splash fountain with a new sculptural water feature, replace the staircase with a more compact and lighter staircase to be erected closer to the existing building, and replace the pavers throughout the plaza. A significant new feature within Silver Plaza will be several wooden benches of varying geometric shapes that can transform into a covered stage for special events and gatherings by sliding together along metal tracks. This system and the changes to the staircase and elevator achieve more usable open area in the plaza and provide increased flexibility for event planning. Additional colorful and fun seating in the form of movable street furniture, benches, raised planters and a seat wall are also proposed. Outdoor dining in Silver Plaza will also be enhanced and expanded by adding an outdoor dining space in the northwestern area of Silver Plaza, and adding new pavers, furniture and landscaping to the existing outdoor dining space associated with the restaurant uses. The above-described improvements will enhance, expand, and modernize Silver Plaza, the Ellsworth Drive area, and the Project, making it a more attractive and flexible space which appeals to all age groups and encourages people to visit, enjoy, spend time, and return to Silver Spring.

Events which currently take place on the Ellsworth Drive area and in the Silver Plaza will be better accommodated by the Abandonment. For example, the proposed stage within the expanded Silver Plaza will create a defined space for community gatherings such as concerts and yoga. Additionally, the farmers market, which currently takes place each Saturday along Ellsworth Drive, will still be accommodated on the Property.

In portions of the Abandonment Areas, synthetic turf will be placed over the existing asphalt paving generally from the eastern edge of Silver Plaza to Fenton Street as shown on the Illustrative Plan (Exhibit “K2”), the Detailed Plan (Exhibit “K1”), and the Post-Abandonment Conditions Plan (Exhibit “L”). Existing concrete gutters will remain exposed and all stormwater facilities and inlets will continue to function as they do now, as will existing utilities and manholes as shown on the Utilities Plan attached as Exhibit “N”. The turf will be maintained by Petitioners and will provide an expanded seating area where games and other activities/amenities can be located for enhanced enjoyment of visitors and patrons of all ages, while allowing the existing brick walks and tree pits to remain. The underlying asphalt base, which will remain, allows emergency and delivery vehicles to continue to access the space.

C. Circulation

(1) **Vehicular**

Petitioners will continue to restrict vehicular traffic on Ellsworth Drive between Georgia Avenue and Fenton Street to essential vehicles, with the exception of the vehicular connection from Georgia Avenue to the alley to access the Wayne Avenue Garage and Wayne Avenue as discussed above and shown on the Circulation Plan. As previously stated, Ellsworth Drive has been restricted to vehicles for several years without causing any negative impacts to vehicular circulation.

(2) **Pedestrian**

The Petition will substantially enhance onsite pedestrian circulation. The proposed improvements in the Abandonment Areas will clearly delineate the area as a pedestrian zone and encourage walking by making the area more attractive, comfortable and inviting. Silver Plaza will be re-graded to remove the existing steps that flank the plaza on its western perimeter, which will improve pedestrian circulation. Implementation of the Amendments creates a prominent pedestrian friendly zone beginning in Gateway Plaza and extending to the intersection of Fenton Street and Ellsworth Drive. The synthetic turf, special pavers, seating and other amenities define the area as a pedestrian realm to be participated in and enjoyed.

(3) **Bicycle**

Bicycling markers clearly delineate the integration of bikes into and through the areas. This design, together with additional bike parking, encourage and accommodate biking. Additionally, bike circulation through the property provides connectivity to other bike routes.

D. Sector Plan

(1) **Recommendations for the Core**

The Sector Plan locates the Property within the “Core” neighborhood of the CBD. The Previous Entitlements achieved the urban renewal and revitalization goals of the Urban Renewal Plan and Sector Plan. The Abandonment, by facilitating the full implementation of the Amendments, will enhance the existing development approved under the Previous Entitlements in furtherance of the goals of the Sector Plan. The overarching vision of the Sector Plan for the Core was to create a vibrant, mixed-use center for the Silver Spring community (p. 13). The modifications proposed by the Amendments and facilitated by the Abandonments create a nearly exclusive pedestrian zone extending from Gateway Plaza through Silver Plaza to the intersection of Fenton and Ellsworth by restricting Ellsworth Drive to only essential vehicles and making numerous improvements to the open space as described above. Within this area, the Amendments propose a series of detailed enhancements from special seating to private dining to new public art and landscaping. Together, these improvements contribute to the Project as the “center of the

community.” As further stated in the Sector Plan: “The Core will be rejuvenated as Silver Spring’s varied and active town center, with housing, office, and retail development in a pedestrian-friendly environment, enhanced with parks and open spaces.” (p. 36) The Sector Plan further explains that the “Core will be reborn as the commercial, civic, and entertainment center of Silver Spring and its surrounding neighborhoods.” (p. 36) The proposed improvements further these goals and keep the Project competitive and fresh, attracting new tenants that serve the public interest and by lifting and refreshing existing tenants to ensure the longevity and success of this important Project to the health and vibrancy of Silver Spring.

The implementation of the improvements will continue the rejuvenation of the Core and its status as the “commercial, civic, and entertainment center of Silver Spring.” *Id.* For the Property specifically, the Sector Plan recommends “mix of public and private uses, special events, and daily shopping will serve the community and its visitors.” *Id.* The Amendments maintain and expand upon the success of the Previous Entitlements by enhancing and expanding the public use space in a contemporary fashion. The modifications create a more flexible and attractive pedestrian area. The Project is already the commercial heart of the Core with its varied shops and retail services, restaurants, hotel, entertainment and residential uses. After some seventeen (17) years, the status of the area as a vital urban center will be improved and perpetuated by the increase in the amount of public use space and extensive enhancements to that space. The Amendments also contribute to the status of the Core as the entertainment center of Silver Spring by permitting a new, innovative seating element that doubles as a stage in Silver Plaza in order to facilitate special events and several new areas for games and activities. The synthetic turf to be placed within the Abandonment Areas provides more seating areas of varied types and room for games or relaxation and many other amenities.

The Sector Plan also specifically recommends that “Development on the Urban Renewal site will be in a pedestrian friendly, town center pattern with stores and streetscape that encourage people to walk.” Sector Plan, p. 36. As outlined above, the Abandonments and formal restriction of Ellsworth Drive to all but essential vehicular traffic and proposed improvements create a distinct and varied pedestrian friendly area extending from Gateway Plaza to the intersection of Fenton Street and Ellsworth Drive.

The Sector Plan acknowledges the importance of the design of the Project, stating: “[d]esign of individual projects within the Urban Renewal Area should contribute to the greater urban environs.” *Id.* at 80. The Abandonments further this recommendation by allowing for the modernization of the design of two of the Property’s key open space areas, Gateway Plaza and Silver Plaza, placing an iconic new artwork on Gateway Plaza and new amenities of wider appeal in Silver Plaza, as well as significant upgrades to their hardscape and landscaping and transformation of portions of the asphalt paving in the Abandonment Areas to artificial turf.

(2) Area-Wide Recommendations

The Abandonments are in conformance with the Sector Plan's vision of rejuvenation, revitalization, and investment in the Core through mixed-use activity centers.

(a) *Rejuvenation, Revitalization, and Investment through Urban Mixed-Use Activity Centers*

A vision of the Sector Plan is "to create a downtown for Silver Spring that will be the focal point of community life, offering a variety of activities where residents can work, live, play, and socialize." (Sector Plan, p. 3). This vision is best achieved by permitting the upgrading, modernizing and expansion of the public open space on the Property, as proposed by the Amendments within the Abandonment Areas. The Project serves as Silver Spring's main town center and the proposed improvements keep it attractive and competitive. In particular, the changes within the Abandonment Areas to Ellsworth Drive by the addition of synthetic turf and the enhancements to Silver Plaza will create more modern and updated open space opportunities in the heart of the CBD where residents and visitors can continue to gather to enjoy the place or special events.

(b) *Civic Downtown*

The Sector Plan emphasizes that "civic presence in the CBD will be formed by the concentration and proximity of plazas, recreation facilities, community centers, historic buildings, police and fire facilities, adding to downtown's convenience and texture. The proximity of these varied activities draws people to the downtown and creates opportunities for economic and social connections." (p. 21) The Abandonments facilitate achievement of these goals. They enhance the Project in ways that will continue to create new opportunities for "economic and social connections."

(c) *Pedestrian Friendly Downtown*

The Sector Plan explains: "An urban area's greatest economic asset and strongest physical definition comes from its pedestrian environment." Sector Plan, p. 24. The Amendments enhance and modernize the pedestrian realm and provide flexible and fun public use spaces.

THE PETITION FOR ABANDONMENT

Section 49-63(c)(1) of the Code permits the County Council to abandon a right-of-way if it finds that the same is no longer necessary for present public use or anticipated public use in the foreseeable future. As detailed above, the Abandonments facilitate many recommendations of the Sector Plan, including maintaining and strengthening the Project role as the centerpiece of Silver Spring.

Mr. Christopher Conklin
April 20, 2020
Page 9



The overall configuration is shown on the Post-Abandonment Conditions Plan (Exhibit "L"), which depicts, among other things, the revised public areas from Georgia Avenue to the Wayne Avenue garage, and the proposed improvements within the Abandonment Areas in conjunction with the other major enhancements to the public use space. Anticipated emergency access is also illustrated on the Circulation Plan (Exhibit "M").

As noted above, all public utilities that currently exist in the Abandonment Areas are shown on the public Utilities Plan (attached as Exhibit "N") and remain unchanged. Therefore, the Abandonment Areas will continue to accommodate public utilities as they currently exist. Finally, as required by Section 49-63(d) of the Code, the rights-of-way to be abandoned are not the sole means of access to any property.

Accordingly, the Abandonments are appropriate as the Abandonment Areas are no longer necessary for present public use or anticipated public use in the foreseeable future.

Very truly yours,

MILES & STOCKBRIDGE P.C.

A handwritten signature in blue ink that reads 'Barbara A. Sears' followed by a stylized monogram or initials.

Barbara A. Sears

Enclosures

cc: Eric Willis
Tina Benjamin
Bryant Foulger
Paul Weinschenk
Garry Witt

**Exhibit List for Petition of Abandonment
For Portions of Ellsworth Drive, Silver Spring, Maryland**

- Exhibit “A” Local Area Map
- Exhibit “B1” Tax Map
- Exhibit “B2” Tax Map
- Exhibit “C” Areas to be Abandoned
- Exhibit “D” Legal Descriptions and Sketches of the Access Abandonment Area and Upper Ellsworth Abandonment Area
- Exhibit “E” Parcel D Plat No. 21283
- Exhibit “F” Subdivision Plat No. 1602
- Exhibit “G” Adjoining and Confronting Property Owners List
- Exhibit “H” Deed recorded at Liber 3177, folio 466
- Exhibit “I” Legal Description and Access Easement Sketch from Declaration
- Exhibit “J” Existing Conditions Plan
- Exhibit “K1” Detailed Plan of Amendments
- Exhibit “K2” Illustrative Site Plan
- Exhibit “L” Post-Abandonment Condition Plan
- Exhibit “M” Circulation Plan
- Exhibit “N” Site and Utility Plan



EXHIBIT B1



97

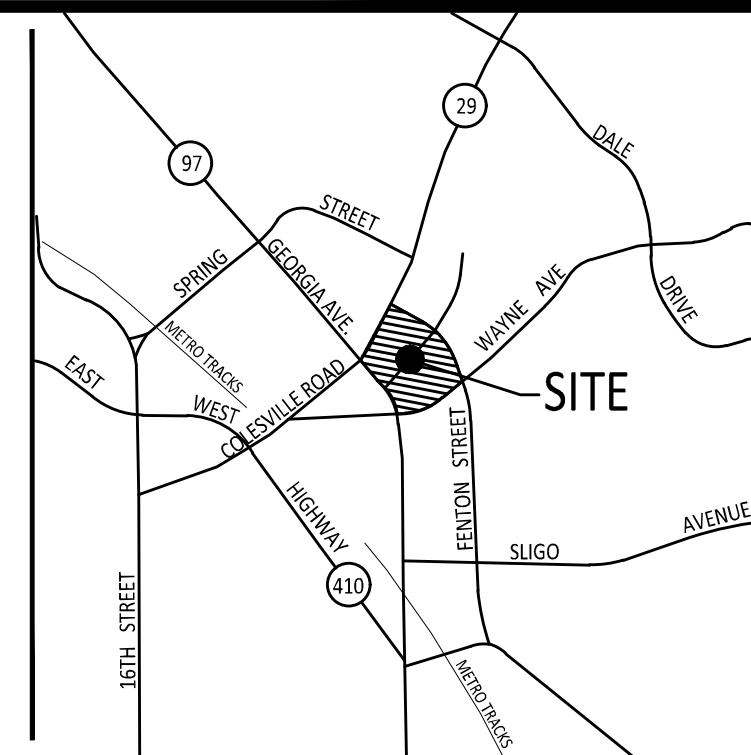
384

EXHIBIT A

EXHIBIT B2

PLAN LEGEND

PROPERTY LINES				PROPOSED WATER LINE				EXISTING GUY POLE				BUILDING HEIGHT MEASURING POINT	
CTV	CTV	CTV											
EXISTING CABLE TELEVISION CONDUIT				PROPOSED SANITARY SEWER WITH STRUCTURE				EXISTING SIGN POST				PROPOSED BIKE RACKS	
EXISTING ELECTRICAL CONDUIT				PROPOSED STORM DRAIN				EXISTING LIGHT POLE				EXISTING WOOD POST	
EXISTING EDGE OF PAVEMENT				PROPOSED LIMITS OF DISTURBANCE				EXISTING PHONE PEDESTAL				EXISTING INLETS	
EXISTING FENCE LINE				PROPOSED STORM WATER EASEMENT				EXISTING PHONE MANHOLE				EXISTING CURB INLET	
EXISTING NATURAL GAS CONDUIT								EXISTING UTILITY POLE				EXISTING CONCRETE	
EXISTING OVERHEAD WIRES				EXISTING PARKING LABEL				EXISTING SANITARY MANHOLE				EXISTING CURB AND GUTTER	
EXISTING TELEPHONE CONDUIT				EXISTING SANITARY CLEANOUT				EXISTING TRAFFIC CONTROL BOX				EXISTING BUILDING	
EXISTING PUBLIC UTILITIES EASEMENTS				EXISTING STORM DRAIN MANHOLE				EXISTING TRAFFIC SIGNAL POLE				EXISTING STORY	
EXISTING SANITARY SEWER CONDUIT				EXISTING ELECTRICAL JUNCTION BOX				EXISTING TREE				EXISTING ELECTRICAL TRANSFORMER	
EXISTING STORM DRAIN CONDUIT				EXISTING ELECTRICAL MANHOLE				EXISTING CABLE TELEVISION PEDESTAL				EXISTING ASPHALT	
EXISTING WATER CONDUIT				EXISTING FIRE DEPARTMENT CONNECTION				EXISTING UNKNOWN UTILITY MANHOLE				EXISTING EASEMENT	
EXISTING ZONE LIMITS				EXISTING FIRE HYDRANT				EXISTING WATER METER				EXISTING REINFORCED CONCRETE PIPE	
PROPOSED 1' CONTOUR				EXISTING GAS MANHOLE				EXISTING BUILDING RESTRICTION LINE				EXISTING CORRUGATED METAL PIPE	
PROPOSED 2' CONTOUR								EXISTING WATER VALVE				EXISTING RIGGED-OF WAY	
-520													PROPOSED SWM FACILITY
-524													PROPOSED SWM FACILITY WITH CHECK WALL AND CURB



VICINITY MAP
SCALE: 1" = 2000'



ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
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GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2262
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:

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(301) 631-7507
Paul S. Weinschenk

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Ted Connelly

LANDSCAPE ARCHITECT

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(202) 588-5454
Matthew Traucht

LIGHTING CONSULTANT

CM KLING + ASSOCIATES
1020 Cameron Street
Alexandria, VA 22314
(703) 684-6270
Brian Allard

ATTORNEY

LINOWES AND BLOCH
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Barbara Sears

PLANNER, CIVIL ENGINEER

VIKA MARYLAND, LLC
20251 Century Boulevard
Suite 400
Germantown MD, 20874
(301) 916-4100
Ian P. Duke

[illegible]

PROFESSIONAL SEAL

DOWNTOWN
SILVER SPRING

13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW01
TAX MAP: JN343

AREAS
TO BE
ABANDONED

DRAWN BY: _____
DESIGNED BY: _____

VIKA
PROJECT

SHEET NO. SP-3

SHEET NO. _____

LAYOUT: abandonment area. Plotted By: Duke

150000-605001 60170 C:\001 SITE\DI OT SUBJECT\ 60170 sub224 for Counterscan on Washington Ave 15 0000 19:41:05 EM

EXHIBIT C



**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**

EXHIBIT D

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 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

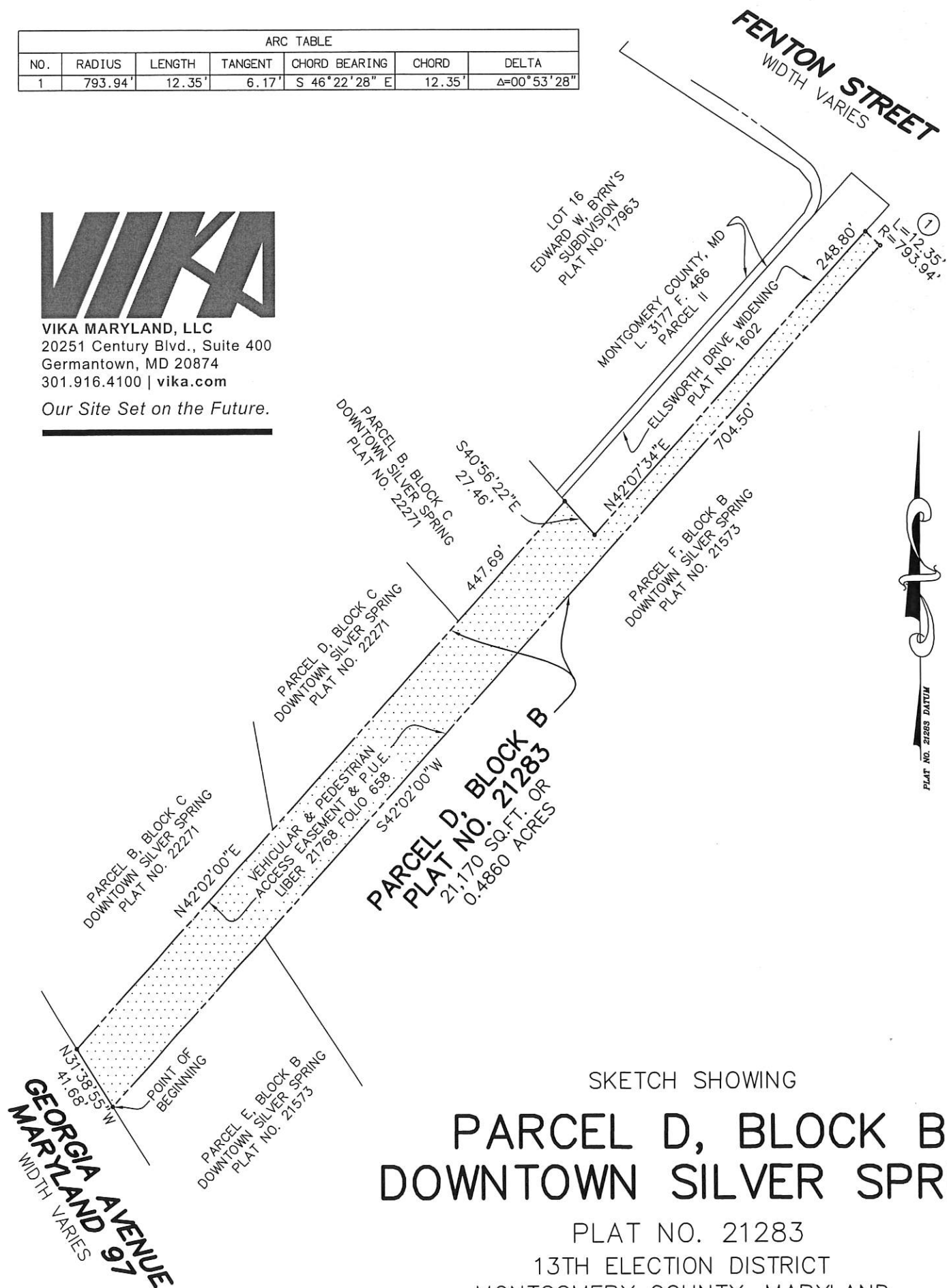


ARC TABLE						
NO.	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
1	793.94'	12.35'	6.17'	S 46°22'28" E	12.35'	Δ=00°53'28"



VIKA MARYLAND, LLC
 20251 Century Blvd., Suite 400
 Germantown, MD 20874
 301.916.4100 | vika.com

Our Site Set on the Future.





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

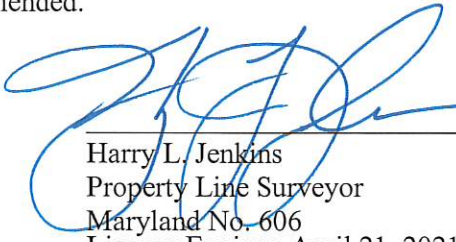
Being part of Ellsworth Drive widening, as shown on a plat entitled "Plat of Ellsworth Drive widening and Fenton Street Extension" recorded in Plat No. 1602 among the Land Records of Montgomery County, Maryland and being more particularly described in the datum of said Plat No. 1602 as follows:

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


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

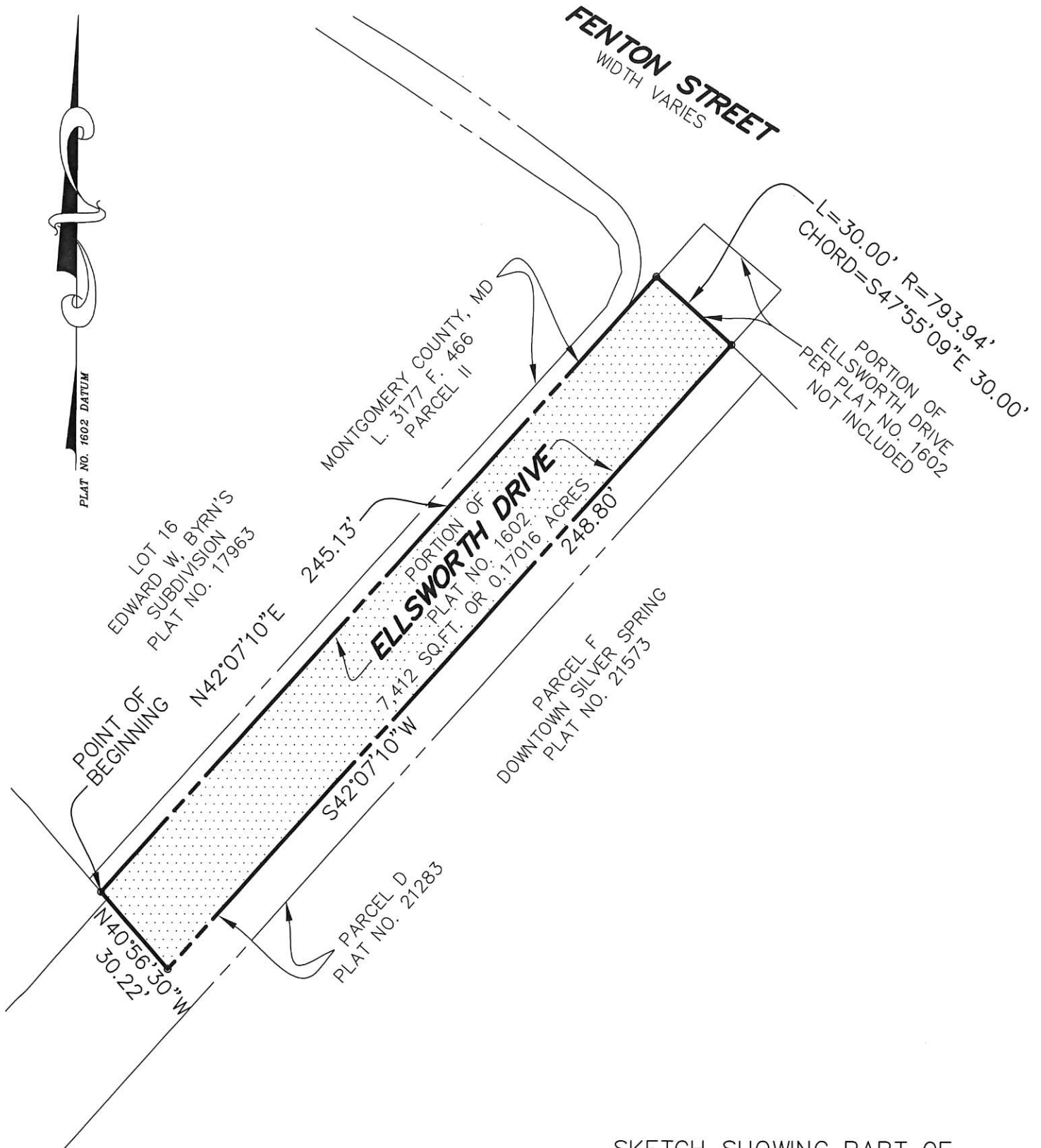


Z:\50000-50500\50378\DOCUMENTS\SURVEY DOCS\LEGAL DESCRIPTIONS\Ellsworth Place_2020-03-30.docx

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 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

OWNER'S CERTIFICATE **PLAT No 21288**

WE THE UNDERSIGNED OWNER OF THE PROPERTY DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION DEDICATE THE STREETS TO PUBLIC USE ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND RESERVE UNTO MONTGOMERY COUNTY, MARYLAND, EASEMENTS DESIGNATED HEREON AS "PUBLIC IMPROVEMENT EASEMENT" FOR THE CONSTRUCTION AND MAINTENANCE OF BIKEPATHS AND SIDEWALKS AND GRANT TO THE WASHINGTON SUBURBAN SANITARY COMMISSION (WSSC) SUCH EXCLUSIVE RIGHTS AS NECESSARY FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF SANITARY SEWER AND/OR WATER MAINS AND APPURTENANCES WITHIN THE WATER AND/OR SEWER RIGHTS OF WAY EASEMENTS SHOWN HEREON, SUBJECT TO AND TOGETHER WITH THE CONDITIONS CONTAINED IN A RIGHT OF WAY DOCUMENT FROM THE GRANTOR(S) THEIR SUCCESSORS OR ASSIGNS TO THE W.S.S.C. AND TO BE RECORDED HEREFTER.

ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN SITE PLAN, PROJECT PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD, ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.

AS OWNER OF THIS SUBDIVISION WE, OUR SUCCESSORS AGENTS AND ASSIGNS WILL CAUSE ALL PROPERTY MARKERS AND ANY OTHER REQUIRED MONUMENTATION TO BE SET BY A REGISTERED MARYLAND SURVEYOR IN ACCORDANCE WITH SECTION 50-24(a)(2) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO RECORDED SUITS, ACTIONS AT LAW LIENS LEASES MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS RIGHTS OF WAY AND COVENANTS OF RECORD.

MONTGOMERY COUNTY, MARYLAND
(A BODY CORPORATE AND PUBLIC)

Douglas M. Duncan
DOUGLAS M. DUNCAN, COUNTY EXECUTIVE

8/17/99
DATE

Patricia C. Sisk
WITNESS

EDWARD W. BYRNS
SUBDIVISION
PB 1 P 59

NOTES

1. THE POTOMAC ELECTRIC POWER COMPANY HAS CONDITIONALLY WITHDRAWN THEIR OBJECTIONS TO THE ABANDONMENTS OF PERSHING DRIVE ELLSWORTH DRIVE BALTIMORE ROAD AND TWO UNNAMED ALLEYS PER LETTER DATED AUGUST 18 1998.
2. THIS PROPERTY IS CURRENTLY ZONED CBD-1.
3. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
4. DEVELOPMENT OF THIS PROPERTY IS SUBJECT TO AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING ADEQUATE PUBLIC FACILITIES.
5. PRELIMINARY PLAN NO 1-98107 SITE PLAN NO 8-99002 TAXMAP JN 343.
6. DEVELOPMENT IS SUBJECT TO THE TERMS OF A SITE PLAN ENFORCEMENT AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD (FILE NO 8-99002).

LOT 16
EDWARD W. BYRNS
SUBDIVISION
PB 159 P 17983

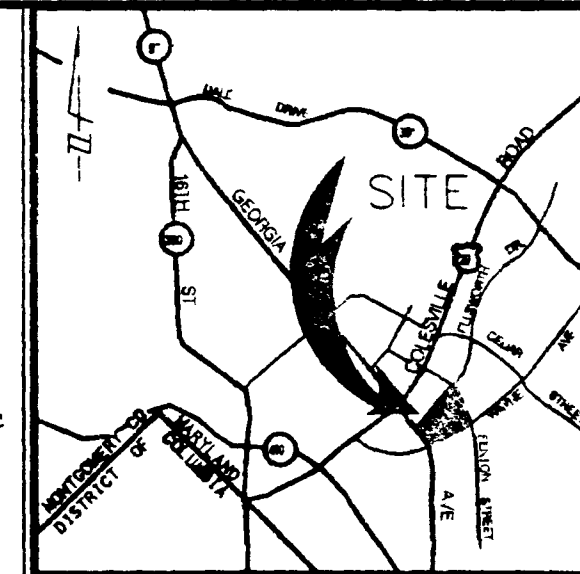
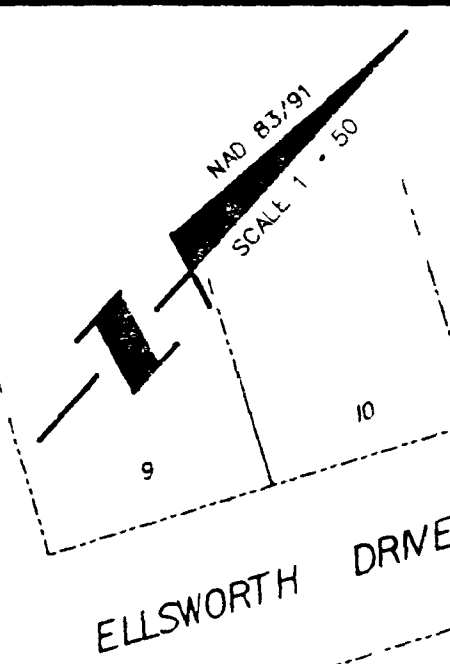
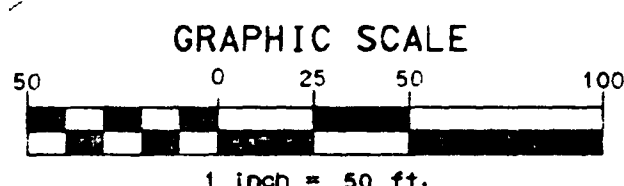


EXHIBIT A MAP
SCALE 1" = 2000'



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE INFORMATION SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF THE LAND ACQUIRED BY MONTGOMERY COUNTY, MARYLAND, BY THE FOLLOWING CONVEYANCES ALL RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND:

1. ALL OF THE LAND CONVEYED BY LSP-PICKETT LIMITED PARTNERSHIP ET AL, BY DEED DATED OCTOBER 22 1998 AND RECORDED IN LIBER 16373 AT FOLIO 462.
2. ALL OF THE LAND CONVEYED BY 8501 GEORGIA, L.L.C. BY DEED DATED SEPTEMBER 20 1995 AND RECORDED IN LIBER 13704 AT FOLIO 36.
3. ALL OF THE LAND CONVEYED BY THE McDONALD'S CORPORATION BY DEED DATED APRIL 14 1997 AND RECORDED IN LIBER 14813 AT FOLIO 462.
4. ALL OF THE LAND CONVEYED BY LAWRENCE T. WASHINGTON JR. ET AL BY DEED DATED FEBRUARY 23 1995 AND RECORDED IN LIBER 13275 AT FOLIO 297.
5. ALL OF THE LAND CONVEYED BY ALEX KONTOIS ET UX BY DEED DATED NOVEMBER 15 1995 AND RECORDED IN LIBER 13762 AT FOLIO 586.
6. ALL OF THE LAND CONVEYED BY RONALD E. CREAMER, SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF ANNA GUDLESKEY, ET AL BY DEED DATED FEBRUARY 9 1995 AND RECORDED IN LIBER 13252 AT FOLIO 768.
7. ALL OF THE LAND CONVEYED BY ALVIN B. PECK, ET AL BY DEED DATED SEPTEMBER 27 1995 AND RECORDED IN LIBER 13657 AT FOLIO 27.
8. ALL OF THE LAND CONVEYED BY BARTON M. SHAPIRO BY DEED DATED NOVEMBER 15 1995 AND RECORDED IN LIBER 13762 AT FOLIO 590.
9. ALL OF THE LAND CONVEYED BY BILLY BOY CARRY OUT INC. BY DEED DATED NOVEMBER 15 1995 AND RECORDED IN LIBER 13762 AT FOLIO 594.
10. ALL OF THE LAND CONVEYED BY DAVID STERN BY DEED DATED AUGUST 22 1995 AND RECORDED IN LIBER 13616 AT FOLIO 93.
11. ALL OF THE LAND CONVEYED BY RICHARD S. GATTI JR. BY DEED DATED JULY 31 1995 AND RECORDED IN LIBER 13543 AT FOLIO 263.
12. ALL OF THE LAND CONVEYED BY JAMES J. LOMBARDI, PERSONAL REPRESENTATIVE FOR THE ESTATE OF ROBERTA B.L. PLUMMER ET AL, BY DEED DATED APRIL 19 1995 AND RECORDED IN LIBER 13389 AT FOLIO 391.
13. ALL OF THE LAND CONVEYED BY PERSHING DRIVE LIMITED PARTNERSHIP BY DEED DATED FEBRUARY 22 1997 AND RECORDED IN LIBER 14700 AT FOLIO 553.
14. ALL OF THE LAND CONVEYED BY THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION BY DEED DATED OCTOBER 5 1998 AND RECORDED IN LIBER 16326 AT FOLIO 232.
15. ALL OF THE LAND CONVEYED BY CITY PLACE LIMITED PARTNERSHIP BY DEED DATED APRIL 19 1999 AND RECORDED IN LIBER 17059 AT FOLIO 151.

AND ALSO PART OF THE LAND FORMERLY INCLUDED IN THE RIGHTS OF WAY FOR ELLSWORTH DRIVE, PERSHING DRIVE, FENTON PLACE AND TWO UNNAMED ALLEYS, WHICH ARE HEREWITH BEING ABANDONED BY MONTGOMERY COUNTY, MARYLAND, IN ACCORDANCE WITH RESOLUTION NOS. 13-1429, 13-1430, 13-1431, AND 13-1432 APPROVED BY THE MONTGOMERY COUNTY COUNCIL ON SEPTEMBER 22 1998.

AND ALSO BEING A RESUBDIVISION OF ALL OR PARTS OF THE LOTS SHOWN ON THE FOLLOWING PLATS OF SUBDIVISION:

1. JORDAN'S AND SMITH'S ADDITION TO SILVER SPRING PARK, RECORDED IN PLAT BOOK 4, PLAT NO 301.
2. H. H. HOWLETT'S ADDITION TO SILVER SPRING, RECORDED IN PLAT BOOK 4, PLAT NO 394 AND PLAT BOOK 33, PLAT NO 2126.
3. PLAT OF ELLSWORTH DRIVE WIDENING AND FENTON STREET EXTENSION, RECORDED IN PLAT BOOK 25, PLAT NO 1602.
4. EDWARD W. BYRNS'S SUBDIVISION, RECORDED IN PLAT BOOK 159, PLAT NO 17983.

AND THAT ONCE ENGAGED AS DESCRIBED IN THE OWNER'S CERTIFICATE HEREON, ALL IRON PIPES MARKED THIS WILL BE SET AS DELINEATED HEREON.

THE TOTAL AREA OF THIS PLAT, WHICH INCLUDES ONE PARCEL, IS 7.4321 ACRES, OF WHICH 0.078 ACRES IS DEDICATED TO PUBLIC USE.



Joseph Hines
JOSEPH HINES
PROFESSIONAL LAND SURVEYOR
NO REG NO 10887

7/28/99
DATE

**PLAT OF ABANDONMENT
ELLSWORTH DRIVE, PERSHING DRIVE,
FENTON PLACE, AND TWO UNNAMED ALLEYS
AND**

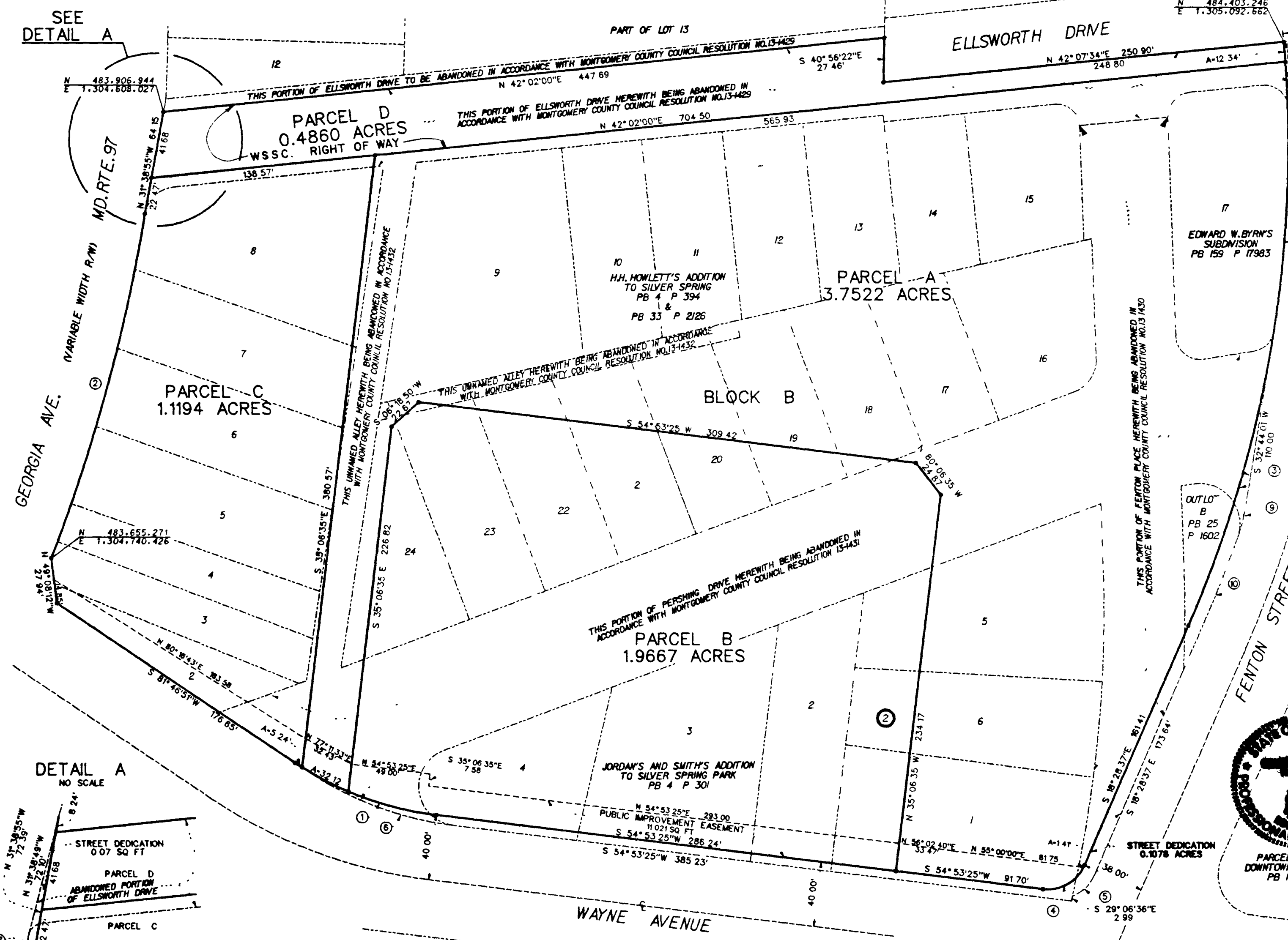
**SUBDIVISION RECORD PLAT
PARCELS A THROUGH D, BLOCK B
DOWNTOWN SILVER SPRING
WHEATON (13TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND**

SCALE: 1" = 80' MAY, 1999
LOEDERMAN ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS



1390 Piccard Drive
Rockville, Maryland 20850
(301) 948-2750

MSA SSU 1249-27193



	RADIUS	LENGTH	DELTA	TAN	CHD BEARING	CHORD
1	200.00'	93.87'	26°53'26"	47.81'	S 68°20'08" W	93.01'
2	1,080.00'	220.80'	11°42'50"	110.79'	N 26°36'47" W	220.42'
3	745.00'	369.53'	28°25'09"	188.65'	S 18°12'24" W	365.75'
4	25.00'	32.01'	73°22'02"	18.62'	S 18°12'24" W	29.87'
5	25.00'	19.70'	45°09'20"	10.40'	S 04°06'02" W	19.20'
6	205.12'	96.27'	26°53'26"	49.04'	S 68°20'08" W	95.39'
7	20.00'	0.29'	00°49'24"	0.14'	N 32°03'31" W	0.29'
8	793.94'	138.18'	10°56'11"	69.30'	S 38°12'06" E	137.97'
9	110.17'	19.48'	10°07'45"	9.76'	S 27°40'08" E	9.76'
10	733.94'	52.87'	04°07'38"	26.45'	S 20°32'27" E	52.86'

FOR PUBLIC SEWER AND WATER SYSTEMS ONLY 299302198107899002CBD-1101701

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED - **JUNE 17, 1999**

Minis Wang Fennel
CHAIRMAN ASST. SECRETARY TREASURER

M.N.C.P. & P.C. RECORD FILE NO **611-05**

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PERMITTING SERVICES

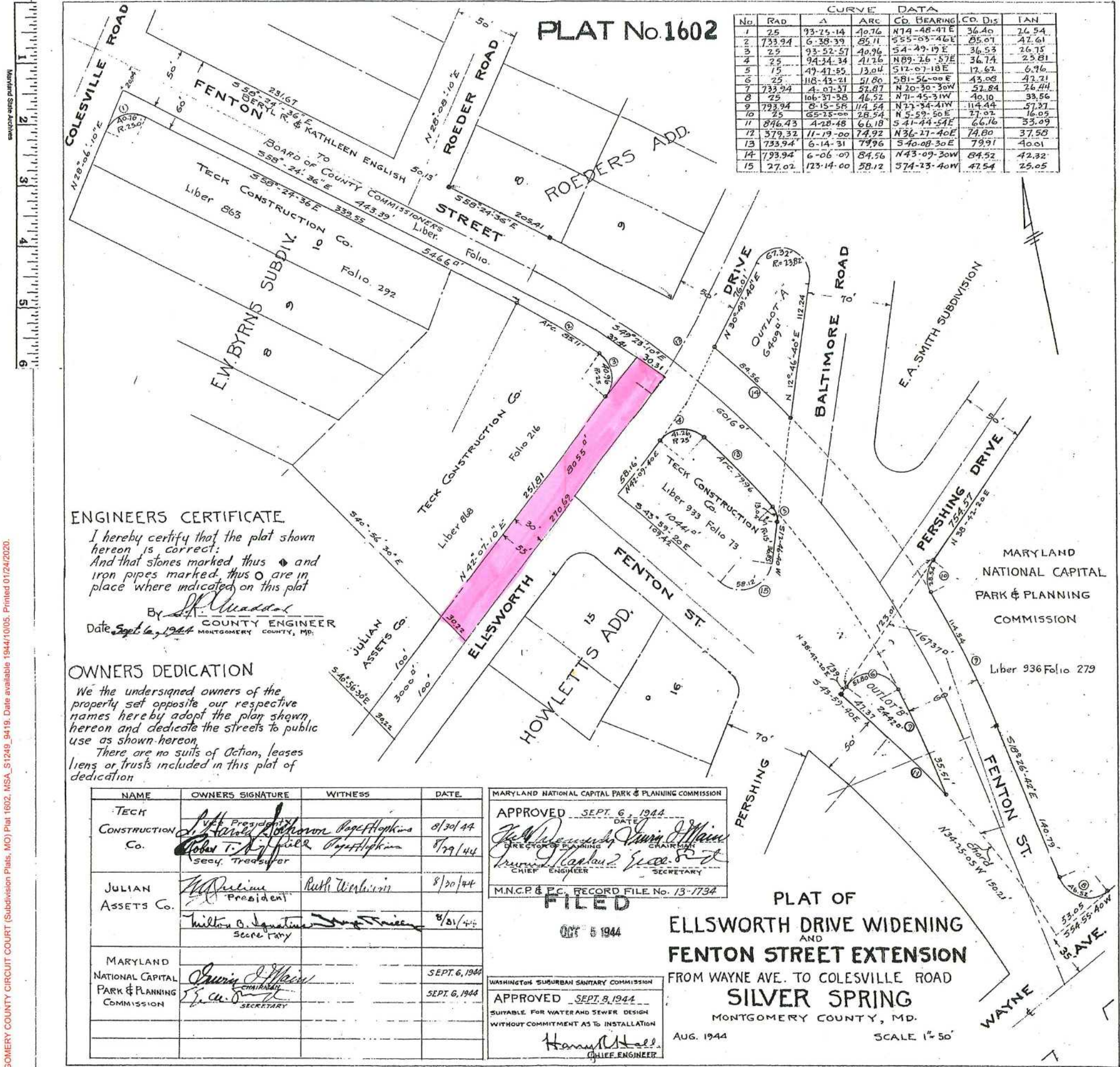
APPROVED - **AUG 17, 1999**

Sta. May
BY FOR DIRECTOR

THE APPROVAL OF THIS PLAT IS
PREDICATED ON THE ADEQUACY
AND AVAILABILITY OF PUBLIC
SEWER AND WATER

RECORDED
PLAT BOOK
PLAT

PLA No 99.077



ADJOINING AND CONFRONTING PROPERTY OWNERS LIST

April 9, 2020

EXHIBIT G

Tax Account No.	Name	Department	Address1	Address2	City	State	PostalCode	Parcel	Block	Lot
Subject Property										
13-03707148	8515 Georgia Avenue Assoc. LLC	c/o Petersons Co.	12500 Fair Lakes Circle	Suite 400	Fairfax	VA	22033-3804			
13-03707161	8515 Georgia Avenue Assoc. LLC	c/o Petersons Co.	12500 Fair Lakes Circle	Suite 400	Fairfax	VA	22033-3804			
13-03309135	Montgomery County MD		101 Monroe Street		Rockville	MD	20850-2540	N390	B	
13-03309113	PFA B Silver Spring LC	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804	N336	B	
13-03423533	PFA H Silver Spring LC		12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804			
13-03423522	Silver Spring Hotel Assoc. LLC		105 Decker Street	Suite 500	Irving	TX	75062-2790			
13-03256207	PFA-A Silver Spring LC	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804		A	
13-03412392	Montgomery County	Executive Office Building	101 Monroe Street		Rockville	MD	20850	N230	A	
13-03279414	Montgomery County	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804	N175	D	
13-03279403	Montgomery County, MD		101 Monroe Street		Rockville	MD	20850-2540	N315	B	
13-03381437	Montgomery County	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804	N333	C	
13-03381415	PFA C Silver Spring LC	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804	N316	C	
13-03316712	Montgomery County, MD	Attn: Chief Admin. Officer	101 Monroe Street	2nd Floor	Rockville	MD	20850	N278		
13-03381426	Montgomery County	c/o Peterson Retail Mgmt. LC	12500 Fair Lakes Circle	Suite 430	Fairfax	VA	22033-3804	N331	C	
13-03710911	PFA Cedar Street LC	c/o Foulger Pratt Co.	12435 Park Potomac Avenue	Suite 200	Potomac	MD	20854			
13-03710900	PFA Cedar Street LC	c/o Foulger Pratt Co.	12435 Park Potomac Avenue	Suite 200	Potomac	MD	20854			
13-03710897	PFA Cedar Street LC	c/o Foulger Pratt Co.	12435 Park Potomac Avenue	Suite 200	Potomac	MD	20854			
13-03710886	PFA Cedar Street LC	c/o Foulger Pratt Co.	12435 Park Potomac Avenue	Suite 200	Potomac	MD	20854			
13-03710875	PFA Cedar Street LC	c/o Foulger Pratt Co.	12435 Park Potomac Avenue	Suite 200	Potomac	MD	20854			
Adjoining and Confronting Property Owners										
13-02897540	Avante Ellsworth Ven. I LLC		9010 Overlook Boulevard		Brentwood	TN	37027			
13-02897551	Avante Ellsworth Ven. I LLC		9010 Overlook Boulevard		Brentwood	TN	37027			
13-03418104	Silver Spring Owner LLC		875 Third Avenue	Floor 12	New York	NY	10022	N428	A	6
13-03815591	8600 Georgia LLC		2359 Research Court		Woodbridge	VA	22192	N329		
13-03815580	8600 Georgia LLC		2359 Research Court		Woodbridge	VA	22192	N321		4
13-02571688	LDG Inc.		8601 Georgia Avenue	#200	Silver Spring	MD	20910		A	30
13-01044943	8622 Colesville Road LLC	c/o Klausner	4622 N 32nd Street		Arlington	VA	22207		A	P25
13-01044954	8622 Colesville Road LLC	c/o Klausner	4622 N 32nd Street		Arlington	VA	22207		A	26
13-01043471	Sonia Danshes & Rubin Danshes, Tr.		9213 Winterset Drive		Potomac	MD	20854		A	P14
13-01043458	Sonia Danshes & Rubin Danshes, Tr.		9213 Winterset Drive		Potomac	MD	20854		A	P14
13-01040295	Sonia Danshes & Rubin Danshes, Tr.		9213 Winterset Drive		Potomac	MD	20854		A	P15
13-01043460	Cal Klausner, Trustee, Rev. Trust		4622 N 32nd Street		Arlington	VA	22207		A	P15
13-03673544	Montgomery County MD		101 Monroe Street	2nd Floor	Rockville	MD	20850	N210	A	1
13-00984681	Colesville Joint Venture	c/o HBW Group	1055 1st Street	Suite 200	Rockville	MD	20850-8400			12
13-00957197	Cicero LLC	c/o Douglas Development Corp.	702 H Street, NW	Suite 400	Washington	DC	20001-3875			9
13-00956865	Jemal's Colemont LLC		702 H Street, NW	Suite 400	Washington	DC	20001-3734			10
13-03211552	SNH Medical Office Properties Trust	Two Newton Place	255 Washington Street		Newton	MA	02458			
13-03211541	Hospitality Associates of Silver Spring LP	Propety Tax Department	755 Crossover Lane		Memphis	TN	38117			
13-00974693	8737 Colesville Road LLC		8150 Leesburg Pike	Suite 1100	Vienna	VA	22182-7714		1	
13-00968191	PSE LLC	c/o Realty Mgmt. Service Inc.	7910 Woodmont Avenue	Suite 350	Bethesda	MD	20814-7013		3	P1
13-00984987	National Ready Mixed Concrete Association		900 Spring Street		Silver Spring	MD	20910-4015		3	11

ADJOINING AND CONFRONTING PROPERTY OWNERS LIST

April 9, 2020

Tax Account No.	Name	Department	Address1	Address2	City	State	PostalCode	Parcel	Block	Lot
13-00973767	National Ready Mixed Concrete Association		900 Spring Street		Silver Spring	MD	20910-4015		3	10
13-00973756	National Ready Mixed Concrete Association		900 Spring Street		Silver Spring	MD	20910-4015		3	9
13-00973745	National Ready Mixed Concrete Association		900 Spring Street		Silver Spring	MD	20910-4015		3	8
13-00973734	National Ready Mixed Concrete Association		900 Spring Street		Silver Spring	MD	20910-4015		3	P7
13-02591607	RMJ Silver Spring LLC		11161 New Hampshire Avenue	Suite 200	Silver Spring	MD	20904		2	14
13-00961634	Tower Apt. EHDRT LLC, et al.	c/o Realty Mgmt. Services, Inc.	7910 Woodmont Avenue	Suite 350	Bethesda	MD	20814-7013		2	1
13-01044896	Patrick A. O'Boyle	c/o St. Michael The Archangel	824 Pershing Drive		Silver Spring	MD	20910		3	
13-00954684	Bonnard & Kathleen Nadeau Teegarden		1483 Downham Market		Annapolis	MD	21401-6467		9	
13-00957040	Abraham Nathan Rafi &	Shiwali Govardhan Patel	8615 Cedar Street		Silver Spring	MD	20910-4324			8
13-00973712	Luiz R.S. & C. Simmons		10 Eton Overlook		Rockville	MD	20850-3003			7
13-00973701	Lia Epperson Jealous		8611 Cedar Street		Silver Spring	MD	20910			6
13-00957335	Joseph Paul & Karen M. Williams		8609 Cedar Street		Silver Spring	MD	20910-4324			5
13-00982820	DCMBA I LLC		1412 Kennedy Street, NW		Washington	DC	20011			4
13-00981780	Eric Steven Mendelsohn and	Betsy Thomas Mendelsohn	8605 Cedar Street		Silver Spring	MD	20910-4324			3
13-00983527	Andrew Dullnig & Nicole Harrison		8603 Cedar Street		Silver Spring	MD	20910-4324			2
13-00952481	Nancy E. Graziani, et al., Tr.		1106 Fallsmead Way		Potomac	MD	20854-5509			P1
13-01047228	Miguel A. Martinez and Susana Martinez		8515 Cedar Street		Silver Spring	MD	20910-4323		6	P10
13-03800737	Fenton Street Apartments LLC		One California Street	Suite 2500	San Francisco	CA	94111			
13-03800726	Fenton Street Apartments LLC		One California Street	Suite 2500	San Francisco	CA	94111			
13-03759494	First Baptist Church of Silver Spring		828 Wayne Avenue		Silver Spring	MD	20910-4426		4	51
13-01044874	Patrick A. O'Boyle	c/o St. Michael The Archangel	824 Pershing Drive		Silver Spring	MD	20910		4	26
13-01044908	Patrick A. O'Boyle	c/o St. Michael The Archangel	824 Pershing Drive		Silver Spring	MD	20910		4	P28
13-01044910	Patrick A. O'Boyle	c/o St. Michael The Archangel	824 Pershing Drive		Silver Spring	MD	20910		4	P31
13-01044885	Patrick A. O'Boyle	c/o St. Michael The Archangel	824 Pershing Drive		Silver Spring	MD	20910		4	P32
13-01039456	William P. & Cynthia C. Milloy		12507 Two Farm Drive		Silver Spring	MD	20904-2932		4	P33
13-01040411	John Thornhill & Chloe Thornhill		806 Wayne Avenue		Silver Spring	MD	20910-4426		4	P34
13-03735204	Montgomery County		101 Monroe Street		Rockville	MD	20850		1	33B
13-03598637	Alignay Investment LLC		804 Pershing Drive	#3	Silver Spring	MD	20910-4443			
13-03598810	Alignay Investment LLC		804 Pershing Drive	#3	Silver Spring	MD	20910-4443			
13-03598821	ASYA LLC		804 Pershing Drive	Suite 001	Silver Spring	MD	20910			
13-03598626	ASYA LLC		804 Pershing Drive	Suite 001	Silver Spring	MD	20910			
13-03598865	Balla Development LLC		804 Pershing Drive	Suite 208	Silver Spring	MD	20910-4439			
13-03598763	Balla Development LLC		804 Pershing Drive	Suite 208	Silver Spring	MD	20910-4439			
13-03598774	Balla Development LLC		804 Pershing Drive	Suite 208	Silver Spring	MD	20910-4439			
13-03598785	Balla Development LLC		804 Pershing Drive	Suite 208	Silver Spring	MD	20910-4439			
13-03598741	MCB Pershing LLC		804 Pershing Drive	Suite 203	Silver Spring	MD	20910-4443			
13-03598854	Broad Street Ventures LLC		7250 Woodmont Avenue	Suite 350	Bethesda	MD	20814			
13-03598648	Pershing Court LLC	c/o Sheryl Frank	2638 Colston Drive		Chevy Chase	MD	20815-3036			
13-03598717	Next Trend Styling LLC		804 Pershing Drive	Suite 109	Silver Spring	MD	20910			
13-03598730	MCB Pershing LLC		804 Pershing Drive	Suite 201	Silver Spring	MD	20910-4443			
13-03598728	Pershing SS LLC		14506 Golden Eagle Court		Burtonsville	MD	20866-1920			

ADJOINING AND CONFRONTING PROPERTY OWNERS LIST

April 9, 2020

Tax Account No.	Name	Department	Address1	Address2	City	State	PostalCode	Parcel	Block	Lot
13-03598876	Plaza Pershing Court LLC		804 Pershing Drive	Suite 104	Silver Spring	MD	20910-4443			
13-03598752	Quaint Acres Estates LLC		700 Quaint Acres Drive		Silver Spring	MD	20904-2724			
13-03598808	Quaint Acres Estates LLC		700 Quaint Acres Drive		Silver Spring	MD	20904-2724			
13-03598887	Plaza Pershing Court LLC		804 Pershing Drive	Suite 104	Silver Spring	MD	20910-4443			
13-03598694	Plaza Pershing Court LLC		804 Pershing Drive	Suite 104	Silver Spring	MD	20910-4443			
13-03598650	Taddy LLC		304 Montgomery Street		Laurel	MD	20707			
13-03598661	Mary S. Snider		804 Pershing Drive	Suite 101	Silver Spring	MD	20910-4436			
13-03598796	Pershing SS LLC		14506 Golden Eagle Court		Burtonsville	MD	20866-1920			
13-03598672	Taylor & Taylor Pershing Drive LLC		804 Pershing Drive	Suite 102	Silver Spring	MD	20910-4434			
13-03598683	Taylor & Taylor Pershing Drive LLC		804 Pershing Drive	Suite 102	Silver Spring	MD	20910-4434			
13-03598832	Taylor & Taylor Pershing Drive LLC		804 Pershing Drive	Suite 102	Silver Spring	MD	20910-4434			
13-03598706	Tonzav Holdings LLC		804 Pershing Drive	Suite 106	Silver Spring	MD	20910-4443			
13-03598843	Tonzav Holdings LLC		804 Pershing Drive	Suite 106	Silver Spring	MD	20910-4443			
13-03598898	Tonzav Holdings LLC		804 Pershing Drive	Suite 106	Silver Spring	MD	20910-4443			
13-02347238	BOF MD Station Square LLC		Five Concourse Parkway	Suite 500	Atlanta	GA	30328		1A	13
13-01046326	Robert Sugar & Helen Rea		6 Sussex Road		Silver Spring	MD	20910-5435			7
13-01042911	BSREP II MD Office Wayne LLC	c/o Brookfield Properties, Inc.	250 Vesey Street	15th Floor	New York	NY	10281-1023			13
13-01045721	Fiorentina C. Cascioli	MLC 948 Wayne Ave., LLC	11908 New Hampshire Avenue		Silver Spring	MD	20904		1	P13
13-01043631	Fae Brodie Revocable Tr.		8100 Connecticut Avenue	Suite 1410	Chevy Chase	MD	20815		1	P13
13-01043642	942-944 Wayne Ave. LLC		4641 Montgomery Avenue	Suite 200	Bethesda	MD	20814-3428		1	P14
13-01043653	942-944 Wayne Ave. LLC		4641 Montgomery Avenue	Suite 200	Bethesda	MD	20814-3428		1	P15
13-01039252	Mary V. Bobinger Millett Trust		13717 Bridgewater Drive		Silver Spring	MD	20904-5410		1	P16
13-01039764	A V Investments Maryland LLC		6237 Clearwood Road		Bethesda	MD	20817-5634		1	P17
	Property Mgmt. Co. for The Crescent Condominium	c/o Dan Lowery, Comsource Mgmt.	3414 Morningwood Drive		Olney	MD	20832			
Homeowners and Civic Associations										
	Bonaire Homes Association	Melinda Wilkins, President	P.O. Box 1041		Silver Spring	MD	20910-0041			
	Cameron Hill Homeowners Assn.	Robert Middleton, President	8517 Second Avenue		Silver Spring	MD	20910			
	East County Citizens Advisory Board		3300 Briggs Chaney Road		Silver Spring	MD	20904			
	East Silver Spring Citizens Assn.	Karen Roper, Chair, Land Use & Zoning	7911 Chicago Avenue		Silver Spring	MD	20910			
	East Silver Spring Citizens Assn.	Tim Haverland, President	737 Silver Spring Avenue		Silver Spring	MD	20910			
	Elizabeth House Residents Assn.		1400 Fenwick Lane		Silver Spring	MD	20910			
	Friends of Sligo Creek	Corrine Stephens, President	Board of Directors	PO Box 11572	Takoma Park	MD	20913			
	Friends of Sligo Creek	Kit Gage, Advocacy Coordinator	Board of Directors							
	Friends of Sligo Creek	Laura Mol, Chair, Natural History								
	Lofts24 Condo Association	Gloria Weissman	8316B Fenton Street		Silver Spring	MD	20910			
	Lofts24 Condo Association	Katherine Nelson	902D Bonifant Street		Silver Spring	MD	20910			
	Montgomery County Civic Federation	Bailey Condrey, President	10205 Parkwood Drive		Kensington	MD	20895			
	Montgomery County Renters Alliance Inc.	Hermione Freeman, Chair								
	Montgomery County Renters Alliance Inc.	Matthew Losak, Director	1001 Spring Street, #316		Silver Spring	MD	20910			
	Montgomery County Taxpayers League	Joan Fidler, President	7400 Pyle Road		Bethesda	MD	20817			
	Montgomery Preservation, Inc.	Judith Christensen, Director	6 Walker Avenue		Gaithersburg	MD	20877			
	Northern Montgomery County Alliance	Julius Cinque, Chair	22300 Slidell Road		Boyd's	MD	20841			

ADJOINING AND CONFRONTING PROPERTY OWNERS LIST

April 9, 2020

Tax Account No.	Name	Department	Address1	Address2	City	State	PostalCode	Parcel	Block	Lot
	Park Hills Civic Association	Alan Bowser, President	409 Deerfield Avenue		Silver Spring	MD	20910			
	Park Hills Civic Association	Cheryl Gardner, Vice President								
	Presidents Council of Silver Spring CA	Andrew Kleine, President	9417 Worth Avenue		Silver Spring	MD	20901			
	PROGRESS	Mike Kraft, Chairperson	120 Dale Drive		Silver Spring	MD	20910			
	Seven Oaks-Evanswood Citizens Assn.	Michael Bufalini, President	410 Hamilton Avenue		Silver Spring	MD	20901			
	Sierra Club - Montgomery County Group	Jennifer Rossmere, Treasurer	P O Box 4024		Rockville	MD	20849			
	Silver Spring-Takoma Traffic Coalition	Charles Wolff, President	635 Bennington Drive		Silver Spring	MD	20910			
	Silver Spring Historical Society	Jerry McCoy	800 Thayer Avenue		Silver Spring	MD	20910-4504			
	South Silver Spring Neighborhood Assn.	Justin W. Chappell, President	1220 Blair Mill Road	Unit 12	Silver Spring	MD	20910			
	Washington Metro Area Transit Authority	Shyam Kannan, Managing Director	Office of Planning	600 Fifth Street, NW	Washington	DC	20001			
	Woodside Civic Association	Bill Scanlan, President	8816 1st Avenue		Silver Spring	MD	20910			
	Woodside Civic Association	Emily Strunk, Vice President								
	Woodside Park Civic Association	Brian Ditzler, Past President	1225 Noyes Drive		Silver Spring	MD	20910			
	Woodside Park Civic Association	Christine Morgan, Zoning Chair	1008 Woodside Parkway		Silver Spring	MD	20910			
	Woodside Park Civic Association	Daniel Maratin, President	8906 Woodland Drive		Silver Spring	MD	20910			
	Woodside Park Civic Association	Jim Burke, Treasurer	1422 Highland Drive		Silver Spring	MD	20910			
	Woodside Park Civic Association	Kathleen Briese, Past President	9007 Woodland Drive		Silver Spring	MD	20910			
	Woodside Park Civic Association	Robert Oshel, Vice President	9114 Crosby Road		Silver Spring	MD	20910			
	Woodside Park Homeowners Association	Carl Mukri, President	1123 Fairview Court		Silver Spring	MD	20910			
	Woodside Park Homeowners Association	Ken Davis, Vice President	1107 Fairview Court		Silver Spring	MD	20910			
	Woodside Park Homeowners Association	Neil Koslowe, Treasurer	1109 Fairview Court		Silver Spring	MD	20910			
	Woodside Station Homeowners Association	Eugene Canjels, President	1306 Noyes Drive		Silver Spring	MD	20910			
	Woodside Station Homeowners Association	Katherin Anderson, Treasurer	8812 Woodland Drive		Silver Spring	MD	20910			
Schools and Library										
	Sligo Creek Elementary School	Gary M. Rand, Principal	500 Schuyler Road		Silver Spring	MD	20910			
	Silver Spring International Middle School	Karen Y. Bryant, Principal	313 Wayne Avenue		Silver Spring	MD	20910			
	Northwood High School	Mrs. Mildred L. Charley-Greene, Principal	919 University Boulevard, West		Silver Spring	MD	20901			
	Silver Spring Library		900 Wayne Avenue		Silver Spring	MD	20910			
Parties of Record										
	Jennifer Presley		700 Woodside Parkway		Silver Spring	MD	20910			
	Eric Brenner		1610 Sanford Road		Silver Spring	MD	20902			
	Cynthia Bankston		1027 Ruatan Street		Silver Spring	MD	20903			
	Jessica Deibert		620 Silver Spring Avenue		Silver Spring	MD	20910			
	Kathy Michels		1701 Ladd Street		Silver Spring	MD	20902			
	Angelique Cureton		11215 Georgia Avenue	#719	Wheaton	MD	20910			
	Sarah Garcia		8416 Queen Annes Drive		Silver Spring	MD	20910			
	Andrew Malone		8416 Queen Annes Drive		Silver Spring	MD	20910			
	Kit Gage	Friends of Sligo Creek	8007 Park Crest Drive		Silver Spring	MD	20910			
	Timothy Scholze		710 Roeder Road		Silver Spring	MD	20910			
	Anne Vorce				Silver Spring	MD				
	Prashant Bhargava		1155 Ripley Street		Silver Spring	MD	20910			
	Kathy Bell		930 Wayne Avenue	#309	Silver Spring	MD	20910			
	Helen Nolan		8209 Queen Annes Drive		Silver Spring	MD	20910			
	Meg Henry		8708 1st Avenue	#408	Silver Spring	MD	20910			
	Samovy Henry		8708 1st Avenue	#408	Silver Spring	MD	20910			

ADJOINING AND CONFRONTING PROPERTY OWNERS LIST

April 9, 2020

Tax Account No.	Name	Department	Address1	Address2	City	State	PostalCode	Parcel	Block	Lot
	Beth Scholze		710 Roeder Road	Apt. 03	Silver Spring	MD	20910			
	Jim Ballon		505 Ellsworth Drive		Silver Spring	MD	20910			
	Lyn Elbi		815 Pershing Drive	Apt. 547	Silver Spring	MD	20910			
	Maria Cascioli		11908 New Hampshire Avenue		Silver Spring	MD	20904			
	Sam Emerson	Councilmember Tom Hucker's Office	Council Office Building	100 Maryland Avenue	Rockville	MD	20850			
	David Brown		8513 Second Avenue		Silver Spring	MD	20910			
	Candice Brown		8513 Second Avenue		Silver Spring	MD	20910			
	Claire Cocciolo		504 Dartmouth Avenue		Silver Spring	MD	20910			
	Kirby Knight		710 Roeder Road	Apt. 900	Silver Spring	MD	20910			
	R. G. Steinman		9009 Fairview Road		Silver Spring	MD	20910			
	Michelle Henderson		2208 Westview Court		Silver Spring	MD	20910			
Development/Other										
	Maryland-National Capital Park and	Planning Commission	Intake Section, D.A.R.C.	8787 Georgia Avenue	Silver Spring	MD	20910			
	Barbara A. Sears, Esq.	Miles & Stockbridge P.C.	11 N. Washington Street	Suite 700	Rockville	MD	20850			
	Ian Duke	VIKA Maryland, LLC	20251 Century Boulevard	Suite 400	Germantown	MD	20874			

mailed to -
 Public Works Commission 131d. Rebuilt m. 2-25-64

LIBER 3177 FOLIO 466

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

D E E D

THIS DEED made this 30th 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,

W I T N E S S E T H :

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 the 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° 06' 10" E 29.11' along the east side of Colesville Road to a point of curve, thence leaving said point of curve with a curve to the right having a radius of 25.00; an arc distance of 40.79' 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 aforementioned 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-

SJS
 10/30/63

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 Colesville Road S 28° 17' 04" W 37.63' to intersect the south line of aforesaid Lot #1. Thence leaving said point, and running N 58° 24' 36" W 15.75' 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 45.24' 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 right having a radius of 733.94', 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 25', 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 40° 58' 20" W 5.17' to intersect the proposed west right-of-way line of Ellsworth Drive. Thence leaving said point, and running with said west proposed right-of-way line of Ellsworth Drive N 42° 07' 10" E 228.15' 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° 06' 58" E 10.99', N 7° 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, N 56° 28' 47" W 131.58' to intersect the east line of Lot #1 in a subdivision entitled "H. K. S. Subdivision", and recorded in Plat Book 51 at Plat 4018 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.

CKW 3177 468

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 said 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.

ATTEST:

[Signature]
SECRETARY

H. K. S. CORPORATION

By *[Signature]* (SEAL)
PRESIDENT

STATE OF MARYLAND)
COUNTY OF MONTGOMERY) ss:

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

4/31
01/24/2020

LINER 3177 COL 10 469

1963, before me, the subscriber, a Notary Public of the foresaid State and County, personally appeared J. H. [unclear], personally well known (or satisfactorily proven) to be the [unclear] of the H. 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.

[unclear]
Notary Public

2173 707

EXHIBIT I**EXHIBIT 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.

21768 10

EXHIBIT "B-16"

FENTON STREET

LOT 16
EDWARD W. BYRN'S SUBDIVISION
PB 159 P 17983

ELLISWORTH DRIVE 248.80'

5 10° 56' 22"E

PARCEL B BLOCK C
P 22271

PARCEL C BLOCK C
P 22271

PARCEL D BLOCK C
P 22271

N 42°02'00"E
ACCESS VEHICULAR & PEDESTRIAN
DR 0.17658 SQ. AC.
S 42°02'00"W

P 22271

PARCEL F BLOCK B
P 21573

PARCEL D 21283 Block B

PARCEL E BLOCK B
P 21573

CURVE DATA					
RADIUS	ARC.	DELTA	TAN	CHD BEARING	CHD
		32.75°	5.17'	S 46°25'18"E	12.34'

CURVE DATA

CHD BEARING
S 46° 25' 18" E

CHD
C. 34

2

N 31° 38' 55" W
41.68'

GEORGIA AVENUE (MD RTE 97)

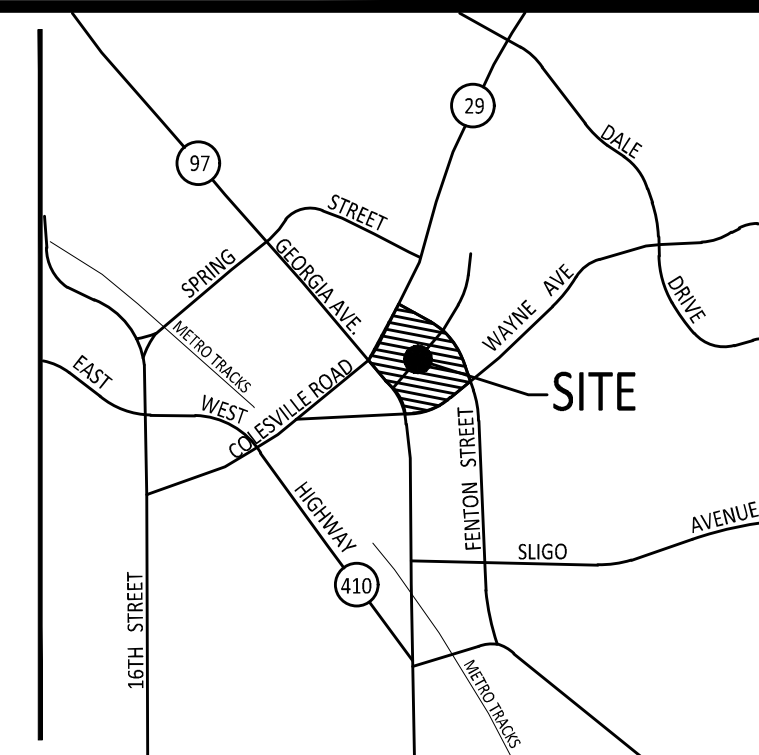
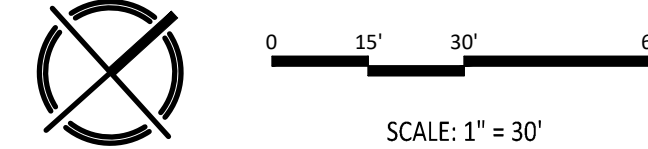
**Loi derman
Soltesz Associates**

ChA Engineering Land Planning Land Surveying Environmental Sciences
www.chaengineers.co.uk

10-9-15-9207

DESCRIPTION PLAT
VEHICULAR & PEDESTRIAN
ACCESS EASEMENT & P.U.E.
DOWNTOWN SILVER SPRING
WHEATON (13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
P. - 60. AUGUST, 2002

PROPERTY LINES		PROPOSED WATER LINE		EXISTING GUY POLE		EXISTING BOLLARD		BUILDING HEIGHT MEASUREMENT	
CTV	CTV	CTV	EXISTING CABLE TELEVISION CONDUIT	8" W	PROPOSED SIGN POST	8" W	EXISTING SIGN POST	PROPOSED BIKE RACKS	
			EXISTING ELECTRICAL CONDUIT	8" S	EXISTING LIGHT POLE	8" W	EXISTING WOOD POST	PROPOSED LIGHTS	
			EXISTING EDGE OF PAVEMENT		EXISTING PHONE PEDESTAL	8" W	EXISTING INLETS	PEDESTRIAN LIGHTS	
			EXISTING FENCE LINE		EXISTING PHONE MANHOLE	8" W	EXISTING CURB INLET	PROPOSED PARKING LABELS	
			EXISTING NATURAL GAS CONDUIT	1.00	EXISTING UTILITY POLE	8" W	EXISTING CONCRETE CUREND GUTTER	PROPOSED HARDSCAPE	
			EXISTING OVERHEAD WIRES		EXISTING SANITARY MANHOLE	8" W	EXISTING BUILDING	PROPOSED FIRE HYDRANT	
			EXISTING TELEPHONE CONDUIT		EXISTING TRAFFIC CONTROL BOX	8" W	EXISTING STORM	DOOR LOCATION	
			EXISTING PUBLIC UTILITIES EASEMENTS		EXISTING TRAFFIC SIGNAL POLE	8" W	EXISTING ELECTRICAL TRANSFORMER		
			EXISTING SANITARY SEWER DRAIN		EXISTING TREE	8" W	EXISTING ASPHALT		
			EXISTING STORM DRAIN CONDUIT		EXISTING CABLE TELEVISION PEDESTAL	8" W	EXISTING EASEMENT		
			EXISTING WATER CONDUIT		EXISTING UNKNOWN UTILITY MANHOLE	8" W	EXISTING REINFORCED CONCRETE PIPE		
			EXISTING ZONE LIMITS		EXISTING WATER METER	8" W	EXISTING CORRUGATED METAL PIPE		
-520			PROPOSED 10' CONTOUR		EXISTING FIRE MANHOLE	8" W	EXISTING BUILDING RESTRICTION LINE		
-524			PROPOSED 2' CONTOUR		EXISTING WATER VALVE	8" W	EXISTING CURB-GUT-OF-WAY		



DESIGN CONSULTANTS

ARCHITECT

BCI
100 N. Charles St
18th Floor
Baltimore, MD 21201
(410) 837-2727
Ted Connelly

LANDSCAPE ARCHITECT

1611 Connecticut Avenue NW
3rd Floor
Washington, DC 20009
(202) 588-5454
Matthew Traucht

LIGHTING CONSULTANT

1020 Cameron Street
Alexandria, VA 22314
(703) 684-6270

ATTORNEY

7200 Wisconsin Avenue
Suite 800
Bethesda, MD 20814
(301) 654-0504
Barbara Sears

PLANNER, CIVIL ENGINEER

VIRA MARTLAND, LLC
20251 Century Boulevard
Suite 400
Germantown MD, 20874
(301) 916-4100
Ian P. Duke

REVISIONS	DATE
PER INTAKE REVIEW	2019-11-11

PROFESSIONAL SEAL

DOWNTOWN
SILVER SPRING

13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW01
TAX MAP: JN343

EXISTING CONDITIONS

DRAWN BY: _____
DESIGNED BY: _____

VIKA
PROJECT

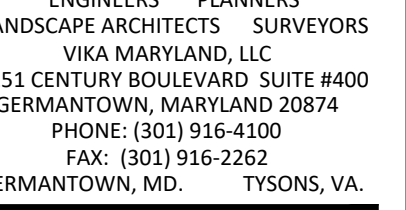
NO. 81999002

SHEET NO. SP-3

EXHIBIT J

LAYOUT: ex conditions, Plotted By: Duke

7 / 50000-506000\50178\4000\CITE\DI OT SUBJECT\50178 subjects for Classification - Madelonville Aug 2 15 2020 19:30:05 DM



PREPARED FOR:
TERSON COMPANIES
 100 Fair Lakes Circle
 Suite 400
 Fairfax, VA 22033
 Tel: (703) 631-7507
 Fax: (703) 631-7507
 E-Mail: info@terson.com
 Web: www.terson.com
 S. Weinschenk

SIGN CONSULTANTS

ARCHITECT
T
 N. Charles St
 Floor
 more, MD 21201
 837-2727
 Connelly

LANDSCAPE ARCHITECT
ULUS
1000 Connecticut Avenue NW
10th Floor
Washington, DC 20009
Tel: 202-588-5454
www.hewtraucht.com

LIGHTING CONSULTANT
KLING + ASSOCIATES
100 Cameron Street
Arlington, VA 22214
Tel: 703-684-6270
Fax: 703-684-6270
www.klingallard.com

**ORNEY
OWES AND BLOCHER**
10 Wisconsin Avenue
Suite 800
Bethesda, MD 20814
Tel: 654-0504
Fax: 654-0505
www.owesandblocher.com

ANNER, CIVIL ENGINEER
MA MARYLAND, LLC
1 Century Boulevard
400
hantown MD, 20874
) 916-4100
t. Duke

[illegible]

PROFESSIONAL SEAL

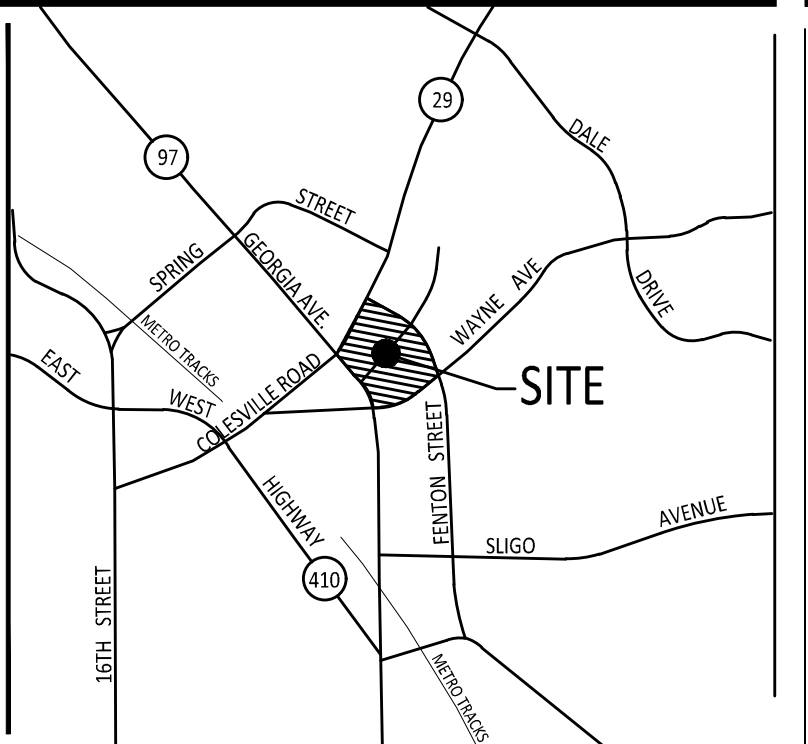
DOWNTOWN
SILVER SPRING

13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW01
TAX MAP: JN343

OWN BY: _____
 SIGNED BY: _____
 DATE ISSUED: _____

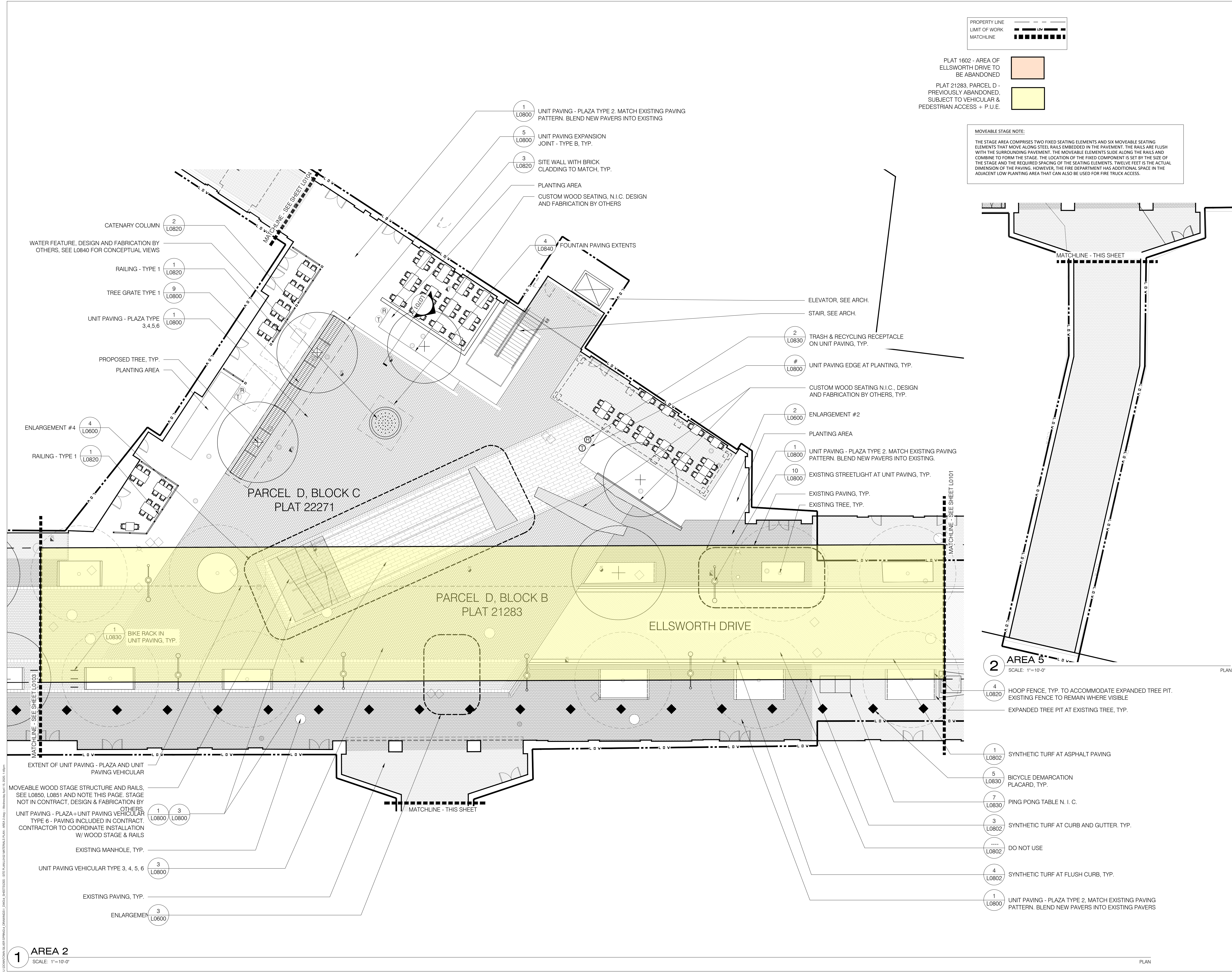
81999002M

SP-3



VICINITY MAP
SCALE: 1" = 2000'

**EXHIBIT K2**



OWNER

PETERSON COMPANIES
12500 Fair Lakes Circle
Suite 400
Fairfax, Virginia 22033

FOULGER-PRATT
12435 Park Potomac Ave
Suite 200
Potomac, MD 20854

CONSULTANT

O C U L U S
1611 CONNECTICUT AVE NW
3RD FLOOR
WASHINGTON DC 20009
202-588-5454
www.oculus.info

SEAL & SIGNATURE

PROJECT NAME

DOWNTOWN SILVER SPRING
916 Ellsworth Drive
Silver Spring, Maryland

KEY MAP

NOT FOR CONSTRUCTION

SUBMISSIONS/ REVISIONS

2019-10-15	INITIAL SUBMISSION
2020-01-13	RESUBMISSION
2020-02-28	RESUBMISSION

SCALE: 10/15/2019

DATE:

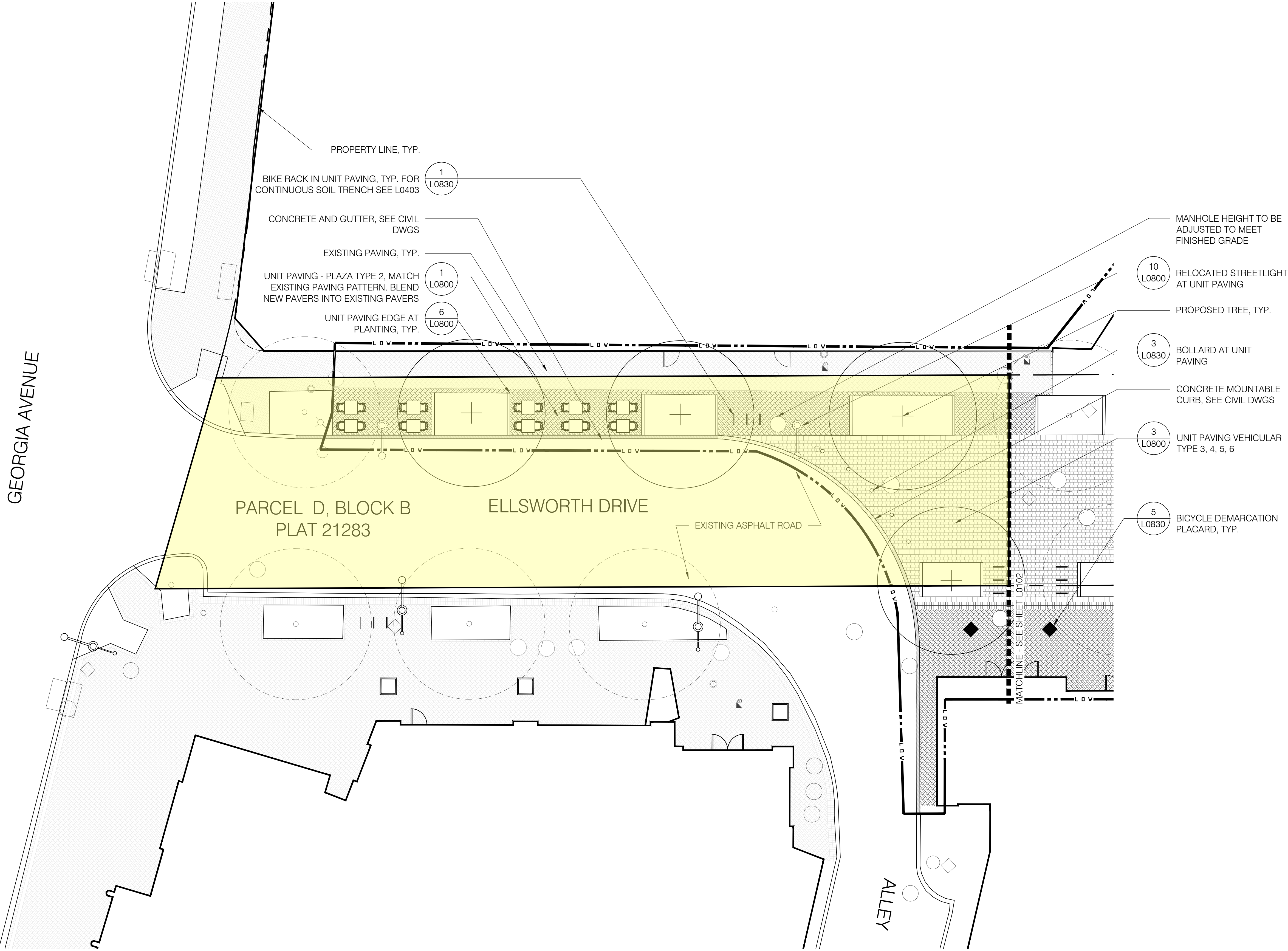
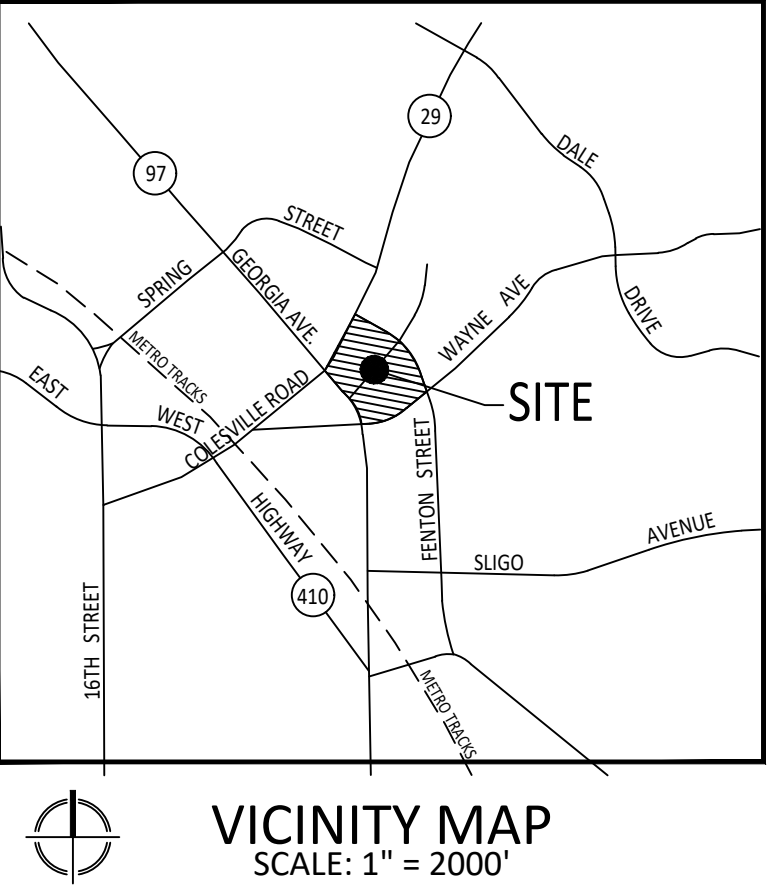
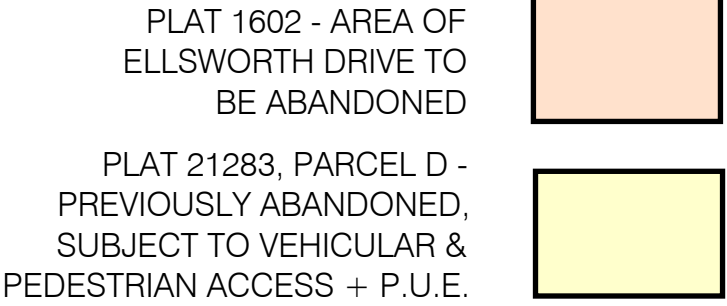
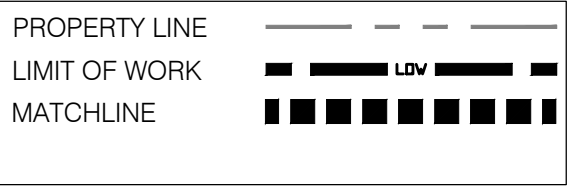
PROJECT NUMBER: W1901

POST-ABANDONMENT CONDITION - AREA 2

DRAWING TITLE:

L0102

SHEET NUMBER:



1 AREA 3
SCALE: 1"=10'-0"

PLAN

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 81999002M, including Approval Conditions, Development Program and Certified Site Plan.

Developer's Name: Peterson Companies
Contact Person: Todd Langford
Address: 12500 Fair Lakes Circle, Suite 400, Fairfax, VA 22033
Phone: 703.631.7582
Signature: _____ Date: _____

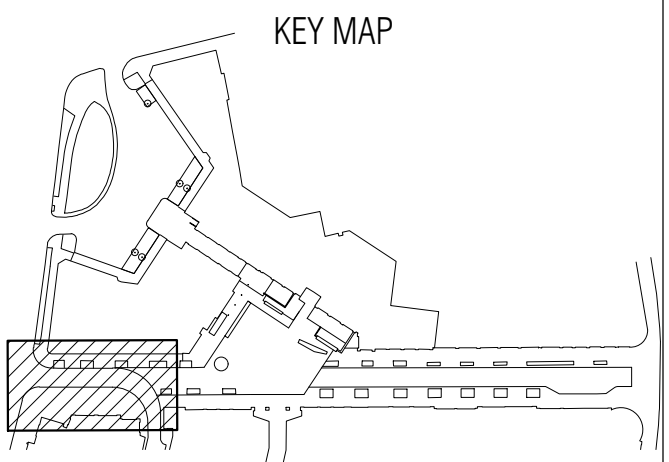
OWNER
PETERSON COMPANIES 12500 Fair Lakes Circle, Suite 400, Fairfax, Virginia 22033
FOULGER-PRATT 12435 Park Potomac Ave, Suite 200, Potomac, MD 20854

CONSULTANT
O C U L U S
1611 CONNECTICUT AVE NW
3RD FLOOR
WASHINGTON DC 20009
202-588-5454
www.oculus.info

SEAL & SIGNATURE

PROJECT NAME

DOWNTOWN SILVER SPRING
916 Ellsworth Drive
Silver Spring, Maryland



NOT FOR CONSTRUCTION

SUBMISSIONS/ REVISIONS	
2019-10-15	INITIAL SUBMISSION
2020-01-13	RESUBMISSION
2020-02-28	RESUBMISSION



SCALE: 10/15/2019

PROJECT NUMBER: W1901

POST-ABANDONMENT CONDITION - AREA 3

DRAWING TITLE:

















L0103

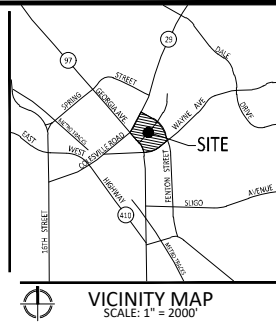
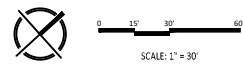
SHEET NUMBER:

			PROPERTY LINES
CTV	CTV	CTV	EXISTING CABLE TELEVISION CONDUIT
			EXISTING ELECTRICAL CONDUIT
			EXISTING GAS OF PAVEMENT
			EXISTING FENCE LINE
			EXISTING NATURAL GAS CONDUIT
			EXISTING OVERHEAD WIRES
			EXISTING TELEPHONE CONDUIT
			EXISTING PUBLIC UTILITIES EASEMENTS
			EXISTING SANITARY SEWER CONDUIT
			EXISTING STORM DRAIN CONDUIT
			EXISTING WATER CONDUIT
			EXISTING ZONE LIMITS
520			PROPOSED 10' CONTOUR
524			PROPOSED 2' CONTOUR

	PROPOSED WATER LINE
	PROPOSED SANITARY SEWER WITH STRUCTURE
	PROPOSED STORM DRAIN
	PROPOSED LIMITS OF DISTURBANCE
	PROPOSED STORM WATER EASEMENT
	EXISTING PARKING LABEL
	EXISTING SANITARY CLEANOUT
	EXISTING STORM DRAIN MANHOLE
	EXISTING ELECTRICAL JUNCTION BOX
	EXISTING ELECTRICAL MANHOLE
	EXISTING FIRE DEPARTMENT CONNECTION
	EXISTING FIRE HYDRANT
	EXISTING GAS MANHOLE

	EXISTING GUY POLE
	EXISTING GAS VALVE
	EXISTING LIGHT POLE
	EXISTING PHONE PEDESTAL
	EXISTING PHONE MANHOLE
	EXISTING UTILITY POLE
	EXISTING SANITARY MANHOLE
	EXISTING TRAFFIC CONTROL BOX
	EXISTING TRAFFIC SIGNAL POLE
	EXISTING TREE
	EXISTING CABLE TELEVISION PEDESTAL
	EXISTING UNKNOWN UTILITY MANHOLE
	EXISTING WATER METER
	EXISTING WATER MANHOLE
	EXISTING WATER VALVE

EXISTING BOLLARD		BUILDING HEIGHT MEASURING POINT
EXISTING SIGN POST		PROPOSED BIKE RACKS
EXISTING WOOD POST		PROPOSED LIGHTS
EXISTING INLETS		PEDESTRIAN LIGHTS
EXISTING CURB INLET		PROPOSED PARKING LABELS
EXISTING CONCRETE		PROPOSED HANDRAILS
EXISTING CURB AND GUTTER		PROPOSED FIRE HYDRANT
EXISTING BUILDING		DOOR LOCATION
EXISTING STONE		
EXISTING ELECTRICAL TRANSFORMER		
EXISTING ASPHALT		
EXISTING CASHEMENT		
EXISTING REINFORCED CONCRETE PIPE		PROPOSED SWM FACILITY
EXISTING CORRUGATED METAL PIPE		
EXISTING TRAFFIC RESTRICTION LINE		PROPOSED SWM FACILITY WITH CHECK WALL AND CURB CUT
EXISTING RIGHT-OF-WAY		



VFA
ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 COUNTRY BOULEVARD SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2262
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:
PETERSON COMPANIES
12500 Fair Lakes Circle
Suite 400
Fairfax, VA 22033
(301) 631-7507
Paul S. Weinschenk

DESIGN CONSULTANTS

ARCHITECT
BCT
100 N. Charles St
18th Floor
Baltimore, MD 21201
(410) 837-2727
Ted Connelly

LANDSCAPE ARCHITECT
OCULUS
1611 Connecticut Avenue NW
3rd Floor
Washington, DC 20009
(202) 588-5454
Matthew Traucht

LIGHTING CONSULTANT
CM KLING + ASSOCIATES
1020 Cameron Street
Alexandria, VA 22314
(703) 684-6270
Brian Allard

ATTORNEY
LINOWE AND BLOCHER
7200 Wisconsin Avenue
Suite 800
Bethesda, MD 20814
(301) 654-0504
Barbara Sears

PLANNER, CIVIL ENGINEER
VIKA MARYLAND, LLC
20251 Century Boulevard
Suite 400
Germantown MD, 20874
(301) 916-4100
Ian P. Duke

[illegible]

PROFESSIONAL SEAL

DOWNTOWN
SILVER SPRING

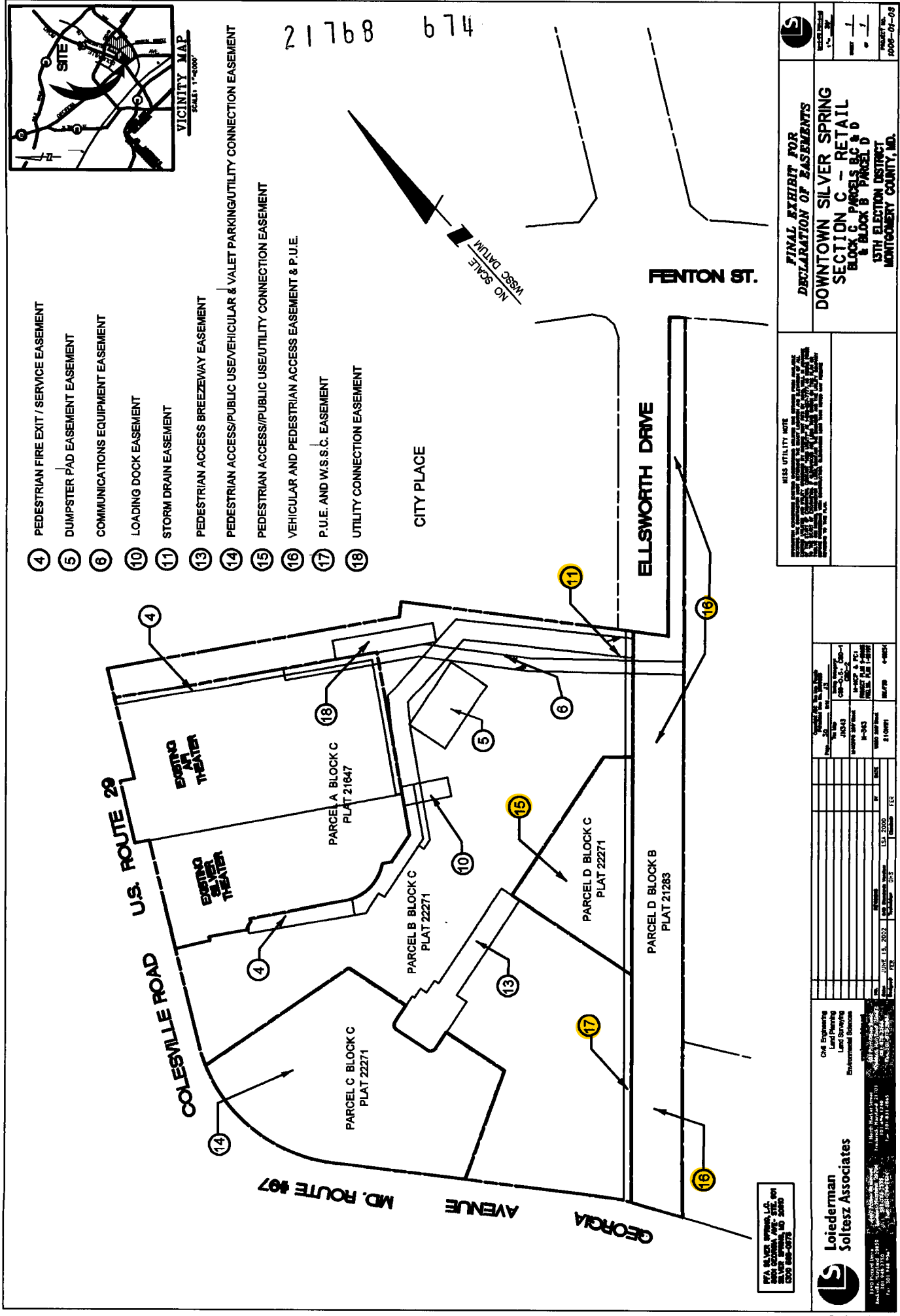
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW01
TAX MAP: JN343

SITE AND UTILITY PLAN


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

No Existing Utilities to Be Modified as a result of this abandonment.

EXHIBIT N



THIS UTILITY NOTE
IS A SUMMARY OF THE UTILITY INFORMATION
OBTAINED FROM THE RECORDS OF THE
MONTGOMERY COUNTY DEPARTMENT OF
PUBLIC WORKS. IT IS NOT A GUARANTEE
OF THE ACCURACY OF THE INFORMATION
CONTAINED HEREIN. THE USER OF THIS
NOTE SHALL BE RESPONSIBLE FOR
VERIFYING THE UTILITY INFORMATION
BEFORE ANY CONSTRUCTION.



**Loiederman
Soltesz Associates**

13400 Rockville Lane, Suite 100
Rockville, MD 20850
Tel: 301-744-1000
Fax: 301-744-1001

**FINAL EXHIBIT FOR
DECLARATION OF EASEMENTS**

**DOWNTOWN SILVER SPRING
SECTION C - RETAIL
BLOCK C, PARCELS B, C & D
& BLOCK B, PARCEL D**

**15TH ELECTION DISTRICT
MONTGOMERY COUNTY, MD.**

PROJECT NO.
1006-01-03

SCALE
1" = 40'

DATE
6/1/03

PROJECT INFORMATION		REVISIONS	
PROJECT NO.	1006-01-03	REVISION NO.	1
PROJECT NAME	DOWNTOWN SILVER SPRING SECTION C - RETAIL BLOCK C, PARCELS B, C & D & BLOCK B, PARCEL D	REVISION DATE	6/1/03
CLIENT	Loiederman Soltesz Associates	REVISION BY	JS
DATE	JUNE 15, 2003	REVISION DESCRIPTION	1.0000
PROJECT TYPE	NEW CONSTRUCTION	REVISION DATE	6/1/03
PROJECT LOCATION	15TH ELECTION DISTRICT, MONTGOMERY COUNTY, MD.	REVISION BY	JS
PROJECT OWNER	Loiederman Soltesz Associates	REVISION DESCRIPTION	1.0000
PROJECT MANAGER	Loiederman Soltesz Associates	REVISION DATE	6/1/03
PROJECT ENGINEER	Loiederman Soltesz Associates	REVISION BY	JS
PROJECT ARCHITECT	Loiederman Soltesz Associates	REVISION DESCRIPTION	1.0000
PROJECT LANDSCAPE ARCHITECT	Loiederman Soltesz Associates	REVISION DATE	6/1/03
PROJECT CIVIL ENGINEER	Loiederman Soltesz Associates	REVISION BY	JS
PROJECT ELECTRICAL ENGINEER	Loiederman Soltesz Associates	REVISION DESCRIPTION	1.0000
PROJECT MECHANICAL ENGINEER	Loiederman Soltesz Associates	REVISION DATE	6/1/03
PROJECT PLUMBING ENGINEER	Loiederman Soltesz Associates	REVISION BY	JS
PROJECT STRUCTURAL ENGINEER	Loiederman Soltesz Associates	REVISION DESCRIPTION	1.0000
PROJECT ENVIRONMENTAL ENGINEER	Loiederman Soltesz Associates	REVISION DATE	6/1/03
PROJECT TRAFFIC ENGINEER	Loiederman Soltesz Associates	REVISION BY	JS
PROJECT HISTORIC PRESERVATION	Loiederman Soltesz Associates	REVISION DESCRIPTION	1.0000
PROJECT OTHER	Loiederman Soltesz Associates	REVISION DATE	6/1/03