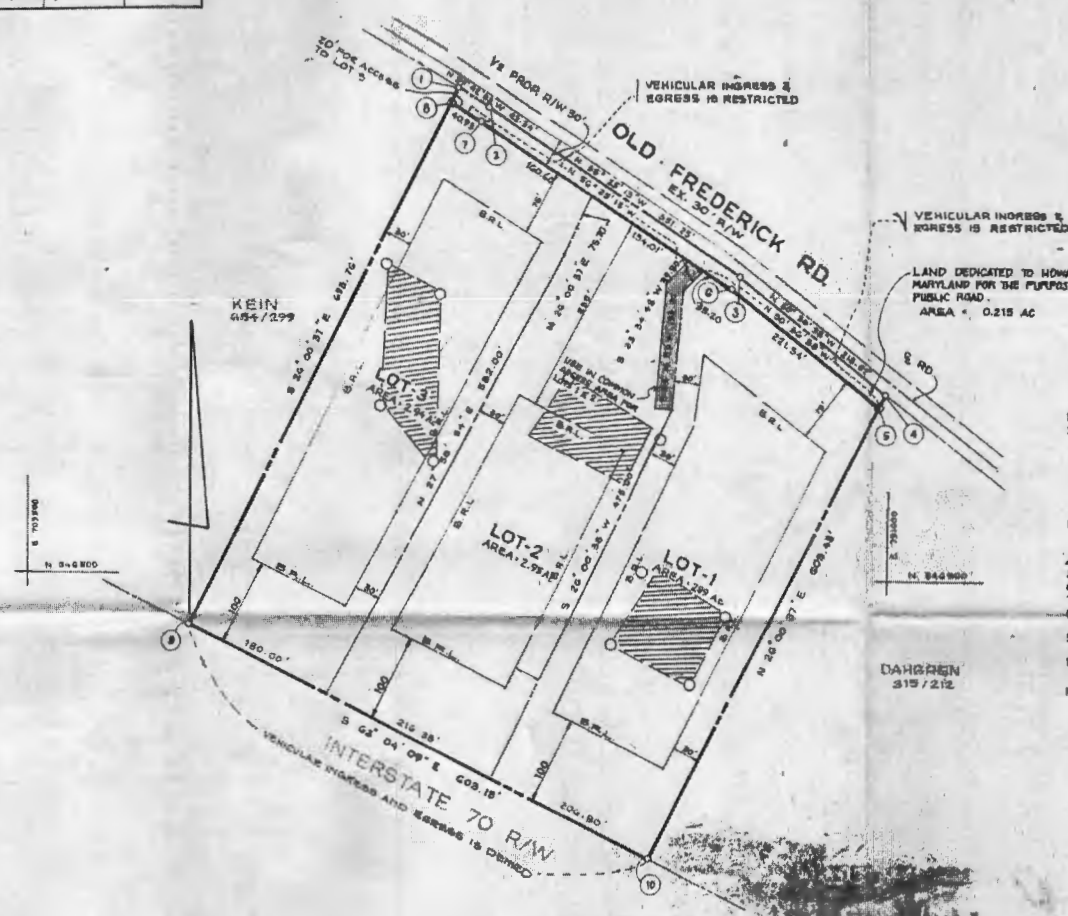
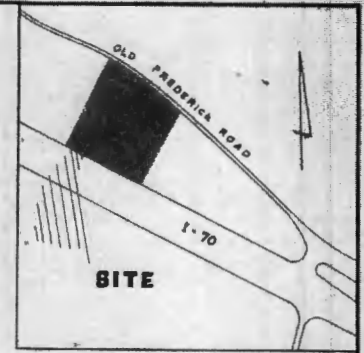


| COORDINATE TABLE |             |             |
|------------------|-------------|-------------|
| NO               | NORTH       | EAST        |
| 1                | 84708.7080  | 790494.0490 |
| 2                | 847092.5430 | 790331.8060 |
| 3                | 846888.2790 | 790879.8300 |
| 4                | 846794.8880 | 790992.0820 |
| 5                | 846700.6889 | 790986.0958 |
| 6                | 846604.3880 | 790814.8216 |
| 7                | 847094.7938 | 790823.3870 |
| 8                | 847098.3630 | 790488.0489 |
| 9                | 848442.4188 | 790980.4100 |
| 10               | 846172.2280 | 790738.1760 |

| LOT AREA TABLE |            |          |                  |                  |  |  |
|----------------|------------|----------|------------------|------------------|--|--|
| LOT NO         | GROSS AREA | NET AREA | FLOOD PLAIN AREA | STEEP SLOPE AREA |  |  |
| 1              | 2.94       | 2.94     | 0                | 0                |  |  |
| 2              | 2.95       | 2.95     | 0                | 0                |  |  |
| 3              | 2.99       | 2.99     | 0                | 0                |  |  |



- NOTES:**
- SUBJECT PROPERTY ZONED R PER 8-1-88 COMPREHENSIVE ZONING PLAN.
  - THIS AREA DESIGNATES A PRIVATE SEWAGE BASIN AS REQUIRED BY MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWER IS AVAILABLE. THESE BASINMENTS SHALL BECOME NULL AND VOID UPON CONNECTION TO PUBLIC SEWER SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE BASINMENT. RECONSTRUCTION OF A MODIFIED SEWAGE BASINMENT SHALL NOT BE NECESSARY.
  - THE LOTS SHOWN HEREON COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.
  - S.P.L. - BUILDING RESTRICTION LINE
  - IRON PIPES INDICATED THIS:  4" x 1/2" CONCRETE MONUMENTS
  - DESIGNATES FIELD LOCATED PEPC TEST.
  - SEE COMPANION SHOWN HEREON ARE BASED ON NO. 9799 AND OVERLAY CONTROL STATION # 5055001
  - LOT SEES ARE IN ACCORDANCE WITH SECTION 10.13-C.8 OF SUBDIVISION REGULATIONS.
  - THIS PLAT IS SUBJECT TO WF 66-166 FOR VARIANCE OF SECTION 10-115-C.3, 10-115-F.7, AND 10-115-C.1
  - THE COMMON DRIVEWAY TO LOTS 1 & 2 WILL BE PROBABLY OWNED AND MAINTAINED RECORDING REFERENCE # 1949 8185

**AREA TABULATION**

|  |          |
|--|----------|
| TOTAL NUMBER OF LOTS TO BE RECORDED      | 3        |
| TOTAL AREA OF LOTS TO BE RECORDED        | 8.88     |
| TOTAL AREA OF R/W TO BE DEDICATED        | 0.215    |
| TOTAL AREA OF SUBDIVISION TO BE RECORDED | 9.095 AC |

**OWNER & DEVELOPER**  
**ABRAHAM BATES**  
 1434 FREDERICK ROAD  
 WOODBINE, MARYLAND 21737

**LS LORIA, SEDGHI & ASSOCIATES, LTD.**  
 ENGINEERS - SITE PLANNERS - SURVEYORS  
 817 CORPORATE CENTER  
 317 CITY ST. #2048  
 2660 798 - 8068

RECORDED ~~8471~~  
 3-20-89

**APPROVED:**  
 FOR PRIVATE WATER AND PRIVATE SEWERAGE SYSTEM

*[Signature]*  
 HOWARD COUNTY HEALTH OFFICER  
 DATE: 2/6/89

**APPROVED:**  
 HOWARD COUNTY OFFICE OF PLANNING AND ZONING

*[Signature]*  
 DIRECTOR  
 DATE: 2/10/89

**APPROVED:**  
 FOR STORM DRAINAGE SYSTEMS AND PUBLIC ROADS, HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

*[Signature]*  
 DIRECTOR  
 DATE: 3/2/89

**OWNERS CERTIFICATE**

ABRAHAM & VIRGINIA H. BATES, OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPTS THIS PLAT OF SUBDIVISION AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE OFFICE OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY MARYLAND, SUCCESSORS AND ASSIGNS (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES, IN AND UNDER ALL ROADS AND STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON, (2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE THE BEDS OF THE STREETS AND/OR ROADS, THE FLOOD PLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND OTHER VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS/ROADS AND FLOOD PLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE AND (3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS, DRAINAGE BASINMENTS FOR THE PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE, (4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND BE ERECTED ON OR OVER THE SAID BASINMENTS AND RIGHTS-OF-WAY.

WITNESS OUR HANDS THIS DAY OF

*[Signature]* OWNER  
*[Signature]* OWNER  
 DATE: 2/6/89  
*[Signature]* WITNESS

**SURVEYORS CERTIFICATE**

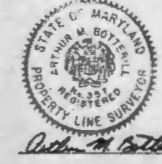
I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF LAND CONVEYED BY WILLIAM A. NEUMANN TO ABRAHAM & VIRGINIA H. BATES BY DEED DATED OCT 28, 1968 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LIBER 408 AT FOLIO 285 AND THAT ALL MONUMENTS ARE IN PLACE, OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY, MARYLAND AS SHOWN IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND AS AMENDED.

*[Signature]*  
 DATE: 10-26-1988

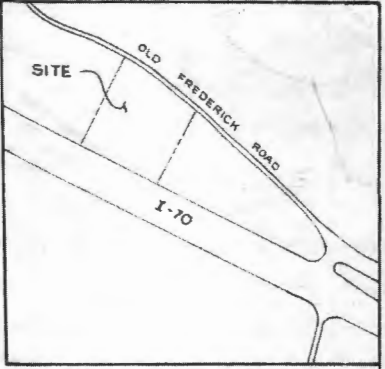
*[Signature]*  
**BATES PROPERTY**  
 LOTS 1-3

TAX MAP 8 PARCEL 73  
 3RD ELECTION DISTRICT  
 HOWARD COUNTY, MARYLAND  
 SCALE: 1" = 100'  
 SHEET 1 OF 1

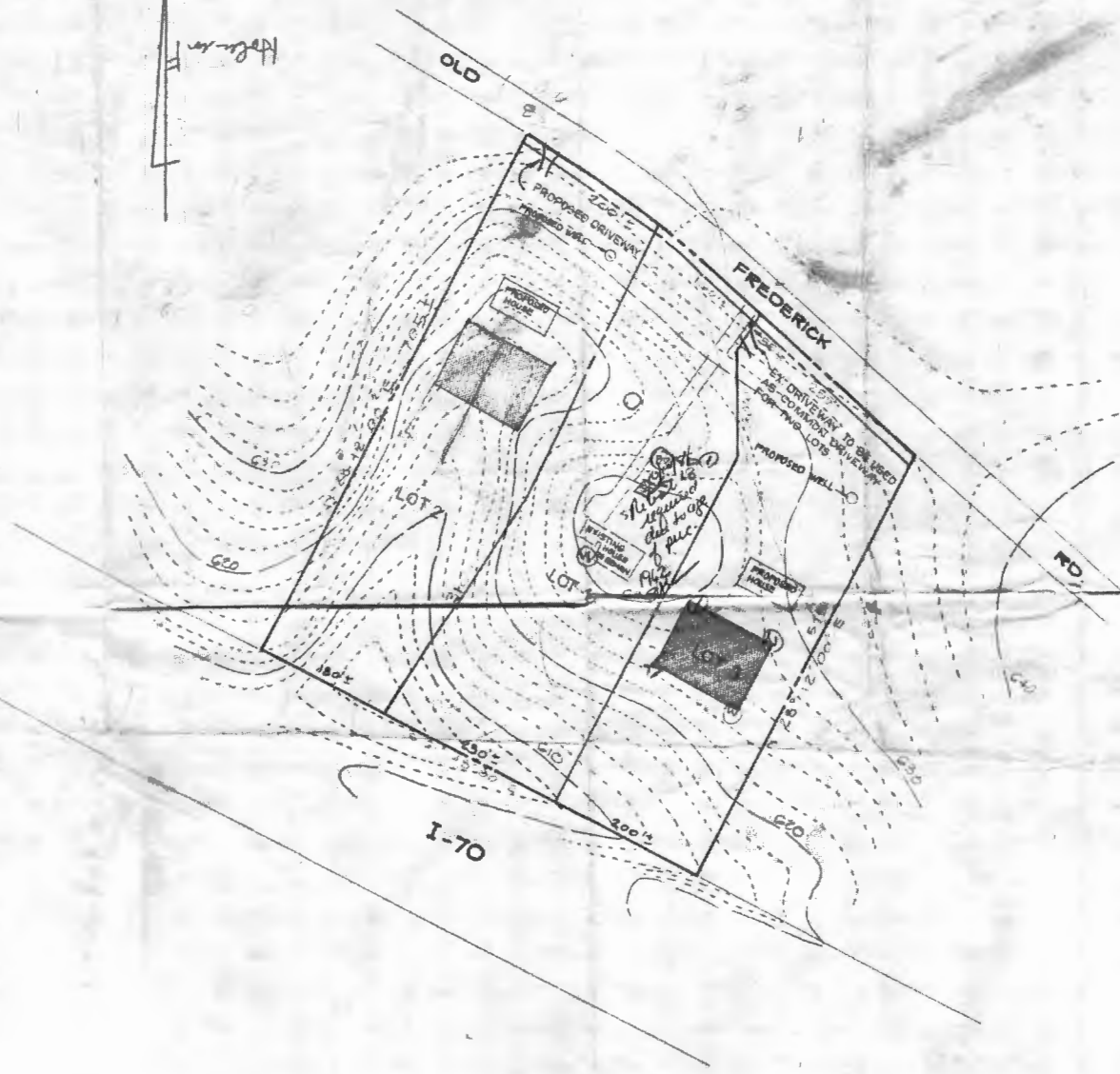
F-89-72



Hydrology



VICINITY MAP  
SCALE: 1" = 800'

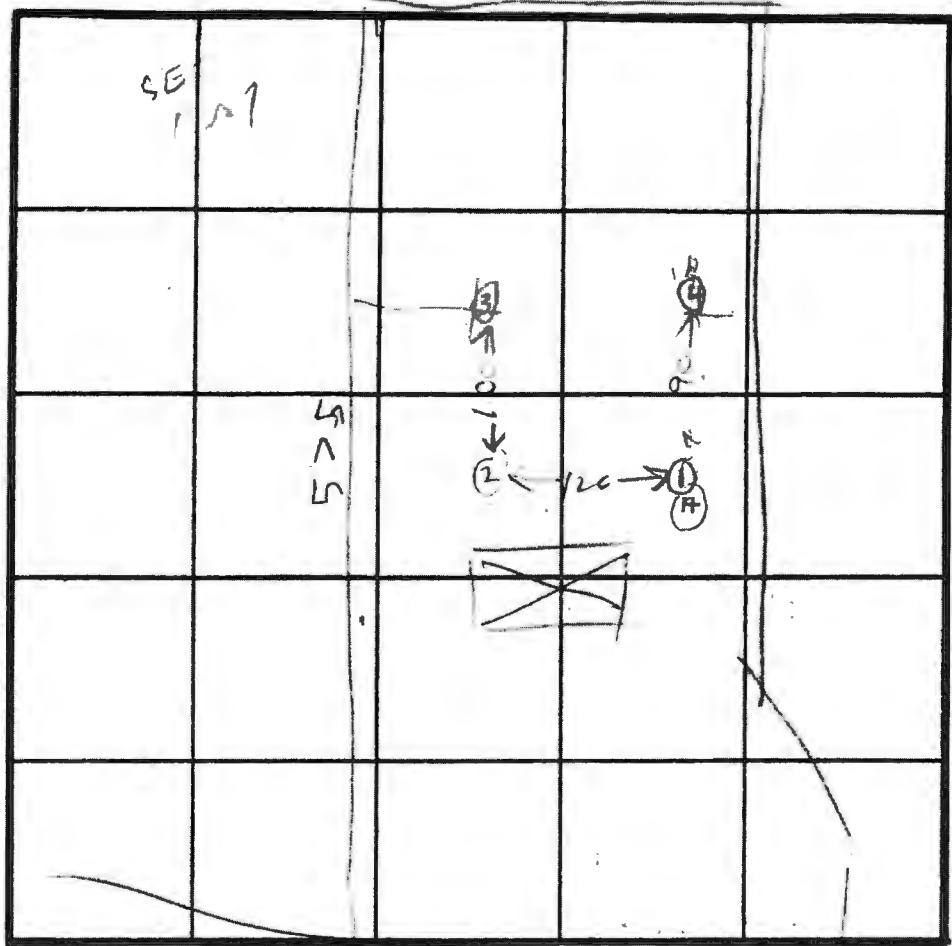
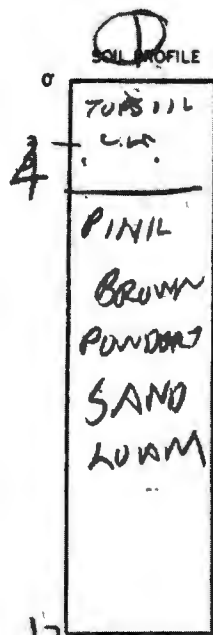


- LEGEND**
- 1. SUBJECT PROPERTY ZONED R PER 8-2-85 COMPREHENSIVE ZONING PLAN
  - 2. THIS AREA DESIGNATES A PRIVATE BASEMENT AS REQUIRED BY MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR INDIVIDUAL SEWAGE DISPOSAL.
  - 3. DENOTES A HOUSE
  - 4. DENOTES WATER WELL

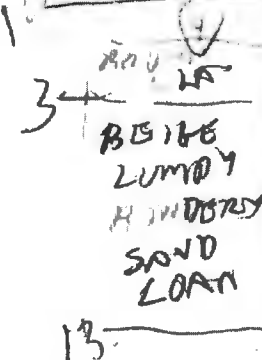
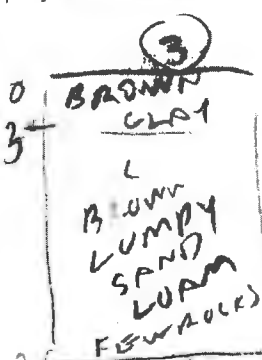
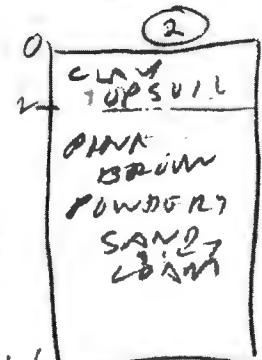
LORIA, SEDGHI & ASSOCIATES, LTD.  
ENGINEERS SURVEYORS PLANNERS  
5217 CORPORATE COURT  
ELLICOTT CITY, MD. 21045  
(301) 740-9005

OWNER & DEVELOPER:  
**ABRAHAM BATES**  
14994 FREDERICK ROAD  
WOODBINE, MARYLAND 21797

F89-72  
**BATES PROPERTY**  
LOTS 1 TO 3  
TAX MAP 6 PARCEL 75  
3RD ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
SCALE: 1" = 100'



INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE  
 OLD FREDERICK RD



| DATE     | TEST NO. | DEPTH | PRE-WET |      | TEST - 1" DROP |      | .TIME |
|----------|----------|-------|---------|------|----------------|------|-------|
|          |          |       | START   | STOP | START          | STOP |       |
| 10/31/88 | 13       | 4     | 202     | 209  | 209            | 212  | 4     |
|          | 14       | 8     | 204     | 308  | 208            | 216  | 8     |
|          | 15       | 12    | OK      |      |                |      |       |
|          | 23       | 3.5   | 22      | 220  | 21             | 248  | 20    |
|          | 24       | 11.5  |         |      |                |      |       |
|          | 35       | 4     | 226     | 231  | 231            | 241  | 10    |
|          | 36       | 12    | OK      |      |                |      |       |
|          | 41       | 13    | OK      |      |                |      |       |
|          |          |       |         |      |                |      |       |
|          |          |       |         |      |                |      |       |
|          |          |       |         |      |                |      |       |
|          |          |       |         |      |                |      |       |
|          |          |       |         |      |                |      |       |

REMARKS Hole Per Test Plat

TYPE OF SOIL \_\_\_\_\_

TESTED BY R. Hodge ALSO PRESENT MIC BOSTON OWNER

A 42796

SUBDIVISION: BATES PROPERTY

LOT NUMBER: 1 on Fund

DRY WELL OR DRY WELL AND TRENCH

\_\_\_\_\_ sq. ft./bedroom

|           | <u>Septic Tank</u> | <u>Minimum Total Square Feet</u> |
|-----------|--------------------|----------------------------------|
| 3 bedroom | 1000 gallon        | _____                            |
| 4 bedroom | 1250 gallon        | _____                            |
| 5 bedroom | 1500 gallon        | _____                            |

Inlet \_\_\_\_\_ feet below original grade.

Bottom maximum depth \_\_\_\_\_ feet below original grade.

Effective area begins at \_\_\_\_\_ feet below original grade.

NOTE: If trench is used to make up absorbent area, run the trench on level ground and leave a 5-foot earth buffer between dry well and trench. No trench is to exceed 100 feet in length. Trench inlet to be same as dry well, with \_\_\_\_\_ feet of stone below distribution pipe.

TRENCHES

180 sq. ft./bedroom

Trench to be 2 wide.

Inlet 4 feet below original grade.

Bottom maximum depth 7 feet below original grade.

Effective area begins at 4 feet below original grade.

5 feet of stone below distribution pipe.

- NOTE:
- (1) No trench to exceed 100 feet in length.
  - (2) If more than one trench used, a distribution box is required.
  - (3) Trenches to be installed on level ground.
  - (4) Call for inspection of trench before gravel is installed.
  - (5) Provide 6" - 8" diameter cleanout and cap to grade or above on septic tank and drywell.
  - (6) If a garbage disposal is used, increase septic tank capacity by 50% and increase absorbent sidewall area by 22%.

LOCATION: 4/17/90 PLACE THE DISTRIBUTION BOX 300 FT

FROM THE FRONT LOT LINE AND 100 FT

FROM THE RIGHT SIDE OF THE LOT AS SEEN

WHEN FACING THE LOT FROM OLD

FREDERIC RD. RUN THE TRENCHES

TOWARD BOTH SIDELINES R/H

MAINTAIN 100 FT DISTANCE BETWEEN

THE SEPTIC SYSTEM & THE WELL

HD-191

Bureau of Environmental Health  
3525 Ellicott Mills Drive  
Ellicott City, Maryland 21043

Water & Sewerage, Permits - 461-9833

11-16-88

DATE: ~~10-31-88~~

- TO:
- |  |   |
|--|---|
| <input type="checkbox"/> MD. STATE DEPT. OF HEALTH | <input type="checkbox"/> BOARD OF EDUCATION                       |
| <input type="checkbox"/> COUNTY EXECUTIVE          | <input type="checkbox"/> OFFICE OF PLANNING & ZONING              |
| <input type="checkbox"/> DEPT. OF PUBLIC WORKS     | <input type="checkbox"/> DIVISION OF LAND DEVELOPMENT             |
| <input type="checkbox"/> BUREAU OF WATER & SEWERS  | <input type="checkbox"/> BUILDING ENGINEER                        |
| <input type="checkbox"/> OTHERS:                   | <input type="checkbox"/> BUREAU OF LICENSES, INSPECTION & PERMITS |

RE:

F-89-72 BATES PROPERTY

- The above referenced:
- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Final Plat | <input type="checkbox"/> Building Plans |
| <input type="checkbox"/> Preliminary Plat      | <input type="checkbox"/> Other:         |
| <input type="checkbox"/> Site Development Plan |   |

IS:

- |   |  |
|---|--|
| <input type="checkbox"/> Approved               | <input type="checkbox"/> Approved, if public water and sewerage are provided.  |
| <input checked="" type="checkbox"/> Disapproved | <input type="checkbox"/> Approved, provided State Health Department notified the Health Officer that he can sign the plat or bldg. permit. |
|   | <input type="checkbox"/> May the Health Officer sign the above referenced plat?  |
| <input type="checkbox"/> Other: _____           |  |

COMMENTS:

- |  |  |
|--|--|
| <input type="checkbox"/> Preliminary plat needs revising.  | <input checked="" type="checkbox"/> Percolation tests not performed. AS OF RECEIPT OF THE PLAT |
| <input type="checkbox"/> Final plat needs revising.  | <input checked="" type="checkbox"/> State Subdivision Regulations not complied with.           |
| <input checked="" type="checkbox"/> Request that Engineer <sup>Contact</sup> come to this office for conference. | <input type="checkbox"/> Submit complete plans and specifications.                             |
| <input type="checkbox"/> Submit completed Food Establishment check list.   | <input type="checkbox"/> See attached Regulations or literature.                               |

OTHER COMMENTS: A REVISED TEST (PRELIMINARY) PLAN IS NEEDED SHOWING: ALL TEST (PERC.) HOLES FIELD LOCATED, WELL SITES AND HOUSE SITES, SPOT ELEVATIONS FOR ALL; SEWAGE DISPOSAL AREA (S.D.A.) ON EACH LOT, REVISE NOTE 2 OR ADD A NOTE  A MINIMUM OF 10,000#

Signed: F. Frommelt

**be very much appreciated.** When the house and property are marketed and hopefully sold, we will disclose to any prospective buyer that if they decide to expand the house, or even tear it down and rebuild on the property (anything that requires a building permit), the current well would need to be upgraded (or a new well drilled). I will be glad to put that promise to disclose in writing if you need something more than this email.

2. Thank you for allowing Rik to proceed with submitting the perc cert plan - adding the note you mentioned won't be a problem.

3. Please do discuss with your director whether we can indeed add a note, as you mentioned, to the perc cert stating that Lot 1 is not approved for development by the Health Dept until a well is drilled and certified. **This is also something that we will disclose in writing to any prospective buyer.** I would greatly prefer not to drill a well at this time, because there is a possibility that whoever buys Lot 2 would also want to buy Lot 1 along with it, so that they have a larger property and not have another house next door, and they may not want to build on Lot 1 at all. If someone is interested in purchasing Lot 1 separately, part of the sales agreement would specifically lay out the seller's and/or buyer's responsibilities for putting in the well within a specified period of time. Again, I would be happy to put something in writing in a formal letter to you regarding that, if you would like something more than this email.

I want to make certain that whoever buys these properties knows exactly what they are getting, in terms of the requirements to drill and/or upgrade wells, and exactly where the property boundaries are, which will be marked with stakes when everything is approved. That is why I engaged Rik Stouffer's firm in the first place, to make certain where the boundaries were. Things have gotten more complicated since then, which I did not foresee, but it looks like we are getting there.

Thank you again for helping me understand things better, for your suggestions, and for discussing my requests above with your supervisor as needed. I look forward to hearing back from you on this. Let me know if you need any additional information from me at this time, and feel free to contact me at 240-409-6142. (I still live in Woodbine and would be glad to discuss this in person, but as a so-called senior citizen I am a little hesitant to meet in an enclosed office area these days).

Sincerely,

William (Bill) Bates

On Wed, Nov 4, 2020 at 3:58 PM Williams, Jeffrey <[jewilliams@howardcountymd.gov](mailto:jewilliams@howardcountymd.gov)> wrote:

Hello Mr. Bates. Some of what I had originally mentioned to Rik had to do with a lack of file information. We did find the perc records for all 3 lots. The disposal area on lot 2 was approved with only 2 test holes, which is not something we would typically allow for a new subdivision these days. However, with the nearby passing holes for lots 1 and 3 that I found, I told Rik I thought we could probably proceed without doing more test holes on lot 2. It was at that time that I first saw the well construction info for lot 2. The current setup with the well in a pit adjacent to the foundation is something that we would consider an inherent contamination risk due to the potential for surface water to enter through the well head. The current regulations require a well head to extend at least 8 inches above current grade. I told Rik that we would discuss the possibility of requiring a new well drilled, but given the reason for the lot line change, it is very likely that we might allow the current well to remain for purposes of the change. Any proposed building permit for that house would likely be held up until the well was upgraded with casing above grade and the pit filled in or a new well drilled.

The perc certification plan is the plan that we require showing any proposed lot line changes and the approved or proposed sewage disposal areas and well locations. We always require that plan to be submitted to us for approval before we sign a plat. We would review the plat to confirm it matches our approved perc cert plan. In your case, I think we could proceed with Rik submitting the perc cert plan showing the existing areas and perc test locations along with a note stating that the well on lot 2 must be upgraded or abandoned and new well drilled prior to a building permit on lot 2.

Lastly, it seems there is no well on lot 1. When this subdivision was originally created, we may not have required a well to be drilled prior to the plat, but we have been requiring that for several decades now to prove that a lot has a source of water before we create it. For lot line changes on existing lots, we would typically require a well to be drilled before we now certify the newly drawn lot to be a buildable lot. You could try to add a note to the perc cert stating that lot 1 is not approved for development by the Health Dept until a well is drilled and approved. I could discuss with our Director whether we would be ok with that note or if we would require a well drilled before plat signature.

Let me know if you have any additional questions. Thanks

Jeff Williams

Program Supervisor, Well & Septic Program

Bureau of Environmental Health

Howard County Health Dept.

410-313-4261

**CONFIDENTIALITY NOTICE**

This message and the accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, disseminating, distributing, or copying this communication. If you have received this email in error, please notify the sender immediately and destroy the original transmission.

**From:** William Bates <[wabates55@gmail.com](mailto:wabates55@gmail.com)>  
**Sent:** Tuesday, November 3, 2020 3:36 PM  
**To:** Williams, Jeffrey <[jewilliams@howardcountymd.gov](mailto:jewilliams@howardcountymd.gov)>  
**Subject:** Bates property, 14949 Old Frederick Road

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Mr. Williams,

I am the co-owner, along with my sister, of the lots that you have been discussing with Rik Stouffer of NTT Associates (two lots at 14949 Old Frederick Road in Woodbine).

I have been working with Mr. Stouffer for a number of months to fix a problem with the boundary line between the two lots. I did not think that this would be a great problem and am frustrated that there has been discussion about whether one or both lots need to be re-perced and even whether another well is necessary. I would like to give a brief history of the property so that you will have some background on it, and ask for your assistance to help get these issues resolved.

We inherited this property from our parents. When our parents had their house built on the property in 1962, it was simply one lot of about ten acres. Over the years, parts of the land were taken by various government officials in order to widen Route 70 on one end and Old Frederick Road on the other end, leaving the remaining property at a shade under 9 acres. In the 1980s, my father decided to see if he could divide the property into three lots so that he would have the option to sell off two lots separately from the lot containing his existing home. He hired a surveying firm named Loria & Sedghi to shepherd this process through.

**Howard County approved the separation into three lots, with the stipulation that two of the lots would need to share a common driveway. However, when Loria and Sedghi drew the boundary lines for the new lots, they drew one of the lines through an end of the existing house, which had already been there for more than 20 years!** Howard County, as well as my parents, never noticed this. My parents sold off one lot ("Lot 3") fairly soon after the property was divided, and the new owner built a house on it. However, because my parents did not want to deal with the use-in-common driveway issue, they never tried to sell off the other empty lot ("Lot 1"). Meanwhile they continued to live on "Lot 2," not realizing that because of the way the boundary line had erroneously been drawn and approved, the house they were living in (and had lived in since 1962) was now partially also sitting on "Lot 1." Ever since the division, our family has been paying substantial extra property taxes for all of these years because there are two separate lots recorded, and everyone assumed that the lots would at some point be able to be sold separately and that the "empty" "Lot 1" was buildable.

Now that my parents have died, my sister and I do wish to sell the two lots separately. Before trying to sell the two lots, I asked NTT to determine exactly where the property lines were and to stake them out, so that I could show realtors or prospective buyers exactly what was to be sold. Rik Stouffer of NTT Surveyors determined that the current boundary line between the two lots was drawn incorrectly and therefore I asked him to assist with re-doing the boundary lines so that the existing house does not intrude from "Lot 2" into "Lot 1." I thought it would be a fairly straightforward process to correct an obvious mistake.

NTT Surveyors have been pursuing this project on my behalf for a good while. They have re-surveyed the property and have recommended a way to re-draw the boundary so that there would be no question about the existing house on Lot 2 encroaching in any way onto Lot 1. It is now my understanding that Howard County has mentioned that a new Perc Certification might need to be done for **both** lots before Howard County will proceed further with the approval process, and also that there is discussion about whether it will be necessary to drill a new well for the already existing house, which already has a perfectly functioning well that was drilled in 1962 when the house was built. I do not understand why it is necessary to do a perc test on "Lot 2," as the existing house on it has been continuously occupied and has functioned without any problems since 1962. I also can not imagine why it would be necessary to drill a new well for the existing house. The current well is right next to the existing foundation, just outside of the foundation, but it is accessed by entrance through the basement. The well has been in constant use since 1962 and there have never been any problems with it.

My only goal in this whole thing was to correct the boundary line between Lot 1 and Lot 2 that was errantly drawn and approved when the property was originally divided into separate lots. I hope that you will assist in helping me fix this mistake with as little complication as possible, and that we can avoid what I feel is the unnecessary time, trouble and expense to re-perc these two previously approved lots (especially the one with the existing house) and to drill

another well to replace one that has always functioned perfectly well, just in order to properly re-draw a boundary line that was incorrectly drawn and recorded many years ago. This is not a new development or subdivision, it is simply two adjoining lots with an incorrectly drawn boundary line that I would like to correct.

Please feel free to share this email with others who are part of the decision-making process and let me know if you are able to help me with this issue.

Thank you for your time and attention to this matter.

Sincerely,

William Bates

Telephone 240-409-6142