

8/16/00  
8/29/00 1:30 Repair  
8/30/00 CATE  
9/14/00  
10:00

05-345065

# PERMIT

## SEWAGE DISPOSAL SYSTEM

HOWARD COUNTY HEALTH DEPARTMENT  
BUREAU OF ENVIRONMENTAL HEALTH  
410-313-2640

P 514192  
34884  
A REPAIR

ISSUE DATE 8/16/2000

APPROVAL DATE 9/14/00

INDEXED

Hughes Plumbing & Heating, Inc. IS PERMITTED TO INSTALL  ALTER

ADDRESS 279-C E. Main Street, Westminster, MD 21158 PHONE 410-848-7661

SUBDIVISION Waterford I LOT NUMBER 5 ADDRESS 13180 Brighton Dam Road

PROPERTY OWNER \_\_\_\_\_ PROPERTY OWNER'S ADDRESS Same

SEPTIC TANK CAPACITY EXISTING GALLONS

PUMP CHAMBER CAPACITY 1500-2000 GALLONS - TO BE ADDED IN TRENCHES, TO SERVE AS ADDITIONAL SEPTIC TANK

NUMBER OF BEDROOMS 4 UNTIL NEEDED FOR CONVEGSION TO PUMP PIT FOR FUTURE ACCESS

SQUARE FEET PER BEDROOM 180 TO PORTION OF SEPTIC AREA IN FRONT YARD.

LINEAR FEET OF TRENCH REQUIRED 240 INLET DEEPER THAN EXPECTED (CW)

TRENCHES: Trenches to be 3 feet wide. Inlet 3 feet below original grade. Bottom maximum depth 6" DEEPER THAN SPECIFIED, REDUCE STONE TO 18" (CW)

5 feet below original grade. 2 feet of stone below distribution box.

LOCATION: PLACE DISTRIBUTION BOX BELOW BRICK SHED, APPROXIMATELY 100' FROM BACK OF HOUSE

RUN 4 TRENCHES APPROXIMATELY 60' EACH, ALONG CONTOUR IN BOTH DIRECTIONS 8/16/00 (CW)

REPAIR - PURPOSE - To replace off-lot septic system with on-lot system.

Call for inspection when ground is opened so sanitarian can recommend repair. 8/15/00

SOIL CONDITIONS IN BACKYARD SUFFICIENT FOR INITIAL INSTALLATION +

ONE LIMITED REPAIR COMBING WITH FRONT YARD SEPTIC AREA FOR REQUIRED

TOTAL EASEMENT.

PLANS APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

PERMIT VOID AFTER 2 YEARS

NOTE: CONTRACTOR RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION INSPECTION FOR ALL INSTALLATIONS

NOTE: TOP OF SEPTIC TANKS ARE TO BE NO DEEPER THAN 3.0 FEET BELOW FINISH GRADE

NOTE: WATERTIGHT SEPTIC TANKS REQUIRED

NOTE: CLEANOUT REQUIRED EVERY 70 FEET OF SEWER LINE AND/OR AT 90° SWEEPS IN LINES FROM HOUSE TO DRAIN FIELDS, 90° ELBOWS ARE NOT ACCEPTABLE

NOTE: ALL PARTS OF SEPTIC SYSTEMS (I.E. TANK, DISTRIBUTION BOX, DRAINFIELDS) TO BE 100 FEET FROM ANY WATER WELL UNLESS OTHERWISE SPECIFICALLY AUTHORIZED

NOTE: NO ABSORPTION TRENCH TO EXCEED 100 FEET IN LENGTH UNLESS SPECIFICALLY AUTHORIZED

NOTE: ALL PIPE FROM HOUSE TO SEPTIC TANK MUST BE CAST IRON OR SCHEDULE 35/40 PVC OR ABS

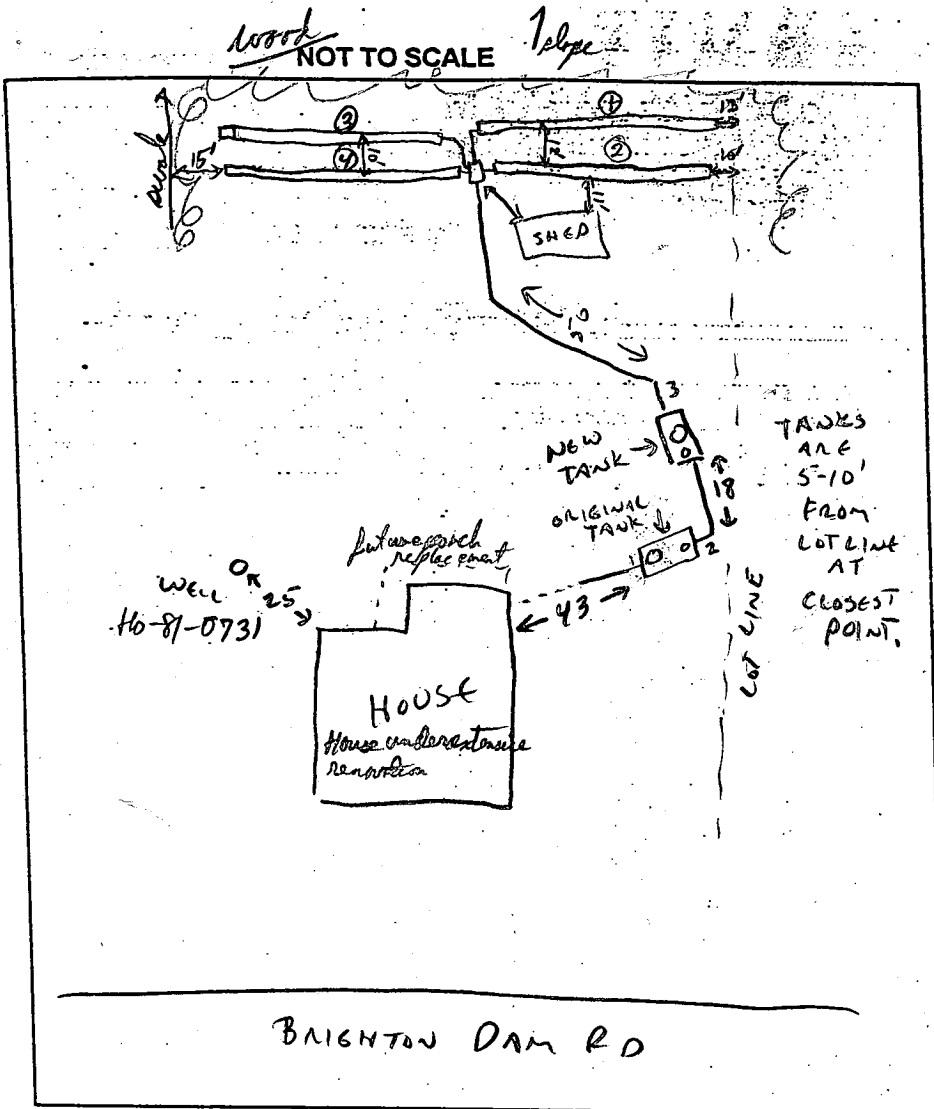
NOTE: MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS

NOTE: DISTRIBUTION BOXES MUST HAVE BAFFLES

NOTE: IF PUMPED SEPTIC SYSTEM REQUIRED, (1) SEPTIC PUMP DETAIL TO BE PROVIDED BY INSTALLER PRIOR TO ISSUANCE OF SEPTIC PERMIT (2) PUMP PERFORMANCE TEST IS NECESSARY PRIOR TO HEALTH DEPARTMENT APPROVAL OF SEPTIC PERMIT

NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM  
PERMITTEE RESPONSIBLE FOR OBTAINING FINAL APPROVAL ON THIS PERMIT  
CALL 410-313-2640 FOR INSPECTION OF SEPTIC SYSTEM

514192  
34884  
REPAIR



**TRENCH DATA**

TRENCH WIDTH 3'

TRENCH INLET DEPTH 2-1/2' Tr 1+2, 3-4' Tr 3+4

TRENCH BOTTOM DEPTH 3 1/4' + 5' necessary

DEPTH OF STONE 2'

NUMBER OF TRENCHES 4  
(3) @ 60ft, (1) @ 55ft long

TOTAL TRENCH LENGTH 235

ABSORBENT AREA 705 sq ft

DISTRIBUTION BOX LEVEL   
uses auto-leveler

BAFFLE IN DISTRIBUTION BOX

**SEPTIC TANK DATA**

Existing 1500 gallon Mid Seamed  
SEPTIC TANK 1500 gal Top Seamed GALLONS  
to be used later as pump chamber

MANHOLE RISER 42 (2 1/2 ft ±)

6 INCH INSPECTION PORT

**PUMP CHAMBER DATA**

No Pump yet - need only for future repairs  
PUMP CHAMBER 1500 gal Top Seamed  
GALLONS

MANHOLE RISER 2 1/2 ft riser

ALARM \_\_\_\_\_

PUMP PERFORMANCE TEST \_\_\_\_\_

PRE-CONSTRUCTION INSPECTION: EXISTING TANK UNCOVERED, RE PLUMBED —

ADDITIONAL TANK TO BE ADDED IN 56165 (EXISTING TANK DISCONNECTED FROM OFF SITE DRAINFIELD)

INSPECTION COMMENTS: Trenches layed out, graveled & prepared already - ends of Tr 1+2 only have 12-16" of sand cover below original grade while Tr 3+4 have pipe level 4' below grade. Dirt Box OK cover, installer plans to add several feet of fill over ends of Tr 1+2 or should have 3ft + cover over ends of trenches then I told him to make sure sand cap extends at least 5ft. OK to cover all work when finished. PIP 9/14/00

INSPECTOR R. Ruby DATE SYSTEM APPROVED 9/14/00

8/16/00  
8/29/00 1130 Repair  
9/14/00  
10:00

# PERMIT

**SEWAGE DISPOSAL SYSTEM**  
HOWARD COUNTY HEALTH DEPARTMENT  
BUREAU OF ENVIRONMENTAL HEALTH  
410-313-2640

P 514192

A REPAIR

ISSUE DATE 8/16/2000

APPROVAL DATE \_\_\_\_\_

Hughes Plumbing & Heating, Inc. IS PERMITTED TO INSTALL \_\_\_\_\_ ALTER X

ADDRESS 279-C E. Main Street, Westminster, MD 21158 PHONE 410-848-7661

SUBDIVISION Waterford I LOT NUMBER 5 ADDRESS 13180 Brighton Dam Road

PROPERTY OWNER \_\_\_\_\_ PROPERTY OWNER'S ADDRESS Same

SEPTIC TANK CAPACITY EXISTING GALLONS

PUMP CHAMBER CAPACITY 1500-2000 GALLONS - TO BE ADDED IN TRENCHES, TO SERVE AS ADDITIONAL SEPTIC TANK

NUMBER OF BEDROOMS 4 UNTIL NEEDED FOR CONVERSION TO PUMP PIT FOR FUTURE ACCESS

SQUARE FEET PER BEDROOM 180 TO PORTION OF SEPTIC AREA IN FRONT YARD. (CW)

LINEAR FEET OF TRENCH REQUIRED 240

TRENCHES: Trenches to be 3 feet wide. Inlet 3 feet below original grade. Bottom maximum depth 5 feet below original grade. 2 feet of stone below distribution box.

LOCATION: REPLACE DISTRIBUTION BOX BELOW BRICK SHED, APPROXIMATELY 100' FROM BACK OF HOUSE.  
RUN 4 TRENCHES APPROXIMATELY 60' EACH, ALONG CONTOUR IN BOTH DIRECTIONS. 8/16/00 (CW)

REPAIR - PURPOSE - To replace off-lot septic system with on-lot system.  
Call for inspection when ground is opened so sanitarian can recommend repair. 8/15/00

SOIL CONDITIONS IN BACK YARD SUFFICIENT FOR INITIAL INSTALLATION &

ONE LIMITED REPAIR, COMBING WITH FRONT YARD SEPTIC AREA FOR REQUIRED  
TOTAL EASEMENT.

PLANS APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

PERMIT VOID AFTER 2 YEARS

NOTE: CONTRACTOR RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION INSPECTION FOR ALL INSTALLATIONS

NOTE: TOP OF SEPTIC TANKS ARE TO BE NO DEEPER THAN 3.0 FEET BELOW FINISH GRADE

NOTE: WATERTIGHT SEPTIC TANKS REQUIRED

NOTE: CLEANOUT REQUIRED EVERY 70 FEET OF SEWER LINE AND/OR AT 90° SWEEPS IN LINES FROM HOUSE TO DRAIN FIELDS, 90° ELBOWS ARE NOT ACCEPTABLE

NOTE: ALL PARTS OF SEPTIC SYSTEMS (I.E. TANK, DISTRIBUTION BOX, DRAINFIELDS) TO BE 100 FEET FROM ANY WATER WELL UNLESS OTHERWISE SPECIFICALLY AUTHORIZED

NOTE: NO ABSORPTION TRENCH TO EXCEED 100 FEET IN LENGTH UNLESS SPECIFICALLY AUTHORIZED

NOTE: ALL PIPE FROM HOUSE TO SEPTIC TANK MUST BE CAST IRON OR SCHEDULE 35/40 PVC OR ABS

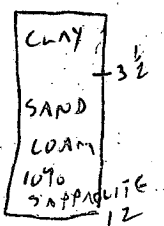
NOTE: MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS

NOTE: DISTRIBUTION BOXES MUST HAVE BAFFLES

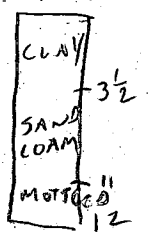
NOTE: IF PUMPED SEPTIC SYSTEM REQUIRED, (1) SEPTIC PUMP DETAIL TO BE PROVIDED BY INSTALLER PRIOR TO ISSUANCE OF SEPTIC PERMIT (2) PUMP PERFORMANCE TEST IS NECESSARY PRIOR TO HEALTH DEPARTMENT APPROVAL OF SEPTIC PERMIT

NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE  
SUCCESSFUL OPERATION OF ANY SYSTEM  
PERMITTEE RESPONSIBLE FOR OBTAINING FINAL APPROVAL ON THIS PERMIT  
CALL 410-313-2640 FOR INSPECTION OF SEPTIC SYSTEM

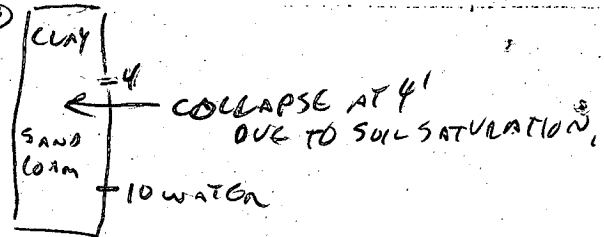
2



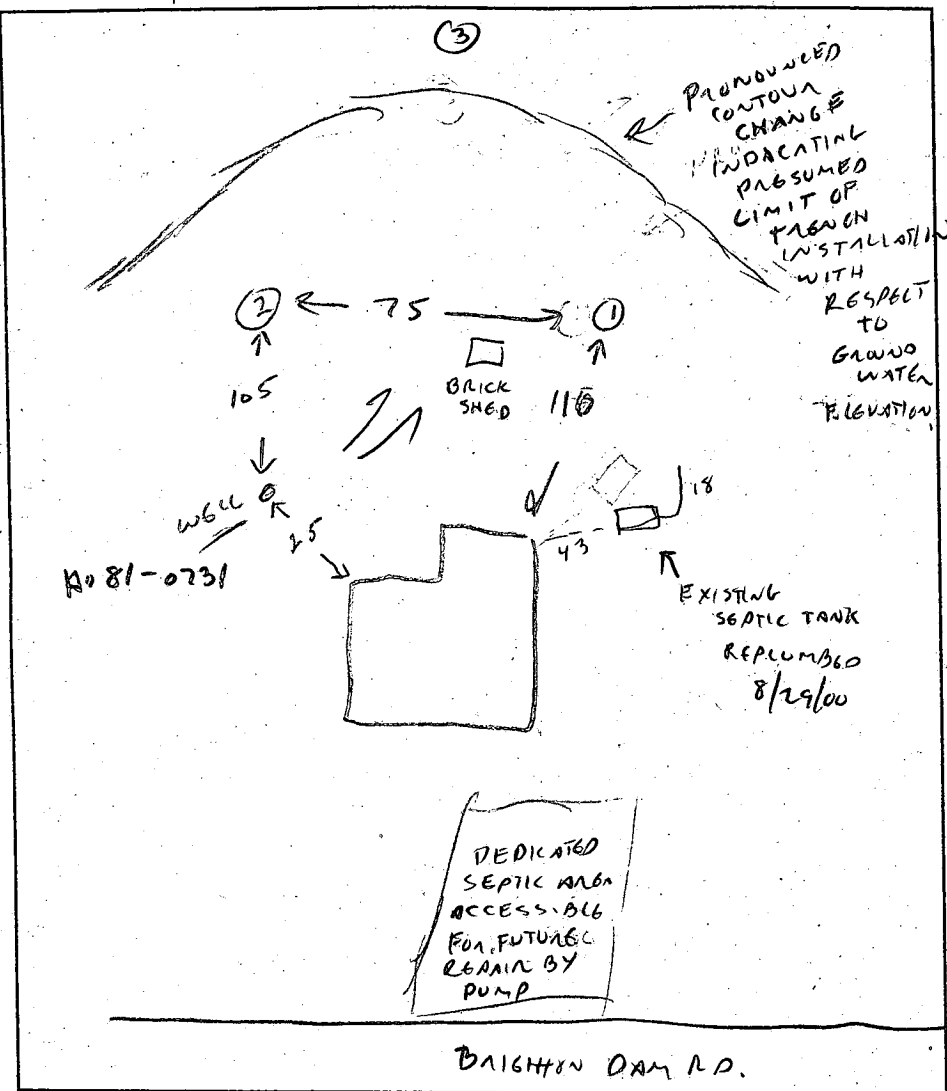
1



3



NOT TO SCALE



**TRENCH DATA**

TRENCH WIDTH \_\_\_\_\_

TRENCH INLET DEPTH \_\_\_\_\_

TRENCH BOTTOM DEPTH \_\_\_\_\_

DEPTH OF STONE \_\_\_\_\_

NUMBER OF TRENCHES \_\_\_\_\_

TOTAL TRENCH LENGTH \_\_\_\_\_

ABSORBENT AREA \_\_\_\_\_

DISTRIBUTION BOX LEVEL \_\_\_\_\_

BAFFLE IN DISTRIBUTION BOX \_\_\_\_\_

**SEPTIC TANK DATA**

SEPTIC TANK \_\_\_\_\_ GALLONS

MANHOLE RISER \_\_\_\_\_

6 INCH INSPECTION PORT \_\_\_\_\_

**PUMP CHAMBER DATA**

PUMP CHAMBER GALLONS \_\_\_\_\_

MANHOLE RISER \_\_\_\_\_

ALARM \_\_\_\_\_

PUMP PERFORMANCE TEST \_\_\_\_\_

PRE-CONSTRUCTION INSPECTION: \_\_\_\_\_

— SEE OTHER SHEET FOR INSTALLATION DETAILS. —

INSPECTION COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

INSPECTOR \_\_\_\_\_ DATE SYSTEM APPROVED \_\_\_\_\_

AGREEMENT OF UNDERSTANDING

Waterford Section 1, Lot 5 Septic Easement - Lot 6

NOTICES:

If to BEHK; Lot 6, Section 1 of Waterford (HEALTH DEPT INDEX A 34885)

William Kolarek, Jr., President  
BEHK Construction Company, Inc.  
4990 B-5 Dorsey Hall Drive  
Ellicott City, Maryland 21042

If to Rudy; Lot 5, Section 1 of Waterford (HEALTH DEPT INDEX A 34884 A)

Mr. and Mrs. George C. Rudy  
13180 Brighton Dam Road  
Clarksville, Maryland 21029

DOCUMENTS Included:

Agreement of Understanding, Waterford Section 1, Lot 5 Septic Easement - Lot 6,  
Document No. R-950101 (Rev. 3) dated 8 Feb 95.

Changes incorporated by this revision:

- a. which are deletions are identified by "strikeout" notation, and
- b. which are additions are identified by "side-bar" notation.

This DOCUMENT supercedes and replaces:

Agreement of Understanding, Waterford Section 1, Lot 5 Septic Easement - Lot 6,  
Document No. R-950101 (Rev. 2) dated 16 Jan 95, as recorded (Liber 3421/Folio 273)  
on 18 Jan 95 among the land records of Howard County, Maryland.

A 34884 A

134884A

REMINDER OF FILE

LOTS SECTION I WATERFORD

"NOT ACCESSIBLE" AT THIS TIME.

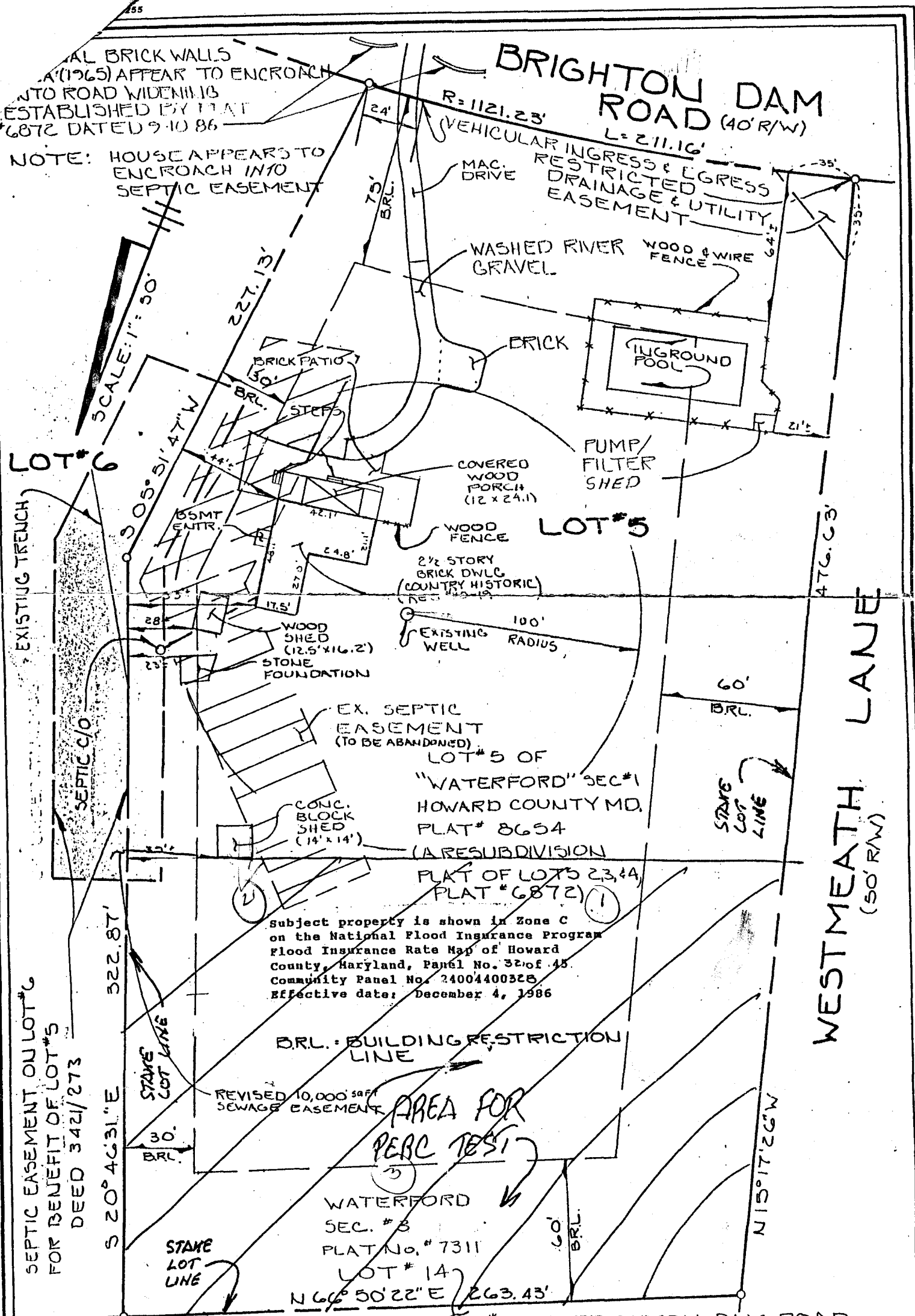
TO BE REFILED WITH THIS  
INFO AS SOON AS IT  
IS LOCATED FROM  
CRAIG'S DESK

7/5/06

(CW)

EXISTING BRICK WALLS  
 (1965) APPEAR TO ENCR OACH  
 INTO ROAD WIDENING IS  
 ESTABLISHED BY PLAT  
 #6872 DATED 9-10-86

NOTE: HOUSE APPEARS TO  
 ENCR OACH INTO  
 SEPTIC EASEMENT



Subject property is shown in Zone C  
 on the National Flood Insurance Program  
 Flood Insurance Rate Map of Howard  
 County, Maryland, Panel No. 32 of 45.  
 Community Panel No. 24004400328  
 Effective date: December 4, 1986

SEPTIC EASEMENT ON LOT 6  
 FOR BENEFIT OF LOT 5  
 DEED 3421/273

BRL - BUILDING RESTRICTION  
 LINE

REVISED 10,000 SQ FT  
 SEWAGE EASEMENT

AREA FOR  
 PERC TEST

WATERFORD  
 SEC. # 3  
 PLAT No. # 7311  
 LOT # 14  
 N 66° 50' 22" E 263.43'

This is to certify that I have surveyed the property known as: #13180 BRIGHTON DAM ROAD  
 RECORDED AS DEED 1605/458 AMONG THE LAND RECORDS OF HO. CO., MD

for the purpose of locating the improvements thereon, and the improvements are located as shown.  
 NOTE: SUBJECT TO AN AGREEMENT OF  
 UNDERSTANDING AS RECORDED  
 IN 2651/174, LOT 5, LOT 6 COMMON  
 BOUNDARY

**FISHER, COLLINS & CARTER, INC.**

CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
 9771 BALTIMORE NATIONAL Pk. SUITE 100  
 ELlicOTT CITY, MARYLAND 21042  
 (410) 481-2995



Signed this 20 day of JANUARY, 1994

This plat is not intended for use in  
 the establishment of property lines.

SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
①	N 05°51'47" E	83.38'
②	N 20°46'31" W	133.31'
③	N 69°13'29" E	45.00'
④	S 20°46'31" E	143.96'
⑤	S 05°51'48" W	87.83'
⑥	S 88°0'47" W	45.42'

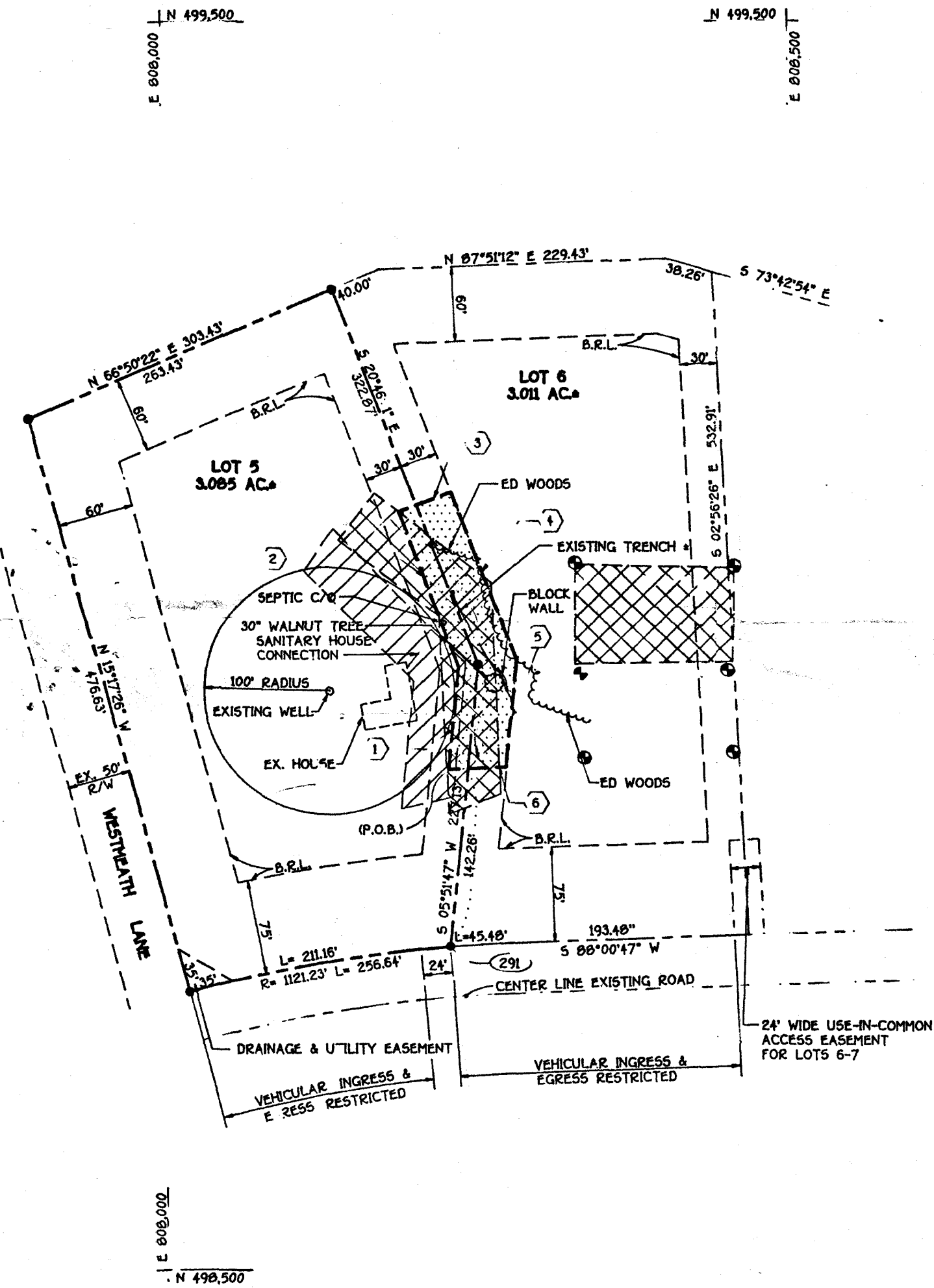
POINT	NORTH	EAST
(291)	498,758.29	808,226.88

**GENERAL NOTES**

- THIS AREA DESIGNATES A PRIVATE SEWERAGE EASEMENT OF 10,000 SQUARE FEET AS REQUIRED BY MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWERAGE DISPOSAL IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWERAGE IS AVAILABLE. THESE EASEMENTS SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWERAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENT INTO THE PRIVATE SEWERAGE EASEMENT. RECORDATION OF A MODIFIED SEWERAGE EASEMENT SHALL NOT BE NECESSARY.
- THIS AREA DESIGNATES AN EXISTING PRIVATE SEWERAGE EASEMENT OF 10,000 SQUARE FEET AS PER RECORD PLAT NO. 8654. THIS EASEMENT IS TO BE ABANDONED.
- THIS AREA DESIGNATES THE ACTUAL LOCATION OF THE INTENDED 10,000 SQUARE FOOT SEWERAGE EASEMENT INDICATED ON PLATS 1 & 2, 8654.
- THE LOTS SHOWN HEREON COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT.
- THE PURPOSE OF THIS PLAT IS TO REVISE THE EXISTING PRIVATE SEWERAGE EASEMENT RECORDED IN PLAT NO. 8654 TO THE LOCATION SHOWN HEREON.
- OWNER & DEVELOPER:

MR. & MRS. GEORGE C. RUDY  
13180 BRIGHTON DAM ROAD  
CLARKSVILLE, MARYLAND 21029

7. THE SUBJECT EASEMENT IS IN ACCORDANCE WITH AN AGREEMENT OF UNDERSTANDING, "WATERFORD, SECTION 1, LOT 5 (SEPTIC EASEMENT) LOT 6" BETWEEN WILLIAM KOLAREK, JR., PRESIDENT OF BEK CONSTRUCTION COMPANY, INC., 4990 B-5 DORSEY HALL DRIVE, ELLICOTT CITY, MARYLAND, 21042 AND MR. & MRS. GEORGE C. RUDY, 13180 BRIGHTON DAM ROAD, CLARKSVILLE, MARYLAND, 21029, REFERENCE DOCUMENT #R-950101 (REV.2), DATED JANUARY 16, 1995 AND THE ATTACHED PLAT AND DEED OF EASEMENT DATED JANUARY 12, 1995, FILE #91542PL.DWG, RECORDED JANUARY 18, 1995 AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.



**LEGEND**

● DENOTES FIELD LOCATION OF PERC HOLES

**Exhibit 2-c**



B.R.L. = BUILDING RESTRICTION LINE

PERCOLATION CERTIFICATION PLAN  
**WATERFORD**  
LOT 5  
SECTION ONE  
PLAT REFERENCE NO. 8654  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 17, 1995

**FISHER, COLLINS & CARTER, INC.**  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
9171 BALTIMORE NATIONAL PIKE, SUITE 100  
ELLICOTT CITY, MARYLAND 21042  
(410) 461-2855

*James M. Boyd*  
COUNTY HEALTH OFFICER

1-17-95  
DATE

## AGREEMENT OF UNDERSTANDING

### Waterford Section 1, Lot 5 Septic Easement - Lot 6

THIS AGREEMENT OF UNDERSTANDING made this \_\_\_\_\_ day of February 1995, between George C. Rudy/Louise D. Rudy (Rudy) of 13180 Brighton Dam Road, Clarksville, Maryland 21029, and William Kolarek, Jr., for BEHK Construction Company, Inc. of 4990 B-5 Dorsey Hall Drive, Ellicott City, Maryland 21042.

WITNESS, that Rudy and BEHK establish this Agreement of Understanding to address and establish the basis to disposition issues relating to the Waterford Section 1, Lot 5 (Lot 5) septic system (septic tank, septic trench, and septic field). The Lot 5 septic trench and part of the septic field are located on Waterford Section 1, Lot 6 (Lot 6). Lot 5 is owned by Rudy, and Lot 6 is owned by BEHK.

All plat references to Waterford Section 1, Lot 5 and Lot 6, are in accordance with Plat No. 8654, File F-89-150, as recorded on 1 Jun 89 in Howard County, Maryland. Plat No. 8654 (Lots 5, 6, and 7) is a re-subdivision of Plat No. 6872 (Lots 2, 3, and 4), recorded 10 Sep 86. All septic field references are in accordance with the Percolation Test Certification Drawings for Waterford Section 1, Lots 1-4, dated 8 Feb 85 and Waterford Section 1, Lot 6, dated 10 Oct 89. The as-built Lot 5 septic system (septic tank, drainpipe, and septic trench) are in accordance with Maryland State Department of Health Permit No. 34381, dated 19 Sep 84.

The easement for the as-built Lot 5 septic system, which is located on Lot 6, is based on the identified plats, identified Percolation Test Certification Drawings, Health Department Permit, and a Lot 5 septic system location survey which was conducted on 30 Dec 94. The as-built Lot 5 septic system and the defined easement on Lot 6 are described by the Fisher, Collins & Carter (FCC) developed (1) Plat and Deed of Septic Easement for Waterford Lot 6 Section One (Plat Reference 8654) FCC File No. 91542P1.DWG, dated 12 Jan 95, and (2) Percolation Certification Plan, Waterford Lot 5 Section One (Plat Reference 8654) FCC File No. 91542PC1.DWG, dated 13 Jan 95.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties agree as follows:

#### 1. CONDITIONS

1.1 Statement of Conditions. Rudy and BEHK agree to the conditions set forth herein as the basis to disposition the as-built Lot 5 septic system issues which were established by others and which adversely affect both Lot 5 and Lot 6 of Waterford Section 1.

1.2 Easement Period. ~~The Easement Period shall be in effect for a period of six months to support the corrective action activities as described under Item 1.3b. The Easement Period may be extended, as required, to accomplish the final solution through written approval by BEHK. Requests for modification(s) to the Easement Period shall be in writing and shall be issued to BEHK.~~

The Easement Period is defined as perpetual, thereby defining a perpetual septic easement as required to support the corrective action activities as described under Item 1.3b.

1.3 Septic Easement. BEHK grants Rudy a septic easement. The purpose of the septic easement is to allow Rudy to use, maintain, and repair the as-built Lot 5 septic trench and septic field which is located on Lot 6, in accordance with the following conditions:

a. The septic easement shall be in accordance with the Fisher, Collins & Carter developed Plat and Deed of Easement, File No. 91542P1.DWG, dated 12 Jan 95.

b. The Easement Period shall be in effect from the date of this Agreement, during which time the Lot 5 septic trench and septic field location on Lot 6 shall be remedied by one or more of the following:

1. The Lot 5 - Lot 6 boundary interface, as described on Plat 8654, shall be modified such that the as-built Lot 5 septic trench and septic field are located within the boundaries of Lot 5, or
2. Lot 5 and Lot 6 are combined into one integral parcel, or
3. The as-built Lot 5 septic trench and septic field shall be decommissioned and relocated within the physical boundaries of Lot 5, as defined on Plat 8654.

The boundary modification as described under Item 1.3b.1 shall result in both Lot 5 and Lot 6 being maintained as buildable lots in accordance with the Howard County Department of Planning and Zoning requirements.

1.4 Notification. Rudy shall notify BEHK of actions taken to resolve the Lot 5 septic issue as described under Item 1.3.

## 2. RUDY RESPONSIBILITIES

- 2.1 Rudy shall initiate such action to remedy the as-built Lot 5 septic system issues.
- 2.2 All costs incurred to obtain remedy of the as-built Lot 5 septic system issues shall be the responsibility of Rudy.
- 2.3 Rudy shall notify BEHK in writing regarding all major milestones or decision points related to activities associated with the resolution of the septic system issue.
- 2.4 Rudy shall restore the affected Lot 6 topography to its original condition following any excavation required to use, maintain, or repair that portion of the Lot 5 septic system which is located on Lot 6.
- 2.5 Rudy shall record this Agreement, its enclosures, and any modifications thereto in Howard County, Maryland.

## 3. BEHK RESPONSIBILITIES

- 3.1 BEHK agrees to honor the septic system Easement Period for the stated period or to transfer the Easement Period requirements to a third party owner accordingly.
- 3.2 BEHK agrees to permit Rudy to use, maintain, and repair the portion of the Lot 5 septic system which is located on Lot 6.

## 4. GENERAL TERMS AND CONDITIONS

- 4.1 The period of this Agreement shall be for the defined Easement Period or the date on which the septic issue is remedied, whichever occurs first.
- 4.2 This Agreement of Understanding, its enclosures, and all modifications thereto shall be recorded in Howard County, Maryland.
- 4.3 The terms and conditions of this Agreement of Understanding shall be binding upon and inure to the benefit of Rudy and BEHK, and successors thereto. Successor shall be deemed to include any individual, corporation, or other business entity which at any time during the term, by consolidation, merger, purchase, or otherwise, acquires all or substantially all of the stock, assets, or business of either of the two parties hereto.

5. NOTICES

All notices or other communications given by either party to this Agreement of Understanding shall be in writing. All such notices shall be addressed as follows:

If to BEHK: William Kolarek, Jr., President  
BEHK Construction Company, Inc.  
4990 B-5 Dorsey Hall Drive  
Ellicott City, Maryland 21042

If to Rudy: Mr. and Mrs. George C. Rudy  
13180 Brighton Dam Road  
Clarksville, Maryland 21029

6. ENTIRE AGREEMENT

This Agreement of Understanding contains the entire agreement and understanding between the two parties hereto with respect to the matters contained herein and may not be modified except by written consent of the two parties.

IN WITNESS THEREOF the two parties have hereunto signed this Agreement of Understanding as of the date first above written.

BEHK CONSTRUCTION COMPANY, INC. RUDY

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
William Kolarek, Jr. Date George C. Rudy Date

BY: \_\_\_\_\_  
Louise D. Rudy Date

WITNESS:

WITNESS:

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Name Date Name Date

Subscribed to and before me this \_\_\_\_th day of February 1995.

\_\_\_\_\_. My Commission Expires as \_\_\_\_\_  
Notary Public

January 12, 1995

**PRIVATE SEPTIC EASEMENT  
WITHIN LOT NO. 6, SECTION 1  
FOR THE USE AND BENEFIT OF  
LOT NO. 5, SECTION 1  
"WATERFORD" (PLAT REFERENCE NO. 8654)  
HOWARD COUNTY, MARYLAND**

**BEGINNING FOR THE SAME** at a point North 05°51'47" East 142.26 feet from the Northerly margin of Brighton Dam Road, said point on said Northerly margin of Brighton Dam Road being designated as coordinate value #291 (North 498758.29, East 808226.88) and being the division line between Lot Nos. 5 and 6 as shown on the plat, "Waterford, Lot Nos. 5, 6 and 7, Section One", dated January 23, 1989 and recorded among the Land Records of Howard County, Maryland in Plat Book No. 8654; thence running reversely with and binding on a part of said line to the beginning thereof the following course and distance, as now surveyed:

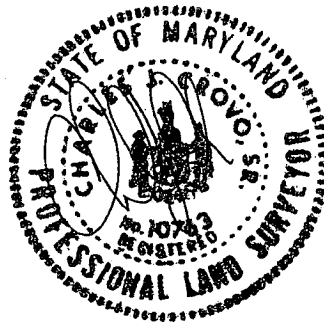
- 1) North 05°51'47" East 84.87 feet to a point, thence continuing on, running reversely with and binding on a part of the South 20°46'31" East 322.87 foot line of said aforementioned plat the following course and distance, as now surveyed,
- 2) North 20°46'31" West 136.86 feet to a point, thence leaving said division line and running for lines of easement the following four courses and distances, as now surveyed,
- 3) North 69°13'29" East 30.00 feet, thence,

FISHER,  
COLLINS  
&  
CARTER,  
INC.

CONSULTING ENGINEERS AND  
LAND SURVEYORS

1171 Baltimore National Pike  
Suite 100  
Ellicott City, Maryland 21042  
(410) 461-2855  
Fax (410) 750-3784

- 4) South 20°46'31" East 143.96 feet, thence,
- 5) South 05°51'47" West 87.83 feet, thence,
- 6) South 88°00'47" West 30.28 feet to the place of beginning; containing 6,803 square feet of land, more or less.



FISHER,  
COLLINS  
&  
CARTER,  
INC.

CONSULTING ENGINEERS AND  
AND SURVEYORS

171 Baltimore National Pike  
Suite 100  
Ellicott City, Maryland 21042  
(410) 461-2855  
Fax (410) 750-3784

Checked \_\_\_\_\_  
Compiled \_\_\_\_\_  
Water for D-20

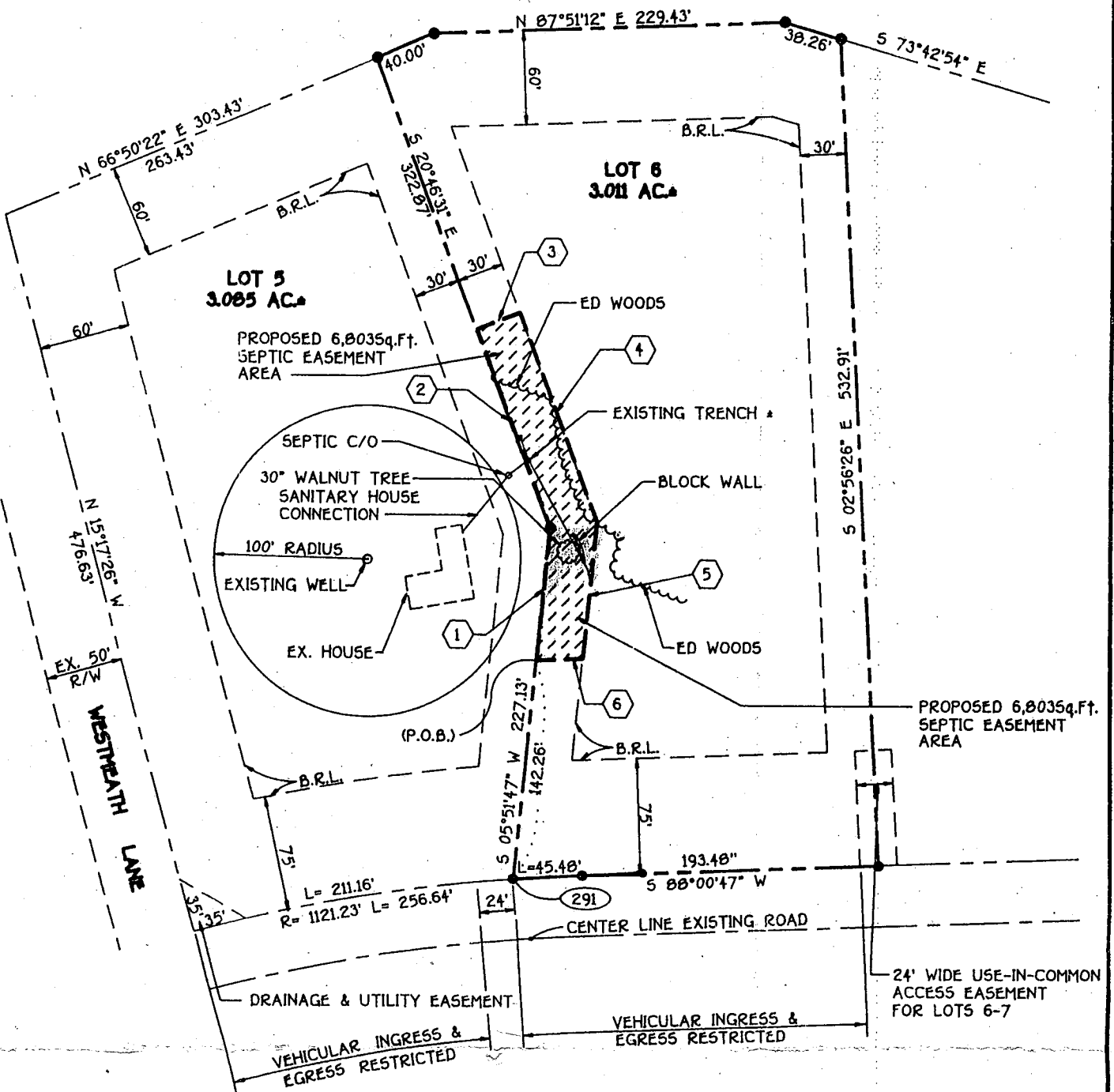
SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
①	N 05°51'47" E	84.87'
②	N 20°46'31" W	136.86'
③	N 69°13'29" E	30.00'
④	S 20°46'31" E	143.96'
⑤	S 05°51'48" W	87.83'
⑥	S 88°0'47" W	30.28'

POINT	NORTH	EAST
②91	498,758.29	808,226.88



N 499,500  
E 808,000

N 499,500  
E 808,500



N 498,500  
E 808,000

B.R.L. = BUILDING RESTRICTION LINE

NOTE : THE PURPOSE OF THIS PLAT IS TO CREATE A SEPTIC EASEMENT ON LOT \*6 FOR THE BENEFIT OF LOT \*5. THIS EASEMENT IS INTENDED TO ENCOMPASS THE EXISTING SYSTEM AS-BUILT AND IN PLACE.

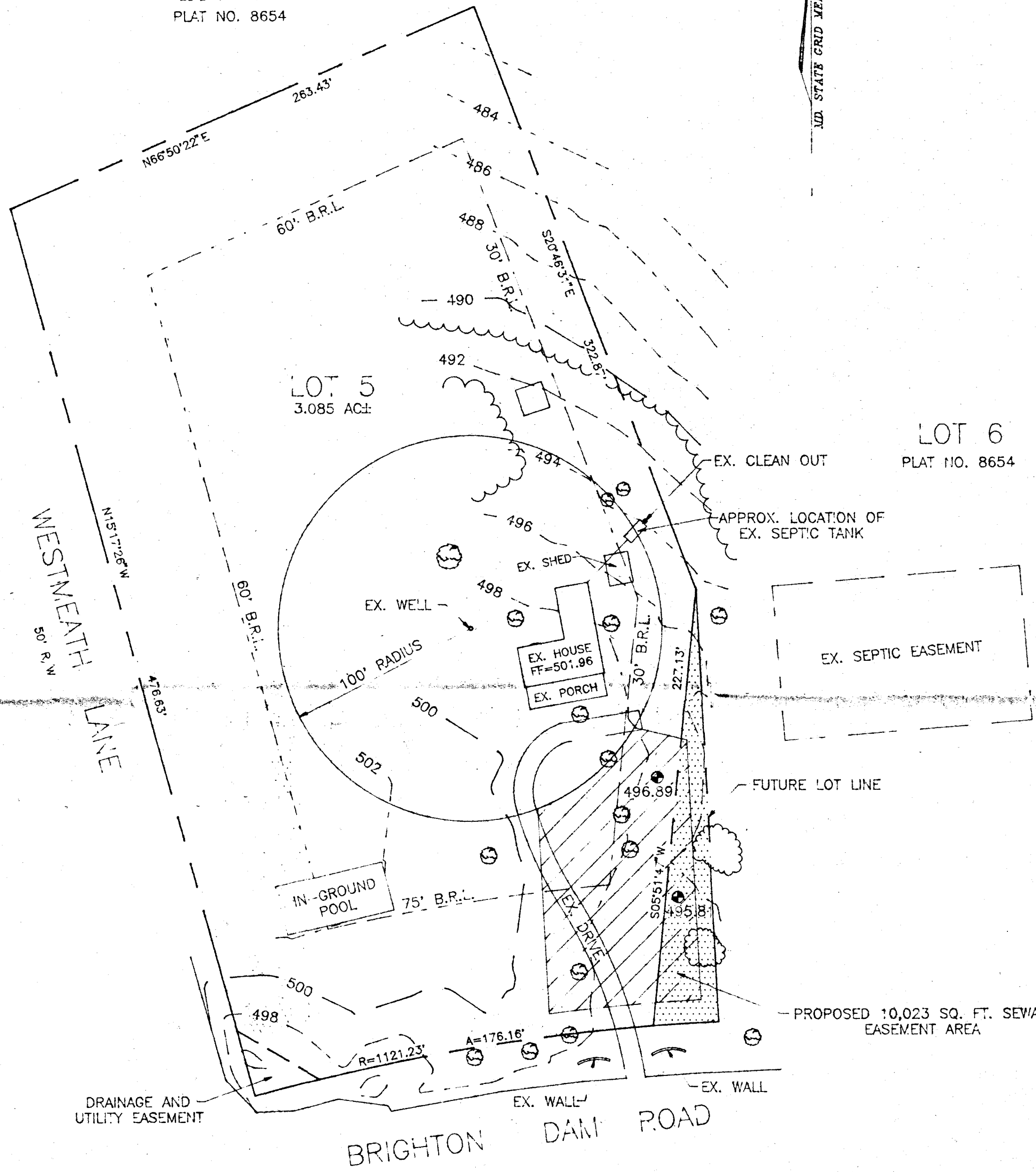
SEPTIC EASEMENT FOR  
**WATERFORD**  
LOT 6  
SECTION ONE  
PLAT REFERENCE NO. 0854  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 12, 1995

**FISHER, COLLINS & CARTER, INC.**  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
9171 BALTIMORE NATIONAL PKWY, SUITE 100  
ELLCOTT CITY, MARYLAND 21042  
(410) 461-2853

LOT 14  
PLAT NO. 8654

LOT 5  
3.085 AC±

LOT 6  
PLAT NO. 8654



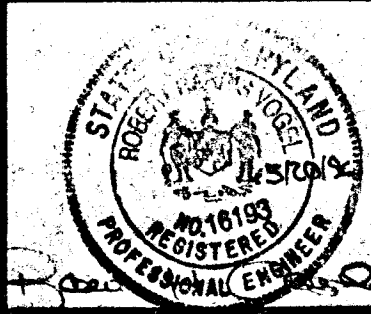
NOTE: 1. THE CONTOURS AND ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD RUN SURVEY WITH AN ASSUMED VERTICAL DATUM PERFORMED BY MARKS & VOGEL ASSOCIATES, INC. IN JANUARY, 1996.  
2. THE PROPERTY LINES SHOWN HEREON ARE BASED ON A PLAT OF SURVEY PERFORMED BY FISHER, COLLINS & CARTER, INC. DATED JAN. 10, 1988 AND ARE NOT TO BE USED TO DETERMINE BOUNDARY LIMITS.

THIS AREA DESIGNATES A MINIMUM 10,000 SQ FT PRIVATE SEWAGE EASEMENT REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWAGE IS AVAILABLE. THESE EASEMENTS SHALL BE NULL AND VOID UPON CONNECTION TO A PUBLIC SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENT INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT SHALL NOT BE NECESSARY.

PERCOLATION TEST HOLES SHOWN HEREON HAVE BEEN FIELD LOCATED AND SHOWN AS .  
PERCOLATION AREAS AND WATER WELLS WITHIN 100 FEET OF PROPERTY LINES ARE SHOWN ON THIS PLAT.

APPROVED: FOR PRIVATE WATER AND PRIVATE SEWAGE SYSTEMS  
*Joseph M. ...* 5/2/96  
COUNTY HEALTH OFFICER DATE

OWNER  
GEORGE RUDY  
13180 BRIGHTON DAM ROAD  
CLARKSVILLE, MARYLAND 21044



RECORD REFERENCES	
TAX MAP	34
PARCEL	143
PLAT NO./FOLIO	8654
SCALE	1"=50'
DATE	5-20-96

PERCOLATION TEST PLAT	
LOT 5	
WATERFORD, SECTION 1	
HOWARD COUNTY	
MARYLAND	

**MARKS & VOGEL ASSOCIATES, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS  
3691 PARK AVE. #101 ELLICOTT CITY, MD 21043  
TELEPHONE (410)461-5828 FAX (410)465-3966

ACAD FILE: C:\ACAD\OBRS\RUDY\PERCOLAT.DWG

Plans in  
Chronological  
order. Septic  
Installation  
records

Missing A34884A  
already indexed

5/17/97

ALM

CHANGED TO  
MARCH 29



CANCELLED  
PER VOGLE  
(I LEFT  
MESSAGE  
w/CLASSIC  
& RUDY)

**HOWARD COUNTY HEALTH DEPARTMENT**

Joyce M. Boyd, M.D., County Health Officer

January 3, 1996

George Rudy  
13180 Brighton Dam Road  
Clarksville, Maryland 21029

RE: Spring Wet Season Percolation Testing  
Waterford - Lot 5  
Westmeath Lane  
Tax Map: 34 Parcel: 402

Dear Mr. Rudy:

A percolation test date has been reserved for 10:00 a.m., Thursday, March 21, 1996 for the above referenced property. In order to avoid reassignment of this test date, please return the enclosed percolation testing application along with the required test fee (\$225 per lot), to this office by February 15, 1996.

You will be responsible for having a contractor on-site to excavate test holes. Test holes will be dug in the lowest portions of the proposed sewage disposal easements that required wet season testing for approval.

Please call this office between 8:00 a.m. and 5:00 p.m. Monday through Friday, to confirm your acceptance of this percolation test date.

Thank you for your cooperation in this matter.

Very truly yours,

*Craig Williams/AM*

Craig Williams, Program Director  
Water & Sewerage Program

CW:am  
Enclosure  
cc:File

10 Mar 96  
R-960302

13180 Brighton Dam Road  
Clarksville, MD 21029

Mr. Robert H. Vogle, P.E.  
~~Marks & Vogle Associates, Inc.~~  
3691 Park Ave., Suite 101  
Ellicott City, MD 21043

Subject: Percolation Test

- Reference:
1. Lot 5 of Section 1, Waterford  
Plat 8654, Recorded 1 Jun 89
  2. G. C. Rudy Letter (R-960301) to Mr. Craig Williams, Program Director, Bureau  
of Environmental Health, Howard County, dated 10 Mar 96
  3. Project Reference Drawing: Exhibit 4b, GCR dated 26 Oct 95, entitled  
Lot 5 & Lot 6 (of Section 1, Waterford), Boundary Reconfiguration

Dear Mr. Vogle:

Find enclosed a check in the amount of \$782.43; HMS Check No. 1168.

As we discussed, I must reschedule the percolation test from 21 Mar 96. Suggested alternate dates are presented in the referenced letter to Mr. Craig Williams, a copy of which is enclosed. Proceed to develop the necessary preliminary configuration diagrams for the percolation test and coordinate such diagrams with Mr. Williams.

In establishing the new septic field and associated trench, the following specifications are issued:

- o The septic trench shall be located at a level below basement grade
- o The septic system must remain passive
- o The existing septic tank shall remain in its present location for use with the new septic trench (there shall be no perturbation of the existing house drain pipes which are routed through the stone foundation to the tank)

To support your planned topo activities, I will mark (red reflector stake) the approximate location of the septic tank exit pipe for your reference. Based on a previous dig, the septic tank top is approximately 3 feet below the ground surface. We will validate exit pipe depth during the period of the perc test by hand digging down to the corner of the septic tank and the exit pipe.

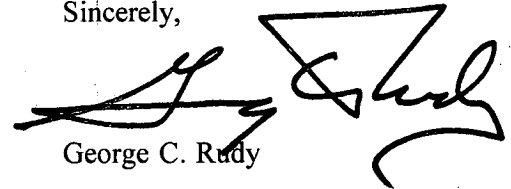
There is an individual in the vicinity by the name of Mr. Claude Cissel, who has a backhoe and who digs trenches in support of perc tests. His number is 301-854-2006. Since I will be on travel in the Czech Republic during the next two weeks, I am requesting that you contact Mr. Cissel and arrange for his services. At your option, inform him to bill me directly.

Page 2  
R-960302

For your information, I will be meeting with the Waterford Homeowners Association on 27 March to present and discuss the land transfer concept for their review and approval. As previously stated, the intent will be to acquire land from Lot 6 of Section 1, Waterford (Parcel A), and to make up the square foot deficit of Lot 6 by purchasing equivalent square footage from the Waterford Homeowners Association recreation area (Parcel 16 of Section 3). Refer to project Exhibit 4b.

If there are any questions do not hesitate to call my wife, Louise (301-854-3350, phone, FAX, voice mail) who can relay information to me. I can phone or FAX you accordingly from the Czech Republic should there be any need for communication during the period.

Sincerely,



George C. Rudy

Enclosure: HMS Check 1168 (\$782.43)  
Reference 2

cc: Craig Williams, Bureau of Environmental Health, Howard County  
Fred L. Coover, Esquire

R-960301  
10 Mar 96

13180 Brighton Dam Rd.  
Clarksville, MD 21029

Mr. Craig Williams, Program Director  
Water & Sewerage Program  
Bureau of Environmental Health  
3525-H Ellicott Mills Drive  
Ellicott City, MD 21043-4544

Subject: Percolation Test, Referenced Lot

- Reference: 1. Lot 5 of Section 1, Waterford 13180 Brighton Dam Road  
Tax Map 34, Parcel 402 Clarksville, MD 21029
2. Craig Williams Letter to G. C. Rudy dated 3 Jan 96

Dear Mr. Williams:

In response to your letter of 13 Jan 96, find enclosed an executed Application (percolation testing) and the required test fee of \$225.00.

This response to confirm a percolation test date has been delayed pending solidification of my schedule during this period. By this letter it is requested that the percolation test date be changed from Thursday, 21 March to occur during the period of 28 March through 1 April. This schedule change is requested based on my having been on near constant travel in the Czech Republic since the beginning of the year. I will be returning to the U.S. on or before 27 Mar 96 and will be in-country for a period of about one week.

Mr. Robert H. Vogle, P.E. of Marks & Vogle is the engineer who will configure the septic system. Mr. Vogle will be in contact with you and present to you information as it relates to the proposed new septic field and the suggested primary and secondary perc test holes. If you have any questions regarding the proposed septic system plan, please contact Mr. Robert H. Vogle, P.E., at 410-461-5828.

If the above-suggested dates are not available, so notify my office at 301-854-3350 (phone, FAX, voice mail). Due to planned travel, any alternate date (other than those suggested above) should be scheduled on a Friday or a Monday.

Sincerely,

  
George C. Rudy

Enclosures: Executed Application, Percolation Test  
HMS Brighton Check No. 1168 (\$225.00)

cc: Robert H. Vogle, Marks & Vogle Associates, Inc.  
Fred L. Coover, Esquire

A56494



**HOWARD COUNTY HEALTH DEPARTMENT**

*Joyce M. Boyd, M.D., County Health Officer*

March 19, 1996

Mr. George Rudy  
13180 Brighton Dam Road  
Clarksville, Maryland 21044

RE: Percolation Test Application  
Number: 56494  
Waterford Subdivision - Lot 5  
13180 Brighton Dam Road  
Tax Map: 34 Parcel: 402

Dear Mr. Rudy:

Per your request, the previously scheduled percolation test date of March 21, 1996 has been changed to 10:00 a.m., Friday, March 29, 1996 for the above referenced property. This date was confirmed by Mark Vogle of Marks & Vogle Associates on March 15, 1996.

You will be responsible for having a contractor on-site to excavate test holes at the corners of proposed percolation areas. Test holes will be dug in the lowest portions of the proposed sewage disposal easement.

If you have any questions, please call me at 313-2640.

Very truly yours,

Craig Williams, Program Director  
Water and Sewerage Program

CW:jr

cc: <sup>Rob</sup> Mark Vogle  
File

SENT TO  
G. RUDY  
4 M. VOGLE  
4/2/96  
wp51\Jane\rudy

GEORGE -  
NO ONE AT SITE AT SCHEDULED TIME,  
MAY NOT BE SUFFICIENT TIME TO  
RESCHEDULE DURING CURRENT WET SEASON,  
PLEASE ADVISE AS TO YOUR PLANS  
Craig Williams  
4/1/96

Attachment A

Septic System and Field Requirements and Conditions  
Tax Map 34, Lot 5, Section 1 of Waterford

The following are the technical requirements and specifications for the subject septic tank, septic trench, and the associated septic easement field. The subject requirements and specifications replicate the as-built conditions for the existing septic system, inclusive of the tank, trench, and 10,000 square foot field.

I. Primary Design and Installation Requirements and Specifications

- a. The tank shall have a capacity of 1500 gallons consistent with the septic permit No. 39381 issued in 1984, dated 19 Sep 84 (aka, Exhibit 1-b).
- b. The top of the septic tank and the septic field shall be located beneath the grade level of the basement grade for the main house (refer to Marks & Vogel topo sketch, issued 30 Apr 96).
- c. The septic system shall be a passive system (gravity operated).
- d. The septic field shall be 10,000 square feet, which shall be capable of supporting the initial installation, plus two replacement systems.
- e. The septic tank shall be located at a minimum of 40 feet from the main house. The existing septic tank shall be retained, if practical.
- f. The septic tank, septic trench, and the septic field shall not be located, in any part, within 100 feet for the site well, as shown on the Fisher, Collins & Carter drawing Lot 5 of Section 1 "Septic Easement for Waterford, Lot 6 Section 1" dated 12 Jan 95 (aka, Exhibit 2-d).
- g. The septic system (tank, trench, and field) shall be located within the legal boundaries of Lot 5, Section 1 of Waterford. Refer to Plat 8654 (Exhibit 3-f); Lot 5 & Lot 6 Boundary Reconfiguration, GCR dated 26 Oct 95 (aka, Exhibit 4-b); and Marks & Vogel Exhibit Plan of Lot 5 and Lot 6 Waterford, Section 1 dated 30 Nov 95.

NOTE: At this time, the septic trench and field are physically located on Lot 6, Section 1 of Waterford.

II. Site Location Requirements and Considerations

- a. The septic system (tank, trench, and field) shall be installed so as not to impact the as-built swimming pool. The top of the tank and trench must be located at a grade level lower than the bottom of the subject pool. Refer to FC&C site location diagram, signed 20 Jan 95 (aka, Exhibit 4-a).
- b. The septic system (tank, trench, and field) shall not be located beneath any existing or planned building on the site (Exhibit 4-a plus future carriage house).
- c. The septic system (tank, trench, and field) shall be in total compliance with the design and installation requirements set forth by the Department of Health, Howard County, Maryland.

---

Note: Exhibits were previously issued to Marks & Vogel.

# APPLICATION

## PERCOLATION TESTING

A \_\_\_\_\_

P \_\_\_\_\_

HOWARD COUNTY HEALTH DEPARTMENT  
BUREAU OF ENVIRONMENTAL HEALTH  
3525-H ELLICOTT MILLS DRIVE/ELLICOTT CITY, MARYLAND 21043  
TELEPHONE: 313-2640

DISTRICT \_\_\_\_\_

DATE \_\_\_\_\_

TO: THE COUNTY HEALTH OFFICER  
ELLICOTT CITY, MARYLAND

I HEREBY APPLY FOR THE NECESSARY TEST PRIOR TO APPLICATION FOR PERMIT TO CONSTRUCT (OR RECONSTRUCT) A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT OR PROSPECTIVE BUYER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

PROPERTY LOCATION:

SUBDIVISION \_\_\_\_\_ LOT NO. \_\_\_\_\_

ROAD AND DESCRIPTION \_\_\_\_\_

TAX MAP \_\_\_\_\_ PARCEL # \_\_\_\_\_

SIZE OF LOT \_\_\_\_\_ TYPE BLDG. \_\_\_\_\_  
(SINGLE FAMILY DWELLING OR COMMERCIAL)

THE SYSTEM INSTALLED UNDER THIS APPLICATION IS ACCEPTABLE ONLY UNTIL PUBLIC FACILITIES BECOME AVAILABLE. I FULLY UNDERSTAND THE FEE CONNECTED WITH THE FILING OF THIS PERC TEST APPLICATION IS NON-REFUNDABLE UNDER ANY CIRCUMSTANCES. I ALSO AGREE TO COMPLY WITH ALL M.O.S.H.A. REQUIREMENTS IN TESTING THIS LOT.

(SIGNATURE OF APPLICANT)

APPROVED BY \_\_\_\_\_ FOR \_\_\_\_\_ DATE \_\_\_\_\_

DISAPPROVED BY \_\_\_\_\_ FOR \_\_\_\_\_ DATE \_\_\_\_\_

HOLD PENDING FURTHER TESTS \_\_\_\_\_

REASONS FOR REJECTION OR HOLDING \_\_\_\_\_

PERCOLATION TEST PLAT/PRELIMINARY PLAT - TITLE OR I.D. # \_\_\_\_\_ DATE \_\_\_\_\_

SITE DEVELOPMENT PLAN/FINAL PLAT - TITLE OR I.D. # \_\_\_\_\_ DATE \_\_\_\_\_

# THIS IS NOT A PERMIT

COUNTY #

SOIL PROFILE

0' - BOTH HOLES  
CLAY

3' - CLAY  
MICA  
TRANSITION

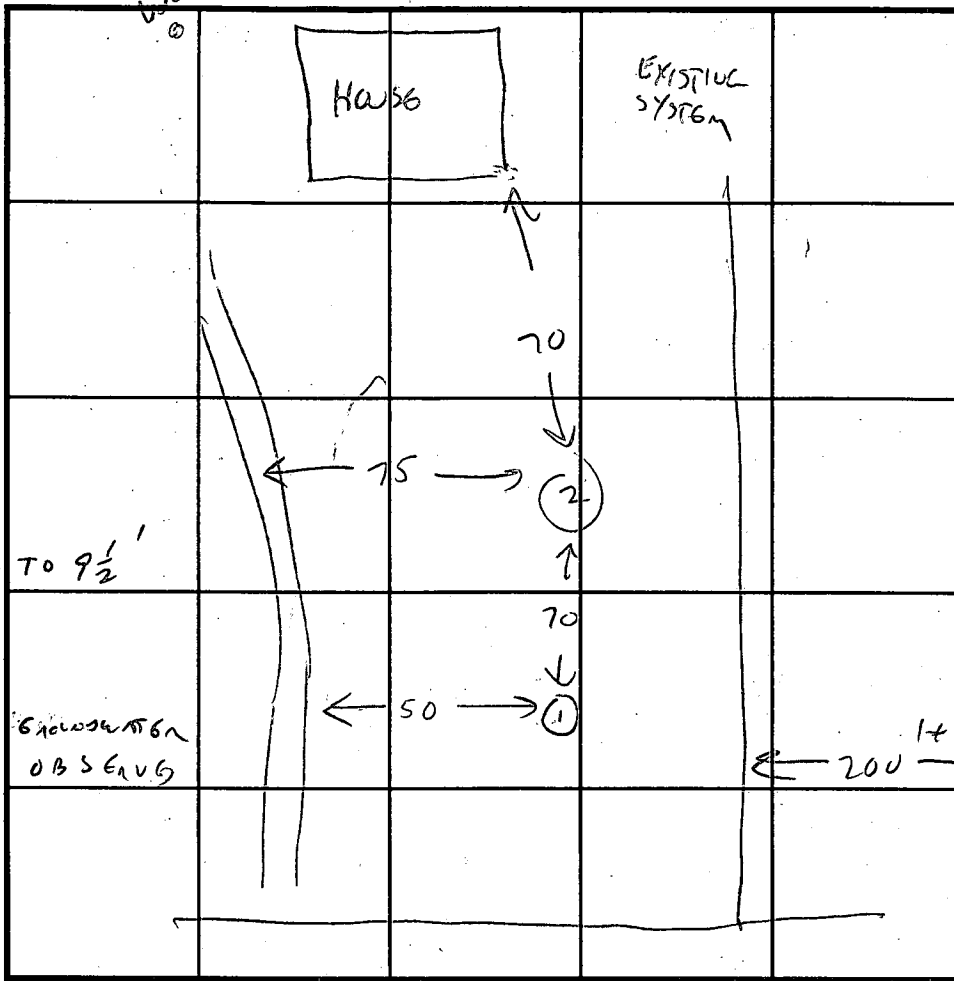
MICA  
LOAM

NO  
ROCK

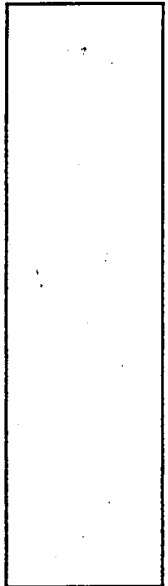
STRONG ROOT ZONE TO 9 1/2'

12' - SLIGHTLY  
MOTTLED

13 - BOTTOM



SOIL PROFILE



INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE.

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
5/3/96	1	5	11:15	11:27			
	2	5	11:06	11:10	11:10	11:16	6 MIN

REMARKS \_\_\_\_\_

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

TESTED BY \_\_\_\_\_ ALSO PRESENT RUDY VAN SANT

TRENCH DESIGN DATA: AVERAGE PERCOLATION TIME 180 TRENCH WIDTH 2

INLET DEPTH 5 MAXIMUM BOTTOM DEPTH 8 SQ. FT/BEDROOM 180

(ON INLET AT 6' - 3" WIDE) SAME BOTTOM DEPTH.)

BRICK WALLS APPEAR TO ENCROACH ONTO RIGHT-OF-WAY

BRIGHTON DAM ROAD (40' R/W)  
L=211.16'  
R=1121.23'

NOTE: HOUSE APPEARS TO ENCROACH INTO SEPTIC EASEMENT

RESTRICTED EGRESS DRAINAGE & UTILITY EASEMENT

SCALE: 1" = 30'

LOT #6

LOT #5

NOTE: SUBJECT TO AN AGREEMENT OF UNDERSTANDING AS REQUIRED IN 2651/174

36 X 25' Septic

322.87'

S 20° 46' 31" E

30' BRL.

BRL. - BUILDING RESTRICTION LINE

WATERFORD SEC. #3

PLAT No. #7311

LOT #14

N 66° 50' 22" E 263.43'

Subject property is shown in Zone C on the National Flood Insurance Program Flood Insurance Rate Map of Howard County, Maryland, Panel No. 32 of 45. Community Panel No. 24004400328 Effective date: December 4, 1986

LOT #5 OF "WATERFORD" SEC #1 HOWARD COUNTY MD. PLAT # 8654 (A RESUBDIVISION PLAT OF LOTS 23, 24, PLAT # 6872)

2 1/2 STORY BRICK DWLG.

Well 115' (1075) 46.5' to Septic

EX. SEPTIC EASEMENT

CONC. BLOCK SHED (14' x 14')

WOOD SHED (12.5' x 16.2')  
STONE FOUNDATION

WOOD FENCE

COVERED WOOD PORCH (12 x 24.1)

PUMP SHED

UGROUND POOL

WOOD & WIRE FENCE

DIRT & GRAVEL DRIVE

MAC. DRIVE

476.63'

WESTMEATH LANE (50' R/W)

N 15° 17' 26" W

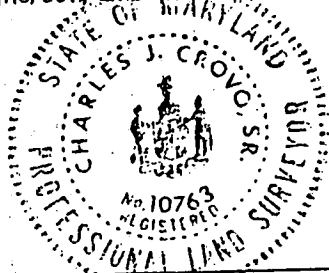
This is to certify that I have surveyed the property known as: #13180 BRIGHTON DAM ROAD RECORDED AS DEED 1605/458 AMONG THE LAUD RECORDS OF HO. CO., MD

for the purpose of locating the improvements thereon, and the improvements are located as shown.

Signed this 13 day of SEPTEMBER 1994

*[Signature]*

FISHER, COLLINS & CARTER, INC.  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
3071 BALTIMORE NATIONAL PIKE, SUITE 100  
ELLCOTT CITY, MARYLAND 21042  
(410) 481-2895



This plat is not intended for use in the establishment of property lines.

Huntington Farm  
13180 Brighton Dam Road  
Clarksville, MD 21029

Ms. Gina Tirinnanzi, ASLA, Division Chief  
Division of Land Development and Research  
Department of Planning & Zoning  
3430 Court House Drive  
Ellicott City, MD 21043

Subject: Plat Update: Lot 5 and Lot 6 of Section 1, Waterford

- Reference: 1. Huntington Farm (Circa 1830-40, HO-19)  
13180 Brighton Dam Road  
Clarksville, MD 21029  
Lot 5 of Section 1, Waterford
2. Waterford Section 1, Lots 5, 6, and 7  
(A re-subdivision plat of Plat 6872 for Lots 2, 3, and 4)  
Plat 8654, Recorded 1 Jun 89  
File: F-89-150

Dear Ms. Tirinnanzi:

Based on our meeting of 26 Oct 95 and our telephone conversation of today, this letter notifies Howard County Planning & Zoning of our intent to submit an update of the referenced plat for the purposes of adjusting the boundary line between Lot 5 and Lot 6 of Waterford, Section 1. The purpose of this boundary change will be to accommodate a land swap: the transfer of parcel A from Lot 6 to Lot 5, and the transfer of parcel B from Lot 5 to Lot 6. The subject parcels are identified accordingly on a previously-submitted Exhibit 4-b.

The purpose of the land swap is to add land to Lot 5 in an area which will accommodate a new septic system which will service Lot 5. Currently, the septic system servicing Lot 5 is located on Lot 6 (see previously-submitted Exhibits 2-c and 2-d). Plat submittals which illustrate a newly-defined septic field for Lot 5 will be issued to Howard County Planning & Zoning in the late Spring of 1996 following the field certification and the Spring wet season.

As stated in our submittal of 27 Oct 95, the near-term plat submittal is an intermediate action to satisfy the Lot 6 owner's request for immediate boundary line corrective action regarding Parcel A. Plat adjustments to accommodate Parcel C considerations will be handled coincident with the septic field submittal, to be issued in the Spring of 1996.

It is anticipated that Marks & Vogle will submit the updated plat illustrating the boundary line adjustment by mid-November 1995. Should there be any questions regarding this topic, do not hesitate to contact me at 301-854-3350 (phone, FAX, voice mail).

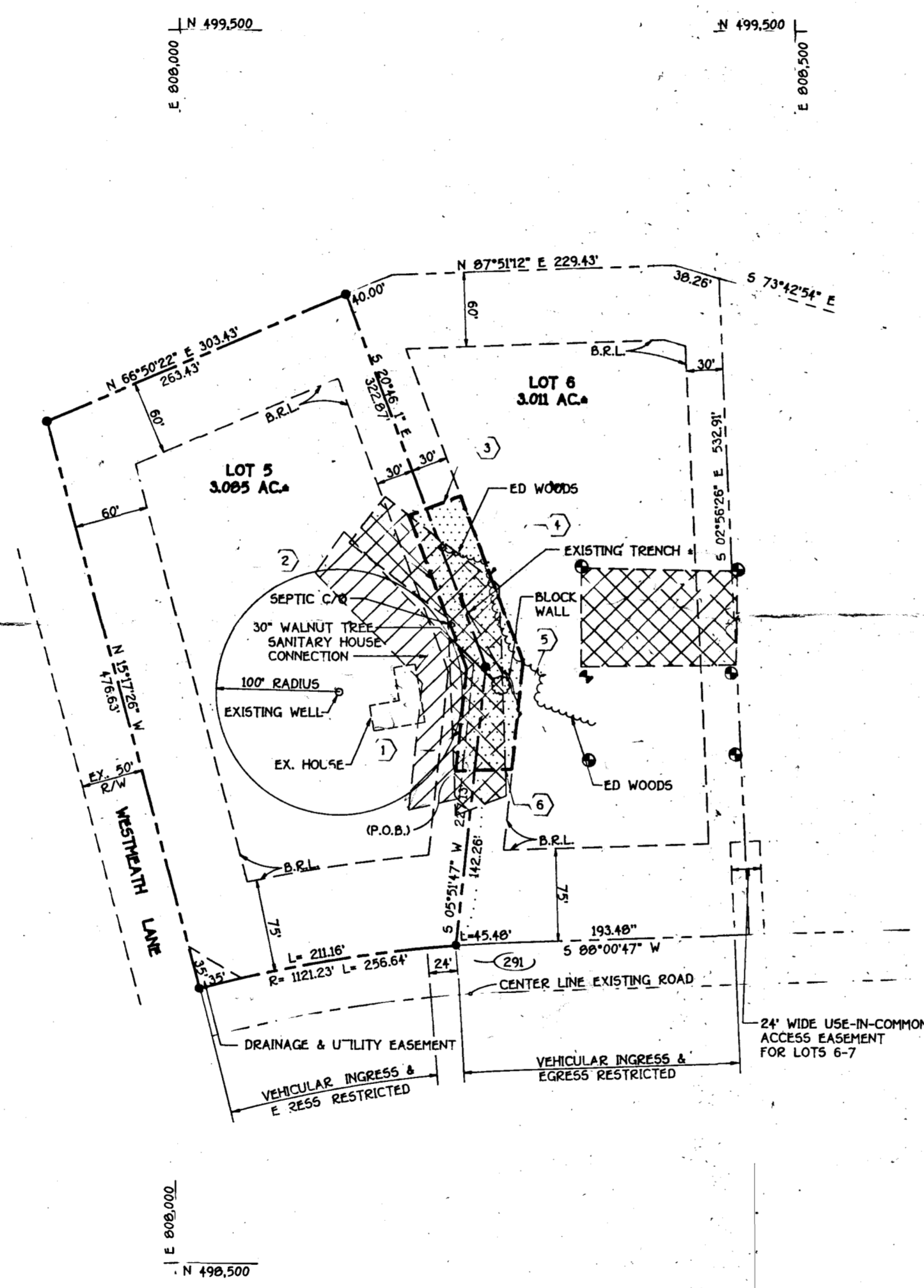
Sincerely,

  
George C. Rudy

cc: Marks & Vogle  
Mr. Craig Williams, HC Health Department

SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
(1)	N 05°51'47" E	83.38'
(2)	N 20°46'31" W	133.31'
(3)	N 69°13'29" E	45.00'
(4)	S 20°46'31" E	143.96'
(5)	S 05°51'48" W	87.83'
(6)	S 88°0'47" W	45.42'

POINT	NORTH	EAST
(291)	498,758.29	808,226.88



- GENERAL NOTES**
- THIS AREA DESIGNATES A PRIVATE SEWERAGE EASEMENT OF 10,000 SQUARE FEET AS REQUIRED BY MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWERAGE DISPOSAL IMPROVEMENTS OF ANY NATURE IN THE AREA ARE RESTRICTED UNTIL PUBLIC SEWERAGE IS AVAILABLE. THESE EASEMENTS SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWERAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENT INTO THE PRIVATE SEWERAGE EASEMENT. RECORDATION OF A MODIFIED SEWERAGE EASEMENT SHALL NOT BE NECESSARY.
  - THIS AREA DESIGNATES AN EXISTING PRIVATE SEWERAGE EASEMENT OF 10,000 SQUARE FEET AS PER RECORDED PLAT NO. 8654. THIS EASEMENT IS TO BE ABANDONED.
  - THIS AREA DESIGNATES THE ACTUAL LOCATION OF THE INTENDED 10,000 SQUARE FOOT SEWERAGE EASEMENT INDICATED ON PLAT NO. 8654.
  - THE LOTS SHOWN HEREON COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT.
  - THE PURPOSE OF THIS PLAT IS TO REVISE THE EXISTING PRIVATE SEWERAGE EASEMENT RECORDED IN PLAT NO. 8654 TO THE LOCATION SHOWN HEREON.
  - OWNER & DEVELOPER:

MR. & MRS. GEORGE C. RUDY  
13180 BRIGHTON DAM ROAD  
CLARKSVILLE, MARYLAND 21029

7. THE SUBJECT EASEMENT IS IN ACCORDANCE WITH AN AGREEMENT OF UNDERSTANDING, "WATERFORD, SECTION 1, LOT 5 (SEPTIC EASEMENT) LOT 6" BETWEEN WILLIAM KOLAREK, JR., PRESIDENT OF BEK CONSTRUCTION COMPANY, INC., 4990 B-5 DORSEY HALL DRIVE, ELLICOTT CITY, MARYLAND, 21042 AND MR. & MRS. GEORGE C. RUDY, 13180 BRIGHTON DAM ROAD, CLARKSVILLE, MARYLAND, 21029, REFERENCE DOCUMENT #R-950101 (REV. 2), DATED JANUARY 16, 1995 AND THE ATTACHED PLAT AND DEED OF EASEMENT DATED JANUARY 12, 1995, FILE #91542PLDWG, RECORDED JANUARY 18, 1995 AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

**LEGEND**

⊙ DENOTES FIELD LOCATION OF PERC HOLES



B.R.L. = BUILDING RESTRICTION LINE

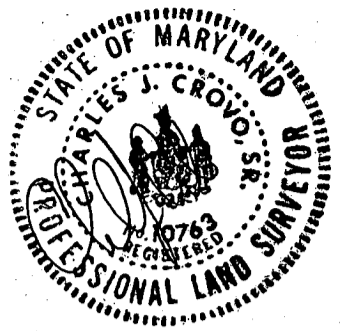
PERCOLATION CERTIFICATION PLAN  
**WATERFORD**  
LOT 5  
SECTION ONE  
PLAT REFERENCE NO. 8654  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 17, 1995

**FISHER, COLLINS & CARTER, INC.**  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
9171 BALTIMORE NATIONAL PIKE, SUITE 100  
ELLICOTT CITY, MARYLAND 21042  
(410) 461-2855

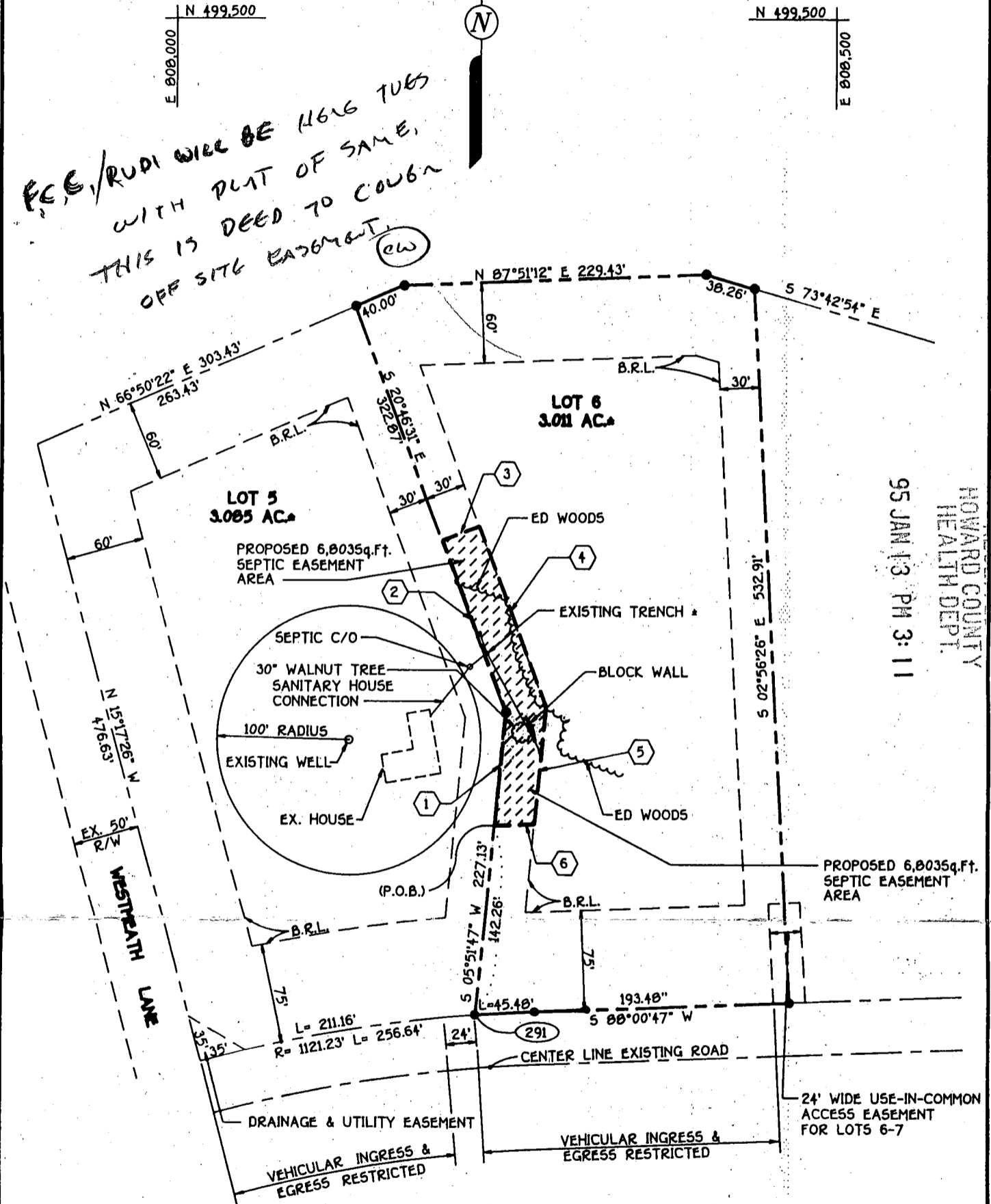
*Joyce M. Boyd*  
COUNTY HEALTH OFFICER (C.W.)  
1-17-95  
DATE

SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
①	N 05°51'47" E	84.87'
②	N 20°46'31" W	136.86'
③	N 69°13'29" E	30.00'
④	S 20°46'31" E	143.96'
⑤	S 05°51'48" W	87.83'
⑥	S 88°0'47" W	30.28'

POINT	NORTH	EAST
②91	498,758.29	808,226.88



*FCC, RUDI WILL BE HIGL TUBS WITH PLAT OF SAME. THIS IS DEED TO COMB OFF SITE EASEMENT.* (CW)



RECEIVED  
HOWARD COUNTY  
HEALTH DEPT.  
95 JAN 13 PM 3:11

B.R.L. = BUILDING RESTRICTION LINE

NOTE: THE PURPOSE OF THIS PLAT IS TO CREATE A SEPTIC EASEMENT ON LOT #6 FOR THE BENEFIT OF LOT #5. THIS EASEMENT IS INTENDED TO ENCOMPASS THE EXISTING SYSTEM AS-BUILT AND IN PLACE.

**FISHER, COLLINS & CARTER, INC.**

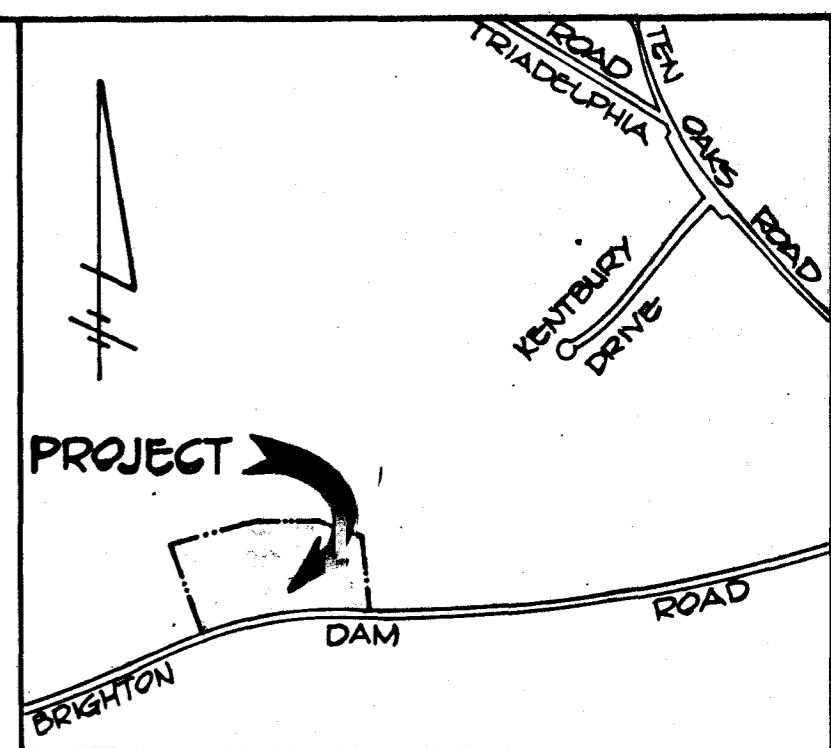
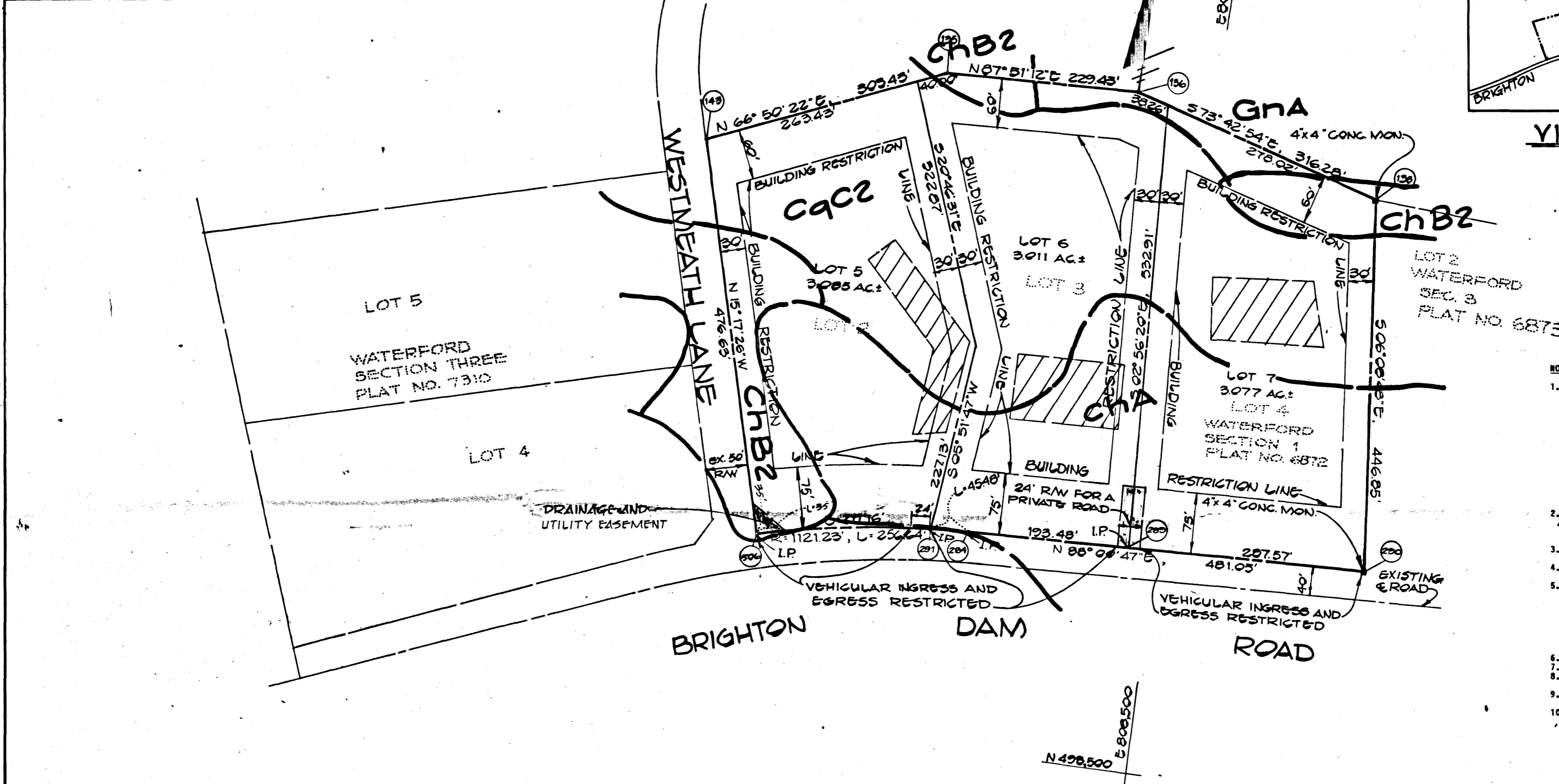
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
977 BALTIMORE NATIONAL PIKE, SUITE 100  
ELICOTT CITY, MARYLAND 21042  
(410) 461-2855

SEPTIC EASEMENT FOR  
**WATERFORD**

LOT 6  
SECTION ONE  
PLAT REFERENCE NO. 8654  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 12, 1995

CURVE DATA:					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD
504291	1121.23	211.16'	10°-47'-26"	105.89'	N 80°-17'-39" E, 210.85'
251-284	1121.23	45.48'	02°-19'-26"	22.74'	N 86°-51'-04" E, 45.47'

COORDINATE TABLE					
PT.	NORTH	EAST	PT.	NORTH	EAST
125	499301.85	808172.33	506	498722.75	808019.05
126	499310.44	808401.60	291	498738.29	808226.88
128	499221.75	808705.19	284	498760.79	808272.28
290	498777.47	808753.04	289	498767.50	808465.65
143	49918251	807893.36			



VICINITY MAP  
SCALE: 1"=1200'

- NOTES:
- THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF 10,000 SQUARE FEET AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWAGE IS AVAILABLE. THESE EASEMENTS SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT 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.
  - SUBJECT PROPERTY ZONED "R" PER 8/2/85 COMPREHENSIVE ZONING PLAN.
  - BOUNDARY SHOWN HEREON BASED ON A SURVEY BY SHANBERGER & LANE DATED MAY, 1985.
  - THE COORDINATES SHOWN HEREON ARE BASED ON THE MARYLAND STATE GRID SYSTEM AND DERIVED FROM THE FOLLOWING HOWARD COUNTY CONTROL STATIONS:  
STA. 2535008 N 498728.763  
E 808128.664  
STA. 2535002 N 498149.280  
E 806734.529
  - THIS PLAN IS SUBJECT TO MP-88-135.
  - EXISTING STRUCTURE ON LOT 5.
  - EXISTING STRUCTURES ON LOT 6 AND 7 TO BE RAZED.
  - I.P. - DENOTES IRON PIN OR IRON BAR SET.  
4" - DENOTES 4" x 4" CONG. MONUMENT SET
  - THE PURPOSE OF THIS PLAN IS TO SHIFT THE POINT OF INGRESS AND EGRESS FOR LOTS 6 & 7 TO BRIGHTON DAM ROAD FROM LOTS 5 & 6 TO LOTS 6 & 7. THE EXISTING ENTRANCE TO LOT 5 WILL REMAIN.

- AREA TABULATION:**
- NUMBER OF LOTS TO BE RECORDED: 3
  - TOTAL AREA OF LOTS: 9.173 AC.±
  - TOTAL AREA OF ROAD DEDICATION: NONE
  - TOTAL AREA OF SUBDIVISION: 9.173 AC.±

**OWNER AND DEVELOPER**

GEORGE C. RUDY &  
LOUISE D. ZELLOR  
13180 BRIGHTON DAM ROAD  
CLARKSVILLE, MD. 21029

TERAL INTERNATIONAL CORPORATION  
910 DAVID BROOKS  
7101 WISCONSIN AVENUE  
BETHESDA, MD. 20814

FISHER, COLLINS AND CARTER, INC.  
CONSULTING ENGINEERS AND LAND SURVEYORS  
8388 COURT AVENUE  
ELLCOTT CITY, MARYLAND 21043

APPROVED: FOR PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS, HOWARD COUNTY HEALTH DEPARTMENT.

HOWARD COUNTY HEALTH OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED: HOWARD COUNTY OFFICE OF PLANNING AND ZONING

DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

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

DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S CERTIFICATE:

WE, TERAL INTERNATIONAL CORPORATION, A STATE OF MARYLAND CORPORATION, BY NICOLAS E. ARROYO, VICE PRESIDENT AND GEORGE C. RUDY, LOUISE D. ZELLOR, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN 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, ITS 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 RIGHT-OF-WAYS 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 FLOODPLAINS 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 AND/OR ROADS AND FLOODPLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE; AND (3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE AND RIGHT-OF-WAYS.

WITNESS OUR HANDS THIS 10TH DAY OF JANUARY, 1988

NICOLAS E. ARROYO, V.P. TERAL INT. \_\_\_\_\_  
GEORGE C. RUDY \_\_\_\_\_  
LOUISE D. ZELLOR \_\_\_\_\_  
WITNESS \_\_\_\_\_

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THE LAND CONVEYED BY ALBERTO RUSTAMANI BOYER AND MARIA TERESA CELAYITTE DE RUSTAMANI BOYER, HIS WIFE, TO TERAL INTERNATIONAL CORPORATION, A STATE OF MARYLAND CORPORATION, BY DEED DATED JANUARY 22, 1985 AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY IN LIBER 1323 AT FOLIO 147 AND PART OF THE LAND CONVEYED BY HUNTINGTON DEVELOPMENT CORPORATION TO TERAL INTERNATIONAL CORPORATION BY DEED DATED MARCH 11, 1985 AND RECORDED IN THE AFORESAID LAND RECORDS IN LIBER 1333 AT FOLIO 17 AND ALL OF THE LAND CONVEYED BY TERAL INTERNATIONAL CORPORATION, A STATE OF MARYLAND CORPORATION, TO GEORGE C. RUDY AND LOUISE D. ZELLOR BY DEED DATED JANUARY 30, 1987 AND RECORDED IN AFORESAID LAND RECORDS IN LIBER 1605 AT FOLIO 159 AND CONCERT MONUMENTS ARE IN PLACE, OR WILL BE IN PLACE PRIOR TO THE RECORDATION OF THIS PLAT. THE POINTS OF THE STREETS IN THE SUBDIVISION IN HOWARD COUNTY AS SHOWN IN ACCORDANCE WITH THE ANNOTED BOOK OF MARYLAND AS AMENDED.

CHARLES J. CROVO, SR. L.S. NO. 17083  
DATE 1/23/88

**WATERFORD**  
LOTS 5, 6, & 7  
SECTION ONE  
A RESUBDIVISION OF  
OF LOTS 2, 3, & 4  
5TH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1"=100' JANUARY 23, 1988

January 12, 1995

**PRIVATE SEPTIC EASEMENT  
WITHIN LOT NO. 6, SECTION 1  
FOR THE USE AND BENEFIT OF  
LOT NO. 5, SECTION 1  
"WATERFORD" (PLAT REFERENCE NO. 8654)  
HOWARD COUNTY, MARYLAND**

**BEGINNING FOR THE SAME** at a point North 05°51'47" East 142.26 feet from the Northerly margin of Brighton Dam Road, said point on said Northerly margin of Brighton Dam Road being designated as coordinate value #291 (North 498758.29, East 808226.88) and being the division line between Lot Nos. 5 and 6 as shown on the plat, "Waterford, Lot Nos. 5, 6 and 7, Section One", dated January 23, 1989 and recorded among the Land Records of Howard County, Maryland in Plat Book No. 8654; thence running reversely with and binding on a part of said line to the beginning thereof the following course and distance, as now surveyed:

- 1) North 05°51'47" East 84.87 feet to a point, thence continuing on, running reversely with and binding on a part of the South 20°46'31" East 322.87 foot line of said aforementioned plat the following course and distance, as now surveyed,
- 2) North 20°46'31" West 136.86 feet to a point, thence leaving said division line and running for lines of easement the following four courses and distances, as now surveyed,
- 3) North 69°13'29" East 30.00 feet, thence,

1 of 2

**FISHER,  
COLLINS  
&  
CARTER,  
INC.**

CONSULTING ENGINEERS AND  
LAND SURVEYORS

9171 Baltimore National Pike  
Suite 100  
Ellicott City, Maryland 21042  
(410) 461-2855  
Fax (410) 750-3784

- 4) South 20°46'31" East 143.96 feet, thence,
- 5) South 05°51'47" West 87.83 feet, thence,
- 6) South 88°00'47" West 30.28 feet to the place of beginning; containing  
6,803 square feet of land, more or less.



FISHER,  
COLLINS  
&  
CARTER,  
INC.

CONSULTING ENGINEERS AND  
LAND SURVEYORS

9171 Baltimore National Pike  
Suite 100  
Ellicott City, Maryland 21042  
(410) 461-2855  
Fax (410) 750-3784

Checked \_\_\_\_\_  
Compiled \_\_\_\_\_  
Water for D-20



---

## HOWARD COUNTY HEALTH DEPARTMENT

---

*Joyce M. Boyd, M.D., County Health Officer*

November 22, 1994

Mr. Ronald Spahn  
Spahn, Harvis, Greenberg & Broida  
5401 Twin Knolls Road  
Suite 7  
Columbia, MD 21045

RE: Lot 5 of Section I, Waterford  
13180 Brighton Dam Road  
Clarksville, MD 21029

Dear Mr. Spahn:

Your letter of November 16, 1994 discusses a situation in which it has been discovered that a house exists in conflict with a platted sewage easement, and inquires as to what action the health department would require to remedy the condition.

The described condition represents a technical defect that, by itself, would not cause for initiation of any activity by the health department. The house is not in conflict with the installed septic system, so there is not a question of current health hazard. Standard language on the subdivision record plat does provide an option for granting of "variances into the private sewerage easement." In this case there would be no cause for objection from this office should such a variance be requested.

If an involved private party were to request an adjustment to the existing condition, some possible avenues for resolution would include: on-lot adjustment, deeded off-lot adjustment, re-subdivision, or acquisition of the adjacent lot to be held in common ownership.

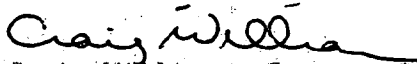
Assuming the September 14, 1994 survey plat correctly represents the correct condition, there is implication that a portion of the installed system runs across the common lot boundary. If an affected party were to initiate an adjustment to the septic easement, such adjustment should also adequately account for the location of the installed system.

-2-

Health department involvement would only be initiated by permit or subdivision activities in which septic capacity and/or location is a factor in the approval process. Examples of activities which initiate health department involvement would be a building permit for an addition, a proposal to subdivide, or a request for septic repair permit. In the absence an activity of the type described, there would be no cause for re-evaluation of the existing condition.

If you have any additional questions concerning this matter, please feel free to contact me at 313-2640.

Very truly yours,

  
Craig Williams, Program Director  
Water and Sewerage Program

CW: at

Enclosure

cc: Mr. & Mrs. George Rudy  
Mr. Mark Robel

LAW OFFICES  
SPAHN, HARVIS, GREENBERG & BROIDA  
5401 TWIN KNOLLS ROAD  
SUITE 7  
COLUMBIA, MARYLAND 21045

CHARLES J. BROIDA  
DAVID H. GREENBERG  
DAVID S. HARVIS  
RONALD L. SPAHN

TELEPHONE  
COLUMBIA (410) 992-9700  
BALTIMORE (410) 995-1824  
WASHINGTON (301) 596-3157  
FAX (410) 964-9018

November 16, 1994

Mr. Craig Williams  
Bureau of Environmental Health  
3525-H Ellicott Mills Drive  
Ellicott City, Maryland 21043-4544

RE: Lot 5 of Section I, Waterford  
13180 Brighton Dam Road  
Clarksville, Maryland 21029

Dear Mr. Williams:

Pursuant to your conversation with Mr. Mark Robel from Fisher, Collins & Carter, on behalf of Mr. and Mrs. George Rudy I am requesting your advice as to the above captioned property. As you will note in the attached survey of Fisher, Collins & Carter, the house, which pre-exists the easement, is located within the septic easement. Please advise me on behalf of the Bureau of Environmental Health if, under the circumstances, you would request the house be moved out of the septic easement area or you would consider this a violation of the septic easement area?

Very truly yours,

SPAHN, HARVIS, GREENBERG & BROIDA

  
Ronald L. Spahn

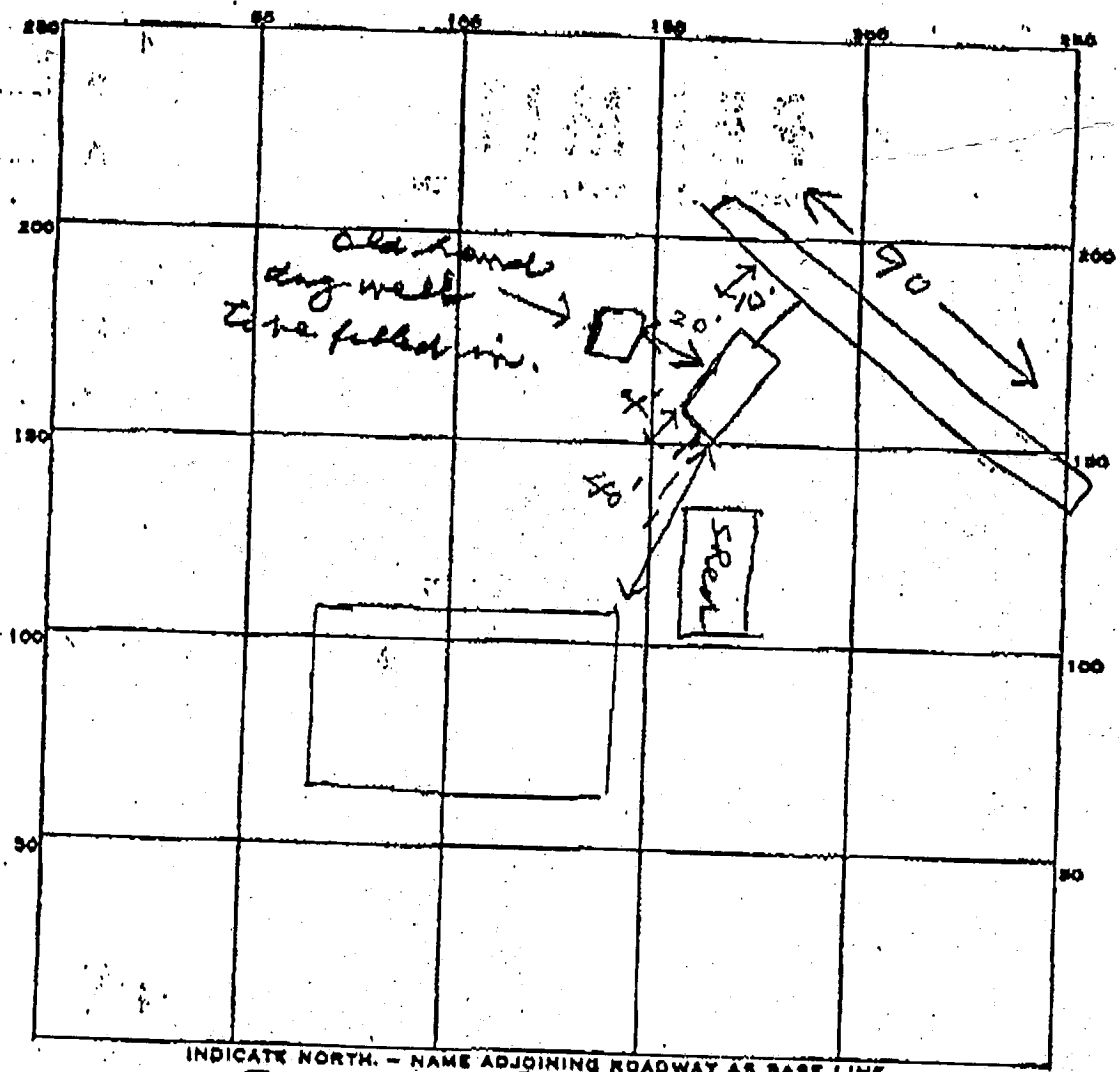
RLS/fjt

Enclosure

cc: Mr. & Mrs. George Rudy  
Mr. ~~Mark Robel~~

LDG





INDICATE NORTH. - NAME ADJOINING ROADWAY AS BASE LINE.

Brighton Dam

PERMIT CARD

SEPTIC TANK, LEVEL 1500 gal

CLEANOUTS 5

DISTRIBUTION BOX, LEVEL

FIELD, DEPTH 10 FT. TRENCH WIDTH 2 FT.

GRAVEL DEPTH 6 1/2 IN. TOTAL LENGTH 90 FT.

NUMBER OF TRENCHES 1 TOTAL BOTTOM AREA 585

DEPAGE PITS, INSIDE DIAMETER \_\_\_\_\_ FT. DEPTH BELOW INLET \_\_\_\_\_ FT.

ABSORBENT AREA 585 SQ. FT.

REMARKS 9/20/84 OK to add stones in trench  
9/20/84 OK to cover all work.  
Hand dug well needs to be filled in.

158  
 7  
 ---  
 652

90  
 65  
 ---  
 450  
 540  
 ---  
 385

R-951014  
27 Oct 95

Huntington Farm  
13180 Brighton Dam Road  
Clarksville, MD 21029

Ms. Gina Tirinnanzi, ASLA  
Division Chief  
Division of Land Development and Research  
Department of Planning & Zoning  
3430 Court House Drive  
Ellicott City, MD 21043

Subject: Program Plan - Plat Correction Lot 5 of Section 1, Waterford

- Reference:
1. Huntington Farm (Circa 1830-40, HO-19)  
13180 Brighton Dam Road  
Clarksville, MD 21029  
Lot 5 of Section 1, Waterford
  2. Waterford Section 1, Lots 5, 6, and 7  
(A re-subdivision plat of Plat 6872 for Lots 2, 3, and 4)  
Plat 8654, Recorded 1 Jun 89  
File: F-89-150
  3. List of Exhibits (attached): Huntington Farm; Well, Septic, Perc, & Plat Documentation

Dear Ms. Tirinnanzi:

Based on our meeting of 26 Oct 95, this letter presents a program plan to resolve a plat error for the referenced site. The plat error, which is summarized below, was introduced when the original 200-acre± Huntington Farm estate was subdivided into 3- to 12-acre parcels for rural residential development. The original subdivision activity was consummated during the mid-1980s. To support the discussions presented herein, I have attached a list of exhibits and have highlighted those exhibits which are enclosed as part of this planning document. The subsequent sections of this letter present background and a phased program (2 steps) with alternates to resolve the subject plat error. The planned corrective action includes (Step 1) boundary realignment, and (Step 2) definition of a new septic system for Lot 5.

### **BACKGROUND**

In January of 1987, George C. Rudy and Louise D. Rudy (Rudy) purchased the Huntington Farm manor house with three acres (Lot 5 of Section 1, Waterford) from Teral International. The Huntington Farm manor house site is designated by Howard County as an historical site (HO-19, circa 1830-40) and is a pending candidate for the National Registry of Historical Places. Rudy procured the site as an historical restoration and renovation project.

Independent of, but in parallel with, the Rudy procurement of the manor house site, The Brighton Group purchased (January 1987) all remaining parcels (except for three parcels which adjoin/neighbor the Rudy site) from Teral International. The Brighton Group subsequently developed 'Waterford.' In June of 1989, the remaining three parcels (Waterford Section 1, Lots 6 and 7, and Lot 2 of Section 3) were purchased

the remaining three parcels (Waterford Section 1, Lots 6 and 7, and Lot 2 of Section 3) were purchased from Teral International by BEHK Construction Company (BEHK). As of this date, Lot 7 of Section 1 and Lot 2 of Section 3 have been developed. Lot 6 of Section 1 (which adjoins the Rudy site, Lot 5) remains undeveloped.

During Rudy's recent refinance program for Lot 5, an independent survey conducted by Fisher, Collins & Carter discovered that a portion of the septic system (trench and field) servicing Lot 5 is, in fact, located on Lot 6. This situation required the development and recording of a special easement on Lot 6 for the septic system which services Lot 5. A copy of the septic easement documentation and the approved Perc Certification Plan is attached (Exhibit 2-c and Exhibit 2-d). This discovery also revealed that the septic field information for Lot 5 as documented on Plat 6872 and Plat 8654 (Exhibit 3-f) is in error. Further investigation revealed that the Plats do not reflect the septic field as documented in the original Perc Certification Plan (dated 8 Feb 85) which was approved by the Howard County Health Department (7 Jan 86) (Exhibit 2-a, not attached).

A Perc Certification Plan for Lot 5, Section 1 of Waterford was approved on 17 Jan 95 (Exhibit 2-c) and reflects three septic fields: (1) the original approved septic field dated 8 Feb 85; (2) the septic field which was developed and documented in error on Plats 6872 and 8654; and (3) the current Lot 5 septic field (and easement) which is located across the boundary of Lot 5 and Lot 6 of Section 1. Exhibit 2-d illustrates that portion of the Lot 5 septic system (septic field and trench) which is physically located on Lot 6. The sequence of events which led to the error between the Perc Certification Plan and the reference Plats is recognized by the original engineer, Fisher, Collins & Carter. Mr. Craig Williams of the Department of Health is totally cognizant of the issues at hand, and worked with the Rudys and Fisher, Collins & Carter in the establishment of the septic easement as defined on Exhibit 2-c and Exhibit 2-d.

The Lot 6 owner (BEHK) is requiring that the Lot 5 septic system (field and trench) which is located on Lot 6 be decommissioned in place. BEHK also is requiring that any boundary line adjustments needed to accommodate the same be implemented immediately, prior to BEHK's sale of Lot 6. Lot 6 is now being actively marketed.

In discussions with BEHK, the Waterford Homeowners Association (WHA), Mr. Craig Williams (Department of Health), and Mr. Robert Vogle of Marks & Vogle Associates (Rudy's project engineer), it is envisioned that a two-step process will be required to accommodate the final solution of the plat error. The first step (Step 1) will be to align the boundary in response to the BEHK near-term scheduler requirements, and then (Step 2) define a corrected septic trench and field for Lot 5 during the 1996 Spring wet season.

### PROGRAM PLAN

Rudy considers that there are three basic constraints in the development of the final solution. These are:

- a. BEHK's requirement for an immediate correction to any affected boundary lines prior to BEHK's sale of Lot 6.
- b. Even though the current Lot 5 septic system is ideally configured, it must be decommissioned in place and relocated totally within the boundaries of Lot 5. Any alternative septic field and trench must be formally evaluated and designed during the 1996 Spring wet season.
- c. The final boundary line and septic field solutions must be configured to minimize impact on established Lot 5 features.

To meet the BEHK schedular requirements, a two-step process is defined whereby the first step is to realign the boundary to accommodate the planned septic field corrective action. The following is the proposed scope of each of the two program steps (refer to attached Exhibit 4-b):

**Step 1, Lot 5/Lot 6 Boundary Realignment:**

A preliminary evaluation indicates "Area B" (including Parcel A) to be the only Lot 5 area with the potential to support a passive septic system and to meet Howard County Health Department requirements. Therefore, to implement Area B, it is required that Parcel A be removed from Lot 6 and be reassigned to Lot 5. The rationale for designating Area B as the preferred site for the relocated Lot 5 septic field will be presented under Step 2. To accommodate the Parcel A transfer, the following boundary adjustments are required to maintain the 3-acre minimum for both Lot 5 and Lot 6. Also presented is a discussion of the pros and cons for each of the options identified.

- a. To execute the Parcel A transfer, the associated Lot 5/Lot 6 boundary is moved from the west side of Parcel A to the east side of Parcel A as shown on Exhibit 4b.
- b. It is proposed that the Lot 6 deficit (removed Parcel A) be resolved by a land swap. The following are two options to implement the land swap concept:

**Option 1.** Parcel Swap, Rudy/BEHK: Swap Parcel B for Parcel A and assign them accordingly to Lot 6 and Lot 5, respectively (refer to Exhibit 4-b). This land swap can be accomplished within the next 3-4 weeks. Marks & Vogel will have a revised Plat to HC P&Z on or before 10 Nov 95.

Pros:

- a. Ensures that Parcel A is available to support a redefined septic field for Lot 5.
- b. Parcel A appears to be the only Lot 5 area which will meet Howard County Health Department requirements and will support a passive septic system.
- c. Meets BEHK's schedular requirements.
- d. Parcel B, as illustrated on Exhibit 4-b, minimizes the destruction of established Lot 5 pathways and gardens, which are located in Area A and Area C.
- e. Parcel B, as configured, maintains the 30' BRL for two Lot 5 structures, which are located in Area C (refer to Exhibit 4-a).
- f. BEHK has accepted this concept.

Cons:

- a. Parcel B as configured (or alternative boundary line configurations for Parcel B) is an abnormal configuration and is but a continued perturbation of the established historic site.

- b. Should Parcel B be redefined by a line from point "X" to the northern boundary of Lot 5, the resultant pie-shaped Parcel B would violate the BRL requirements, and destroy established woodland pathways which have been created as part of the Rudy restoration program.

**Option 2.**

Parcel Swap, Rudy/WHA: Swap Parcel C for Parcel A (refer to Exhibit 4-b and Exhibit 4-c). This option involves the Rudy purchase of Parcel C from the Waterford Homeowners Association (WHA) and the transfer of Parcel C to Lot 6 (BEHK). This option embodies the preferred configuration. The Parcel C/Parcel A land swap concept has been reviewed by the WHA Directors and tentatively approved by them, subject to a WHA vote, which is scheduled for early December 1995. The Marks & Vogle rendering of this option will be available on or before 10 Nov 95.

Pros:

- a. Ensures that Parcel A is available to support a redefined septic field for Lot 5.
- b. Parcel A appears to be the only Lot 5 area which will meet Howard County Health Department requirements and will support a passive septic system.
- c. Eliminates any potential for the destruction or perturbation of established pathways and/or gardens on Lot 5.
- d. Eliminates any potential for BRL violations on Lot 5.
- e. Parcel C is a wooded parcel, currently part of the WHA recreation area.
- f. Establishes Lot 5/Lot 6 designs which do not include abnormal configurations, such as Parcel B.
- g. Has the potential to meet BEHK schedular constraints.
- h. Both BEHK and WHA (Directors) have accepted this concept.

Cons:

- a. WHA acceptance vote is scheduled for early December 1995, which may adversely impact the BEHK schedular constraints.
- b. Parcel C is part of the WHA recreation area. It must be confirmed that the removal of said parcel from the recreation area is not in violation of Howard County open space requirements. Preliminary information regarding the structure of the WHA recreation area indicates there would be no adverse impact relative to the open space issues. Marks & Vogle will confirm the viability of Parcel C as part of its near-term assessment of the boundary line changes.

Step 1 Summary: Option 2 is the preferred concept for implementation. All efforts should be focused to implement same. The Marks & Vogle documentation (plat renderings) which will be presented to Howard County for the Step 1 options will include the Lot 5 septic field and easement configuration as illustrated on Exhibit 2-c and Exhibit 2-d.

**Step 2, Lot 5 Septic Field Definition:**

A preliminary evaluation of Lot 5 indicates that Area B (including Parcel A) is the only area which has the potential to support a passive septic system and meet Howard County Health Department requirements. This preliminary assessment was conducted to identify potential regions of Lot 5 which must be preserved for the relocated septic system (field and trench) for Lot 5. The septic system will be formally designated based on site evaluations which will be conducted by Marks & Vogle during the Spring 1996 wet season.

Several areas on Lot 5 were assessed as part of the preliminary septic field evaluation. Presented herein is a summary discussion as it relates to each of the areas evaluated (refer to Exhibit 2-c, Exhibit 4-a, and Exhibit 4-b):

- a. The area located to the west and north of the well exclusion area (Exhibit 2-c and Exhibit 4-a) is sloped away from the house and is wet land; hence, the area will not meet Health Department requirements.
- b. The area located on the southwestern part of the site (Exhibit 4-a) includes an in-ground swimming pool and would require an active septic system. The fact that the in-ground pool would be located within the bounds of the septic field is considered unacceptable by the Rudys. Since the pool contains a bottom check valve at an 11-foot depth, the pool would be contaminated if the septic field were located coincident with pool.
- c. The area located directly south of the manor house includes a stand of large trees which is well over 100 years old and could be adversely impacted should a septic trench perturb the root systems. Locating a septic field in this area would require an active septic system and have the potential of destroying these significant trees.
- d. Should Area A (Exhibit 4-b) be determined not to meet Health Department requirements (Perc), the only remaining Lot 5 area conceivable for the septic field would be that area defined within the bounds of the existing well exclusion area. Should the well exclusion area be selected for the septic field, the following actions would be required:
  1. A new well would have to be drilled outside of the newly-defined septic field area.
  2. The septic system would have to include a pumped transfer of materials from the septic tank to the newly-defined septic field trench.
- e. If Area A (Exhibit 4-b) or the alternate discussed under Item d. above prove unacceptable to the Howard County Health Department, the only other alternate available would be to establish an on-site, active, mechanical waste processing system.

Step 2 Summary: Marks & Vogle will issue a revised Plat which includes the boundary realignment defined under Step 1, above, and the final septic system as defined during the Step 2 processes. The schedule for this revised Plat will be during the second quarter of 1996.

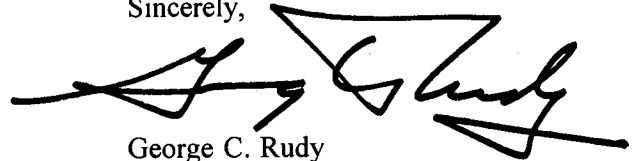
SUMMARY

By this letter it is requested that Howard County Planning & Zoning review the information presented herein and to present review comments relative to the proposed path forward. It should be noted that the plat error as identified herein was unknowingly inherited by the Rudys. It also should be noted that the Rudys have inherited the obligation to resolve the error. Without correction, Lot 5 of Section 1, Waterford, is adversely impacted and is an unmarketable site.

Your expeditious review and processing of documents related to this corrective action is appreciated.

Should there be questions regarding this submittal, do not hesitate to contact me at 301-854-3350 (phone, FAX, voice mail). We are available to meet with you at your convenience should you need to discuss the substance of this document.

Sincerely,

A handwritten signature in black ink, appearing to read "George C. Rudy". The signature is stylized with a large, sweeping initial "G" and "R".

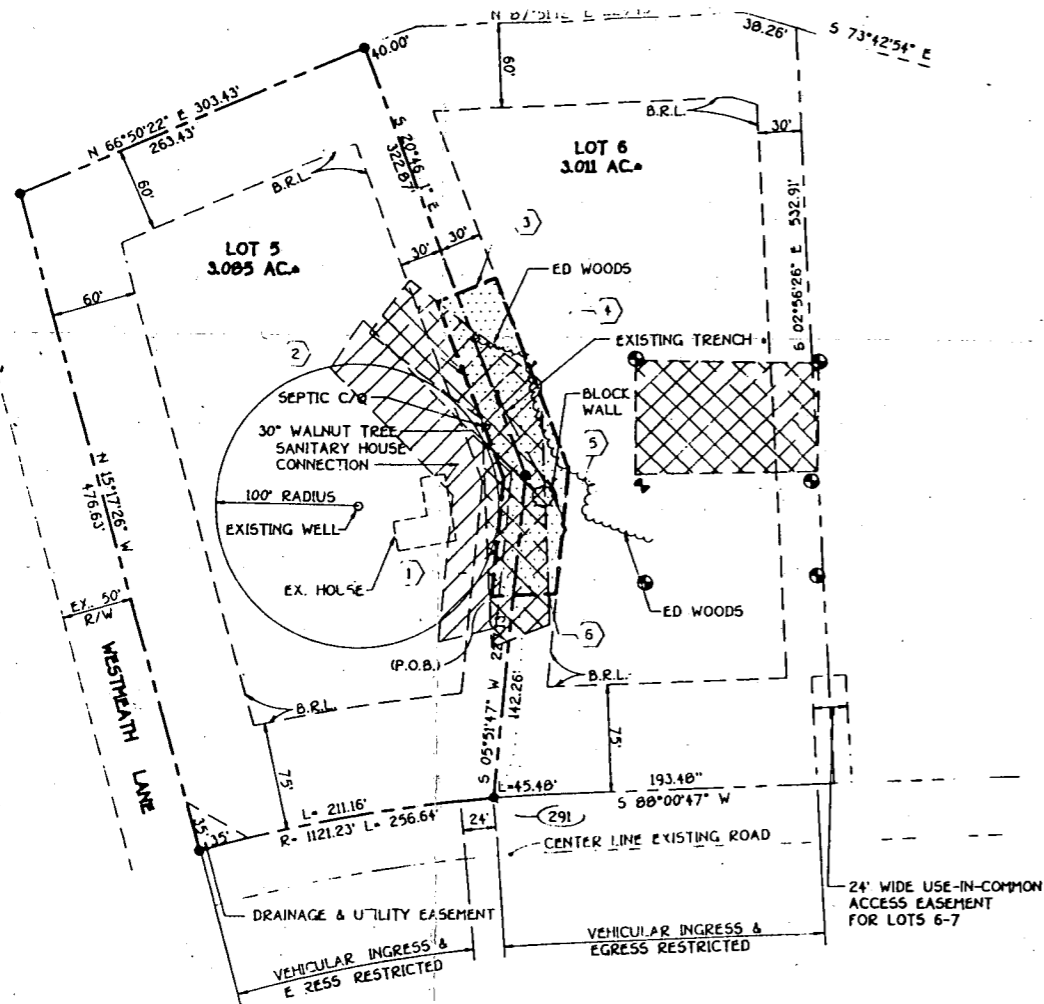
George C. Rudy

Enclosures:

List of Exhibits  
Exhibits 2-c, 2-d, 3-f, 4-a,  
4-b, and 4-c

cc: Marks & Vogle  
Mr. Craig Williams, HC Health Department

Exhibit 2c



- AND VOID UPON CONNECTION TO A PUBLIC SEWER SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENT INTO THE PRIVATE SEWERAGE EASEMENT. RECORDATION OF A MODIFIED SEWERAGE EASEMENT SHALL NOT BE NECESSARY.
2. THIS AREA DESIGNATES AN EXISTING PRIVATE SEWERAGE EASEMENT OF 10,000 SQUARE FEET AS PER RECORD PLAT NO. 0654. THIS EASEMENT IS TO BE ABANDONED.
3. THIS AREA DESIGNATES THE ACTUAL LOCATION OF THE INTENDED 10,000 SQUARE FOOT SEWERAGE EASEMENT INDICATED ON PLAT NO. 0654.
4. THE LOTS SHOWN HEREON COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT.
5. THE PURPOSE OF THIS PLAT IS TO REVISE THE EXISTING PRIVATE SEWERAGE EASEMENT RECORDED IN PLAT NO. 0654 TO THE LOCATION SHOWN HEREON.
6. OWNER & DEVELOPER:

MR. & MRS. GEORGE C. RUDY  
13180 BRIGHTON DAM ROAD  
CLARKSVILLE, MARYLAND 21029

7. THE SUBJECT EASEMENT IS IN ACCORDANCE WITH AN AGREEMENT OF UNDERSTANDING, "WATERFORD SECTION I, LOT 5 (SEPTIC EASEMENT) LOT 6" BETWEEN WILLIAM KOLAREK, JR., PRESIDENT OF BEK CONSTRUCTION COMPANY, INC., 4990 B-5 DORSEY HALL DRIVE, ELLICOTT CITY, MARYLAND, 21042 AND MR. & MRS. GEORGE C. RUDY, 13180 BRIGHTON DAM ROAD, CLARKSVILLE, MARYLAND, 21029, REFER DOCUMENT \*R-950101 (REV. 2), DATED JANUARY 16, AND THE ATTACHED PLAT AND DEED OF EASEMENT JANUARY 12, 1995, FILE \*91542P1.DWG, RECORDED JANUARY 18, 1995 AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

LEGEND

● DENOTES FIELD LOCATION OF PERC HOLES



B.R.L. = BUILDING RESTRICTION LINE

PERCOLATION CERTIFICATION  
**WATERFORD**  
LOT 5  
SECTION ONE  
PLAT REFERENCE NO. 065  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL  
SCALE 1" = 100' JANUARY 17

*George M. Boyd*  
COUNTY HEALTH OFFICER

1-17-95  
DATE

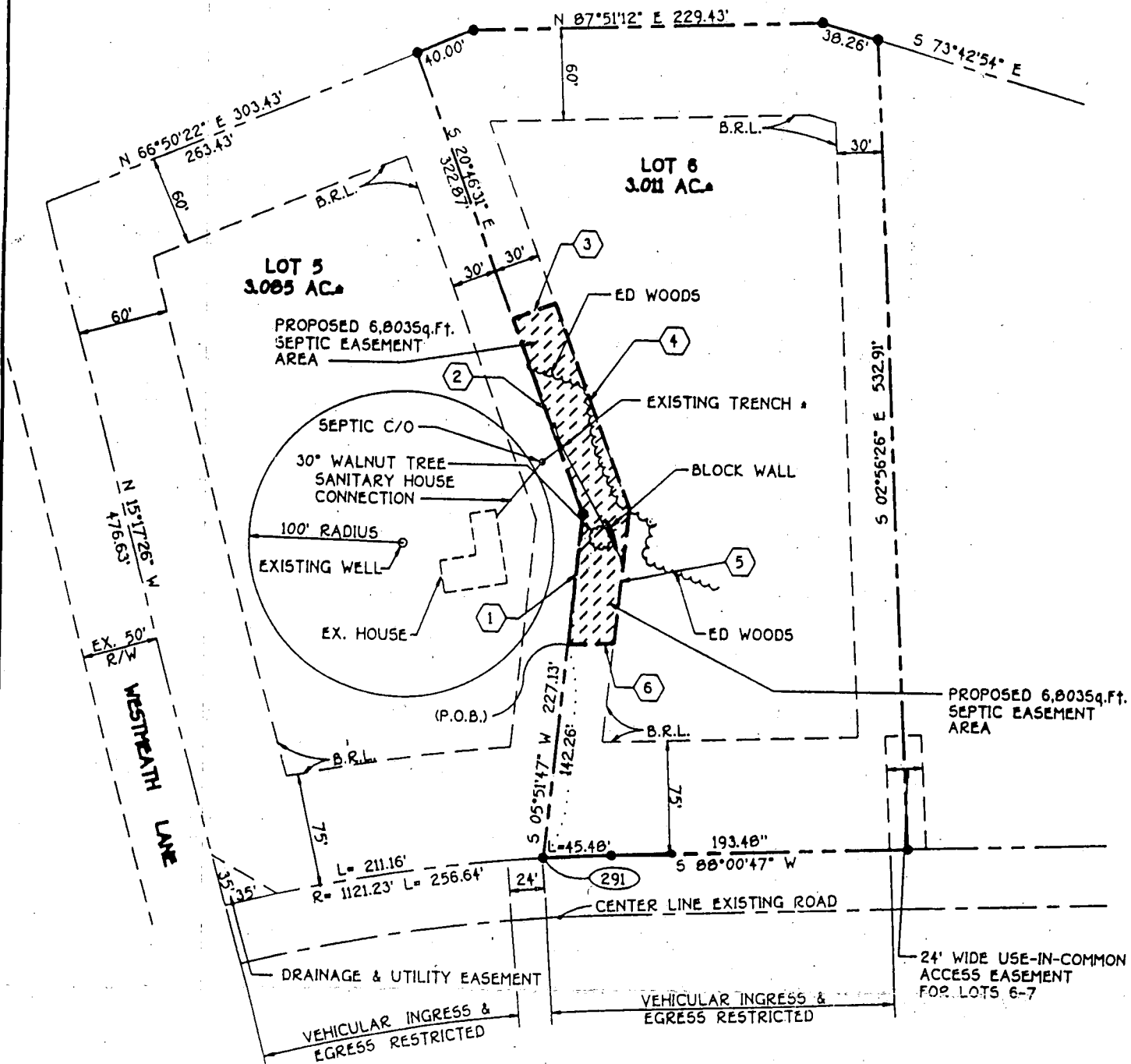
SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
①	N 05°51'47" E	84.87'
②	N 20°46'31" W	136.86'
③	N 69°13'29" E	30.00'
④	S 20°46'31" E	143.96'
⑤	S 05°51'48" W	87.83'
⑥	S 88°00'47" W	30.28'

POINT	NORTH	EAST
②91	498,758.29	808,226.88



N 499,500  
E 808,000

N 499,500  
E 808,500



E 808,000

N 498,500

NOTE: THE PURPOSE OF THIS PLAT IS TO CREATE A SEPTIC EASEMENT ON LOT #6 FOR THE BENEFIT OF LOT #5. THIS EASEMENT IS INTENDED TO ENCOMPASS THE EXISTING SYSTEM AS-BUILT AND IN PLACE.

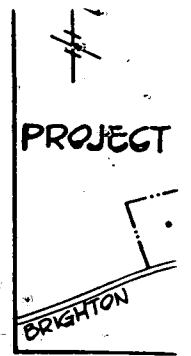
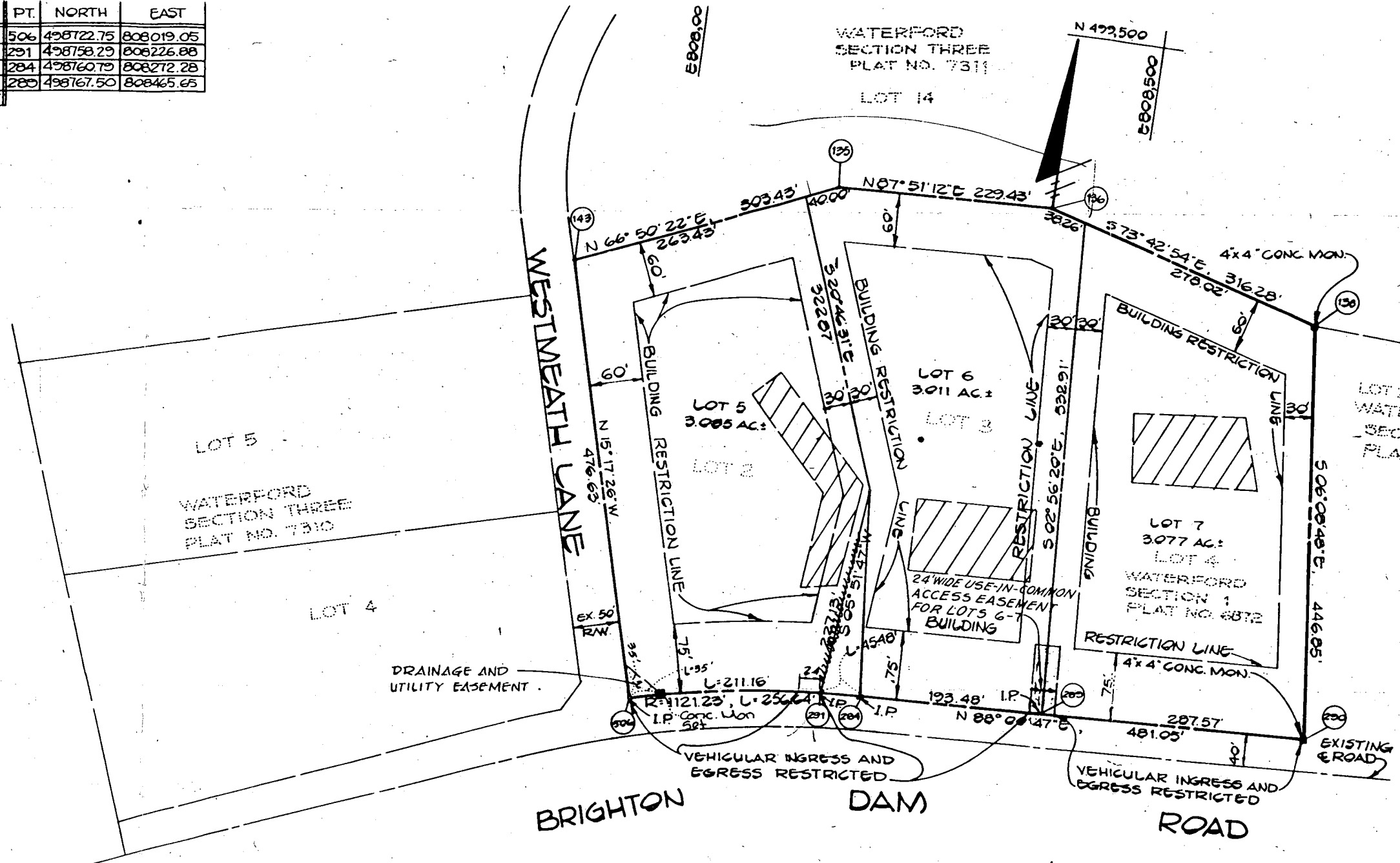
B.R.L. = BUILDING RESTRICTION LINE

**FISHER, COLLINS & CARTER, INC.**  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
971 BALTIMORE NATIONAL PIKE, SUITE 300  
ELLICOTT CITY, MARYLAND 21042  
(410) 481-2855

*Exhibit 2d*

SEPTIC EASEMENT FOR  
**WATERFORD**  
LOT 6  
SECTION ONE  
PLAT REFERENCE NO. 8654  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 12, 1995

	PT.	NORTH	EAST
33	506	498722.75	808019.05
30	291	498758.29	808226.88
19	284	498760.79	808272.28
24	289	498767.50	808465.65
36			



Plat 8654  
Exh. b, c, f

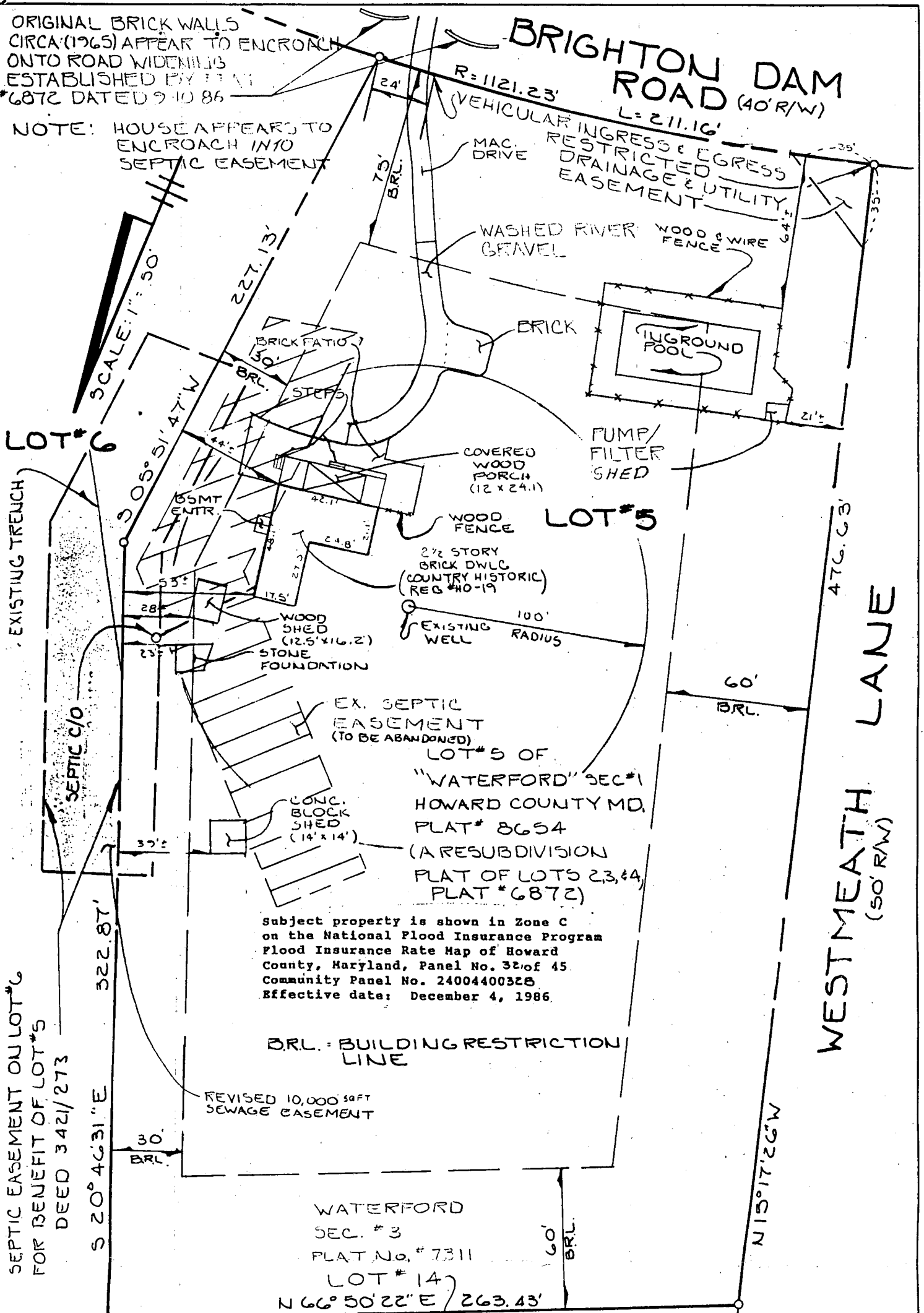
LOCATION:

OWNER AND DEVELOPER

Recorded as Plat # 8654 on  
6-01-89, Among the Land Records  
of Howard County, MD

ORIGINAL BRICK WALLS CIRCA (1965) APPEAR TO ENCR OACH ONTO ROAD WIDENING ESTABLISHED BY PLAT #6872 DATED 9/10/86

NOTE: HOUSE APPEARS TO ENCR OACH INTO SEPTIC EASEMENT



Subject property is shown in Zone C on the National Flood Insurance Program Flood Insurance Rate Map of Howard County, Maryland, Panel No. 32 of 45. Community Panel No. 24004400328. Effective date: December 4, 1986.

B.R.L. = BUILDING RESTRICTION LINE

REVISED 10,000 SQ FT SEWAGE EASEMENT

WATERFORD SEC. # 3

PLAT No. # 7311

LOT # 14

N 66° 50' 22" E 263.43'

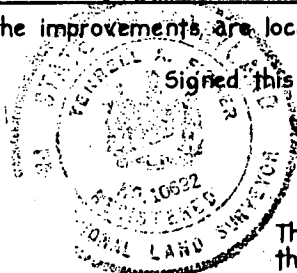
This is to certify that I have surveyed the property known as: 13180 BRIGHTON DAM ROAD RECORDED AS DEED 1605/458 AMONG THE LAND RECORDS OF HO. CO., MD

for the purpose of locating the improvements thereon, and the improvements are located as shown.

NOTE: SUBJECT TO AN AGREEMENT OF UNDERSTANDING AS RECORDED IN 2651/194, LOT 5, LOT 6 COMMON BOUNDARY

FISHER, COLLINS & CARTER, INC.

CIVIL ENGINEERING CONSULTANTS  
9771 BALTIMORE NATIONAL BLVD  
ELLSWORTH CITY, MD 21117  
(410) 481-1111



Signed this 20 day of JANUARY, 1994

This plat is not intended for use in the establishment of property lines.

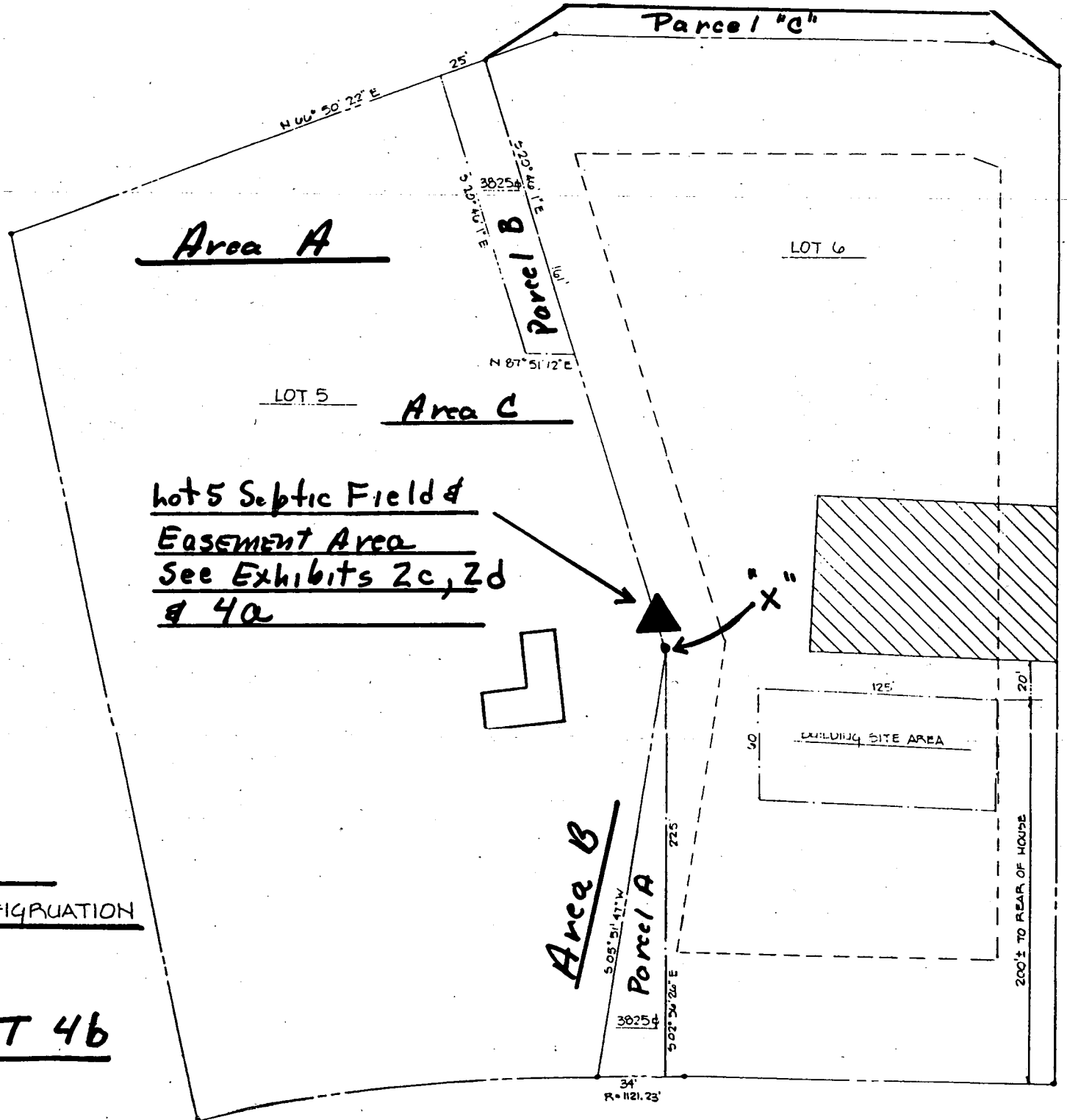
Exhibit 4a

Exhibit 4b



LOT 5 & LOT 6  
Boundary RECONFIGURATION

Exhibit 4b



26 Oct 95  
GCR

Plat 7311  
Recorded 24 Jul 87

PROPERTY OF  
PETER A. ROWELL  
229/447

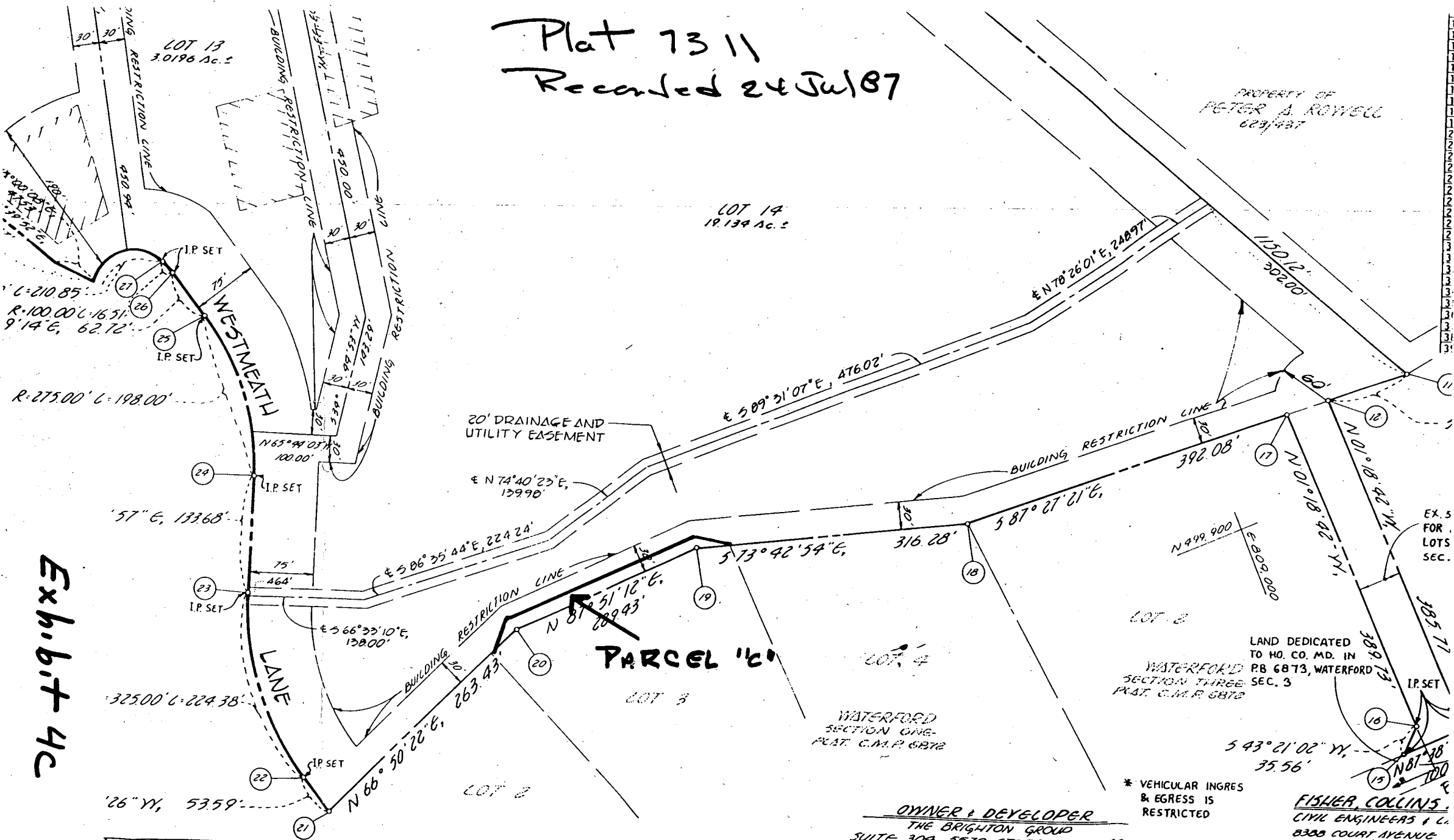


Exhibit 4c

DATE  
6-23-87

OWNER'S CERTIFICATE:

WE, THE BRIGHTON GROUP, A MARYLAND GENERAL PARTNERSHIP, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN 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, ITS 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

OWNER & DEVELOPER  
THE BRIGHTON GROUP  
SUITE 304, 5570 STERRETT PLACE  
COLUMBIA, MD. 21044

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THE LANDS CONVEYED BY HUNTINGTON INTERNATIONAL CORPORATION, A MARYLAND CORPORATION TO THE BRIGHTON GROUP, A MARYLAND GENERAL PARTNERSHIP, BY DEED DATED DECEMBER 10, 1986 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LITREP 1597 AT 60110 662 AND THAT

\* VEHICULAR INGRES & EGRESS IS RESTRICTED

FISHER COLLINS  
CIVIL ENGINEERS & C.  
8300 COURT AVENUE  
BULKOTT CITY, MD. 2  
TELE: (301) 461-2855

WATER  
SECTION 3,

Exhibit  
4c

# DPZ SPEED

L  
E  
T  
T  
E  
R

DATE: 10/19

TO: CRAIG

FROM: GT (4350)

**ACTION PRIORITY:**

- IMMEDIATE
- AS SOON AS POSSIBLE
- ROUTINE

RE:

FOR COMMENT	NOTE & FILE
FOR YOUR INFO	NOTE & RETURN
FOR YOUR ACTION	PER CONVERSATION
SIGNATURE	PREPARE REPLY

MESSAGE:

Call so we can set up a meeting to determine action.

— Gina ✓

FOR 10/26/95 3:15  
AT ZONING

DESIGNATE FILE:

DPZ

1995 OCT 17 AM 11: 56

R-951008  
16 Oct 95

13180 Brighton Dam Road  
Clarksville, MD 21029

Ms. Gina Tirinnanzi, ASLA  
Division Chief  
Division of Land Development and Research  
Department of Planning & Zoning  
3430 Court House Drive  
Ellicott City, MD 21043

Subject: Request for Meeting

- Reference:
1. 13180 Brighton Dam Road  
Clarksville, MD 21029  
Lot 5 of Section 1, Waterford
  2. Waterford Section 1, Lots 2, 3, and 4  
Plat 6872, Recorded 10 Sep 86  
File: F-86-63
  3. Waterford Section 1, Lots 5, 6, and 7  
(A re-subdivision plat of Lots 2, 3, and 4)  
Plat 8654, Recorded 1 Jun 89  
File: F-89-150

Dear Ms. Tirinnanzi:

By this letter I am requesting a meeting with you and your staff (Howard County Planning & Zoning) to discuss septic easement problems and boundary issues which relate to the interface between Lot 5 and Lot 6 of Waterford Section 1.

During a recent refinance program, an independent survey discovered that the septic trench and septic field for Lot 5 is, in fact, located on Lot 6. This situation required the development and recording of a special easement on Lot 6 for the septic system servicing Lot 5. A copy of the septic easement documentation and the approved (17 Jan 95) Perc Certification Plan is attached for your information. This discovery also revealed that the septic field information for Lot 5 as documented on Plat 6872 and Plat 8654 is in error. Further investigation revealed that the Plats do not reflect the septic field as was documented in the original Perc Certification Plan (dated 8 Feb 85) and approved by the Howard County Health Department (7 Jan 86).

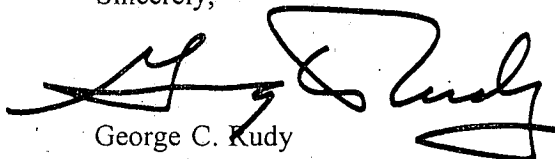
The Perc Certification Plan for Lot 5, Section 1 of Waterford was approved on 17 Jan 95 and reflects the original approved septic field, the septic field which was documented in error on Plats, and the current Lot 5 septic field easement which is located on Lot 6 of Section 1. The sequence of events which led to this error between the Perc Certification Plan and the reference Plats is known and will be discussed in our meeting. Mr. Craig Williams of the Department of Health is totally cognizant of the issues at hand.

It is required that the boundary line between Lots 5 and 6 be reconfigured to accommodate the relocation of the Lot 5 septic field to a position which is totally within the Lot 5 boundaries.

The Lot 6 owner is requiring that the Lot 5 septic field be decommissioned and that any boundary line adjustments needed to accommodate the same be implemented immediately. It is therefore imperative that I meet with you and your staff as soon as practical to discuss a definitive path forward regarding the correction of this problem. It is envisioned that there will be a two-step process of first realigning the boundary, and then formally defining the Lot 5 septic trench and field.

Your expeditious scheduling of our meeting will be appreciated. I can be contacted at 301-854-3350 (phone, FAX, voice mail) regarding your meeting schedule.

Sincerely,

A handwritten signature in black ink, appearing to read "George C. Rudy". The signature is stylized with a large, sweeping initial "G" and "R".

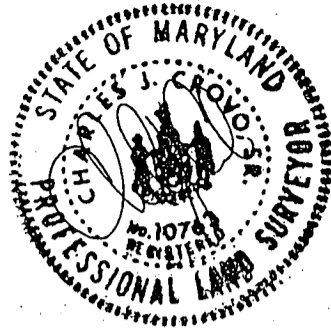
George C. Rudy

Enclosures:

1. Perc Certification Plan dated 17 Jan 95 (Approved by County Health Officer 17 Jan 95)
2. Septic Easement for Waterford Lot 6, Section 1, dated 12 Jan 95 (Fisher, Collins & Carter dwg.)

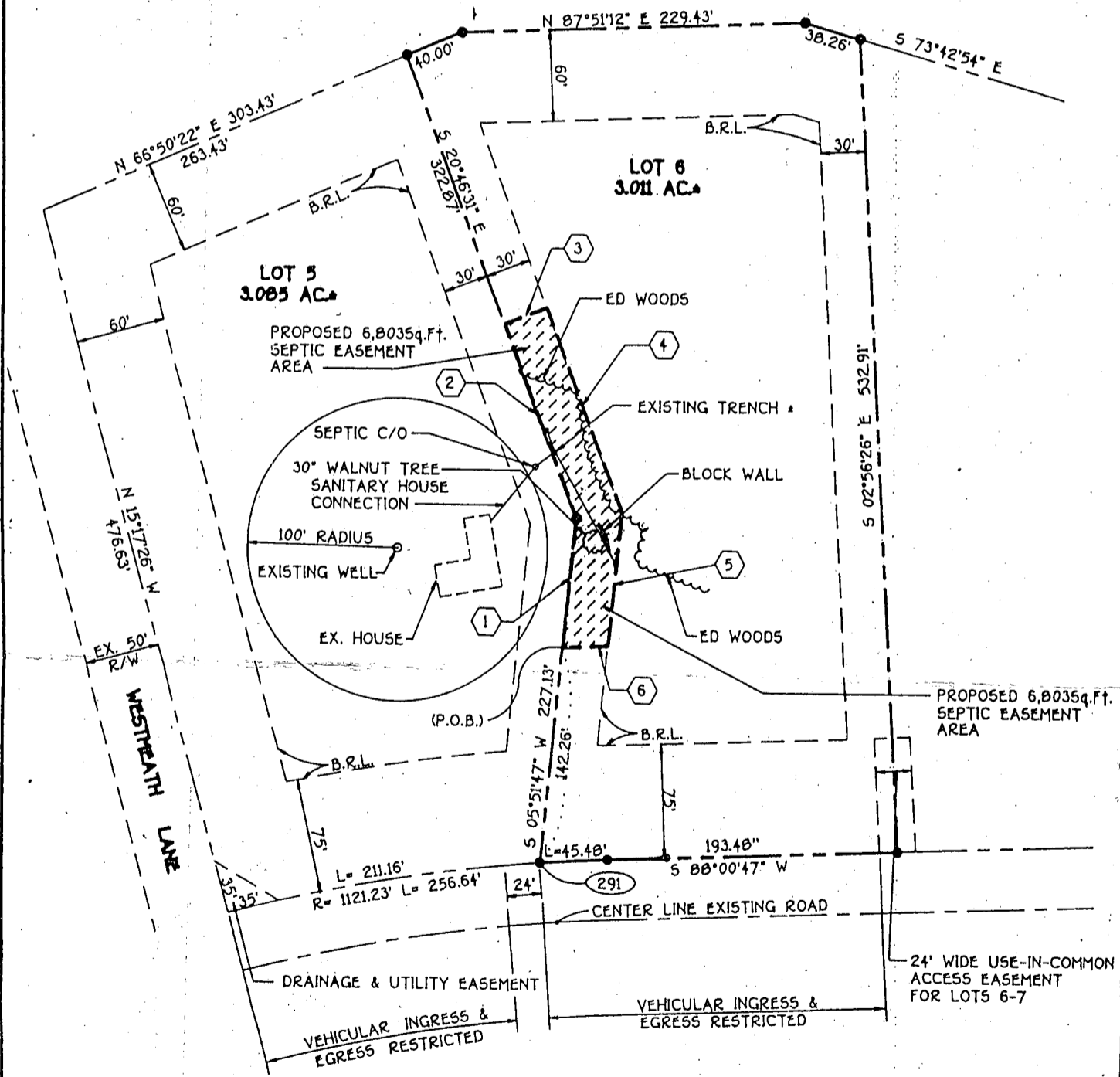
SEPTIC EASEMENT		
SYMBOL	BEARING	DISTANCE
①	N 05°51'47" E	84.87'
②	N 20°46'31" W	136.86'
③	N 69°13'29" E	30.00'
④	S 20°46'31" E	143.96'
⑤	S 05°51'48" W	87.83'
⑥	S 88°0'47" W	30.28'

POINT	NORTH	EAST
②91	498,758.29	808,226.88



N 499,500  
E 808,000

N 499,500  
E 808,500

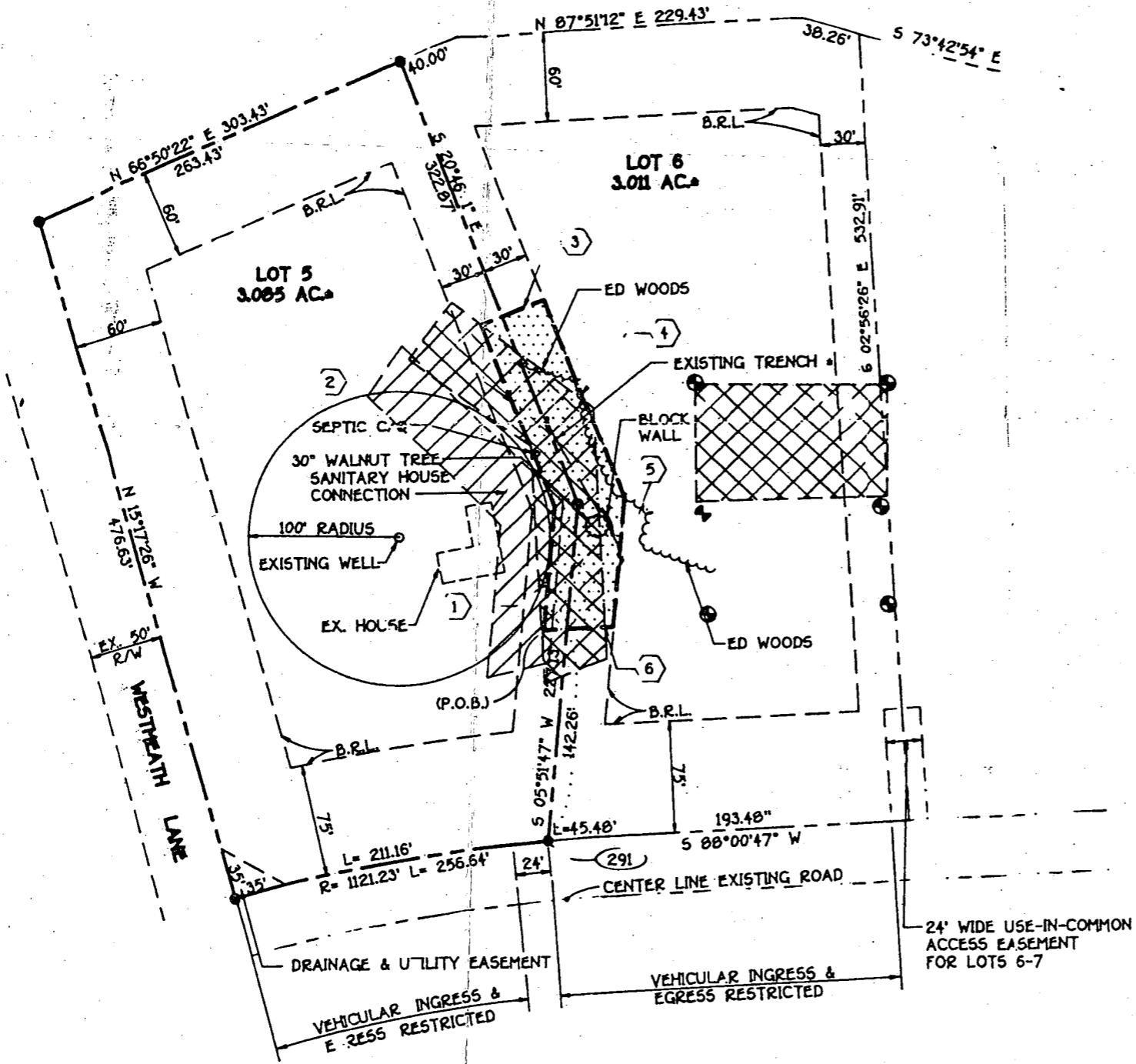


B.R.L. = BUILDING RESTRICTION LINE

NOTE : THE PURPOSE OF THIS PLAT IS TO CREATE A SEPTIC EASEMENT ON LOT \*6 FOR THE BENEFIT OF LOT \*5. THIS EASEMENT IS INTENDED TO ENCOMPASS THE EXISTING SYSTEM AS-BUILT AND IN PLACE.

SEPTIC EASEMENT FOR  
**WATERFORD**  
LOT 6  
SECTION ONE  
PLAT REFERENCE NO. 8654  
FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
TAX MAP NO. 34 PARCEL 143

**FISHER, COLLINS & CARTER, INC.**  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
971 BALTIMORE NATIONAL PKWY, SUITE 100  
ELLCOTT CITY, MARYLAND 21042  
(410) 481-2825



BEK CONSTRUCTION COMPANY, INC., \*4990 B-5  
DORSEY HALL DRIVE, ELLICOTT CITY, MARYLAND,  
21042 AND MR. & MRS. GEORGE C. RUDY, 13180 BRIGHTON  
DAM ROAD, CLARKSVILLE, MARYLAND, 21029, REFERENCE  
DOCUMENT \*R-950101 (REV.\*2), DATED JANUARY 16, 1995  
AND THE ATTACHED PLAT AND DEED OF EASEMENT DATED  
JANUARY 12, 1995, FILE \*91542P1.DWG, RECORDED JANUARY  
18, 1995 AMONG THE LAND RECORDS OF HOWARD COUNTY,  
MARYLAND.

LEGEND

⊙ DENOTES FIELD LOCATION OF PERC HOLES

B.R.L. = BUILDING RESTRICTION LINE

PERCOLATION CERTIFICATION PLAN

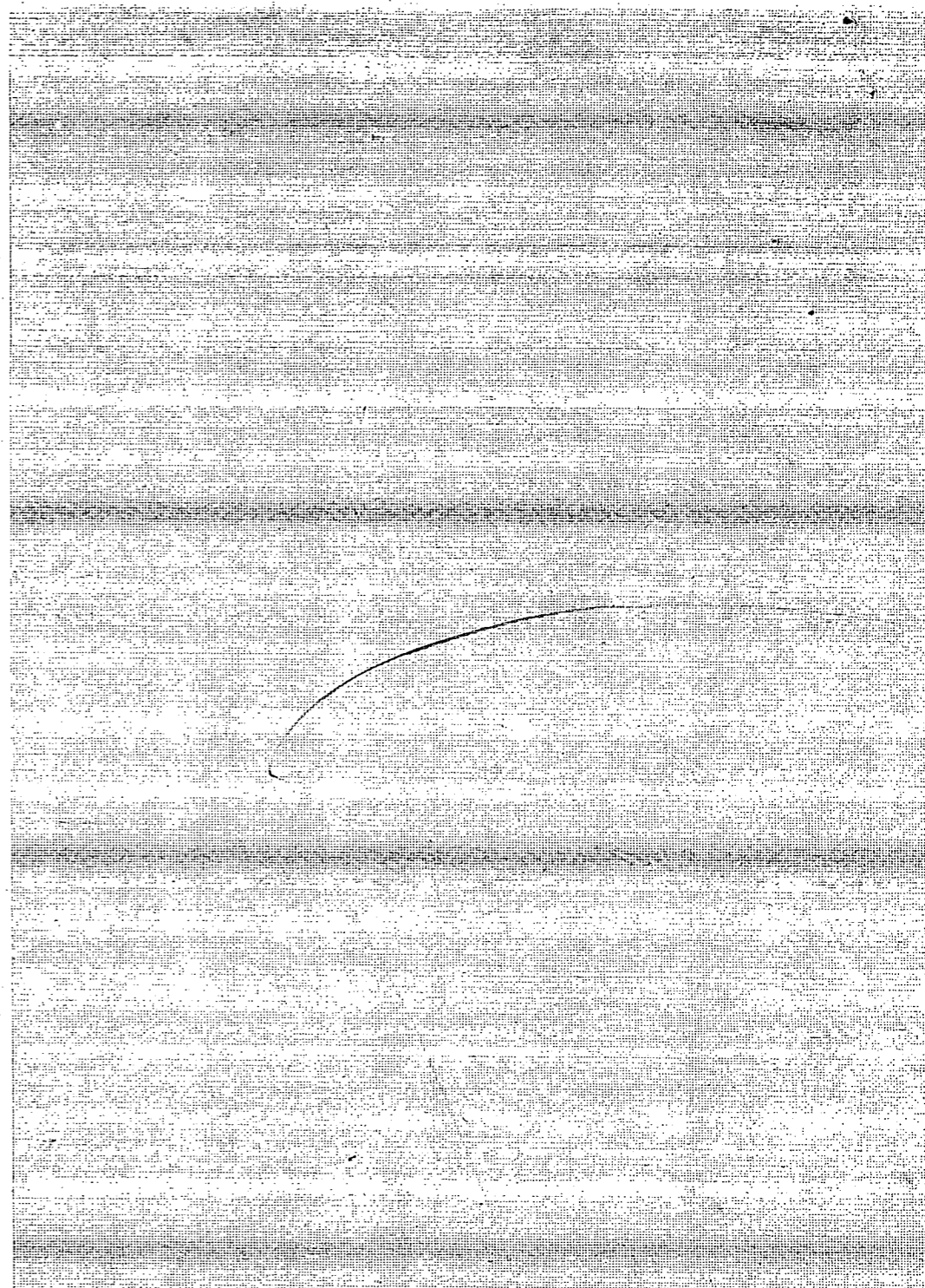
**WATERFORD**

LOT 5  
SECTION ONE

PLAT REFERENCE NO. 8654

FIFTH ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND

TAX MAP NO. 34 PARCEL 143  
SCALE: 1" = 100' JANUARY 17, 1995



A

## HUNTINGTON FARM

### Well, Septic, Perc, & Plat Documentation

#### 1. Well & Septic Permits

- a. Well Permit HO-81-0731 (Sequence No. B1-3200), approved 21 Sept 84
- b. Septic Permit P-34(or 9)381, dated 19 Sep 84

#### 2. Perc Drawings, Topo, and Septic Easement

- a. Lot 1-4, 8 Feb 85 (FCC/CJC Sealed), Approved HC Health Department
- b. Lot 6 (Lot 3), 10 Oct 89 (FCC/CJC Sealed), Approved HC Health Department
- c. Lot 5 Perc Certification Plan dated 17 Jan 95 (Approved by HC Health Officer 17 Jan 95)
- d. Septic Easement for Waterford Lot 6, Section 1, dated 12 Jan 95 (FC&C dwg.)

#### 3. Plat Drawings (Draft & Final)

- a. Draft Plat with Topo & Septic Fields, Undated; first cut, boundary moved, based on Perc Topo field Lot 2 (Refer to Base dwg. Item 2.a herein).
- b. Draft Plats from HC Planning & Zoning files (F-86-63)
  1. HC P&Z Received Stamped 24 Oct 85, (no septic field Lot 2)
  2. HC P&Z Received Stamped 7 Jan 86, (septic field incorrect Lot 2)
  3. HC P&Z Received Stamped 11 Feb 86, (septic field incorrect Lot 2)
- c. Plat 6872 (HCP&Z file: F-86-63), dated 8 Oct 85, recorded 10 Sep 86, FCC/CJC Sealed, Approved HC Health Department and P&Z (septic field incorrect Lot 2)
- d. Plat 8654 field notes, received by GCR Dec 86 (house, well, septic system, and septic field shown as if correct, Lot 2 (Lot 5))
- e. Draft of Plat 8654 with Topo, dated 27 Jul 85, (house and septic field incorrect Lot 2)
- f. Final Plat 8654 (HCP&Z file: F-89-150) with no Topo, dated 23 Jan 89, recorded 1 Jun 89, FCC/CJC Sealed, Approved HC Health Department and P&Z (shows septic field incorrect Lot 2).

#### 4. Special Purpose Drawings


- a. Lot 5, Waterford Section 1; Boundary and Features Location Dwg., dated 20 Jan 95.
- b. Lot 5 & Lot 6 Boundary Reconfiguration - Concept Dwg., Undated but developed by BEHK Construction - Oct 95.
- c. Plat 7311, Lots 4-14 (Sheet 2 of 2) Section 3 of Waterford, Recorded 24 Jul 87.

MEMORANDUM

R-960103

**FAX No:** 1-410-313-3467

**To:** Ms. Gina Tirinnanzi, ASLA, Division Chief  
Division of Land Development and Research  
Department of Planning & Zoning  
1-410-313-2354

**From:** George C. Rudy   
13180 Brighton Dam Road  
Clarksville, MD 21029  
1-301-854-3350

**Date:** 8 Jan 96

**Subject:** Status Report

**Reference:**

1. **Huntington Farm (Circa 1830-40, HO-19)**  
13180 Brighton Dam Road  
Clarksville, MD 21029  
Lot 5 of Section 1, Waterford
2. **Waterford Section 1, Lots 5, 6, and 7**  
(A re-subdivision plat of Plat 6872 for Lots 2, 3, and 4)  
Plat 8654, Recorded 1 Jun 89  
File: F-89-150

**Pages:** Cover plus 1

Dear Ms. Tirinnanzi:

By this FAX be advised that the ownership of Lot 6 has transferred from BEHK Construction Company to Dennis Matthey. As part of the transactions associated with the ownership transfer, a separate Agreement was established between the Rudys and the Mattheys which will allow the Rudys to initiate septic-easement corrections and boundary realignment-corrections at the same time.

Therefore, unlike the previous plan which had two phases of corrective action, the current plan for septic easement correction is a single step process which will be consummated during the Spring wet season, April/May 1996. The next action expected for this corrective action program is the evaluation of the proposed new septic field for Lot 5, which will be initiated in April.

If there are any questions regarding this FAX, do not hesitate to call.

cc: Rob Vogle, Marks & Vogle  
F. L. Coover, Esq.  
Craig Williams, Department of Health