

NO TITLE SEARCH
NO MONETARY CONSIDERATION
NO MORTGAGE

RW: 2017-002-14
J.O. '0'
Item 14 (FCE)
Dist. 5c³

FOREST CONSERVATION
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made this 4 day of September, 2020, by Patrick J. Reilly and Kristen K. Reilly, of Baltimore County, Maryland (jointly and severally, the "Declarant"), and BALTIMORE COUNTY, MARYLAND, a body corporate and politic (the "County").

WHEREAS, the Declarant is the owner in fee simple of all that property situate and lying in the 5th Election District of Baltimore County, Maryland, and more particularly described in a Deed dated December 28, 2015, and recorded among the Land Records of Baltimore County in Liber 36360, folio 9, from Doris M. Morfoot by Larry D. Morfoot to the Declarant (the "Property"); and

WHEREAS, in order to protect the environmental quality of the area of the Property designated on Exhibit A as "Forest Conservation Easement" (the "Forest Conservation Easement"), which is attached hereto and made a part hereof, the Declarant desires to protect said Forest Conservation Easement by imposing covenants, conditions and restrictions which will bind the Property and the present and future owners thereof. The County shall have the legal right to enforce the covenants, conditions and restrictions as set forth herein.

NOW, THEREFORE, in consideration of the benefits derived by the Declarant and the Declarant's successors in interest, the said Declarant, for itself, its successors and assigns, does hereby agree as follows:

1. Except as provided for in an approved Forest Conservation Plan pursuant to Section 33-6-110 of the Baltimore County Code, 1988, as amended (hereafter referred to as "the Code"):

a. Existing vegetation within the Forest Conservation Easement shall not be disturbed. This includes, but is not limited to, disturbance by tree removal, shrub removal, clearing, mowing, burning, spraying, and grazing.

b. Soil disturbance shall not take place within the Forest Conservation Easement by grading, stripping of topsoil, plowing, cultivating, or other practices.

c. Filling or dumping shall not occur within the Forest Conservation Easement.

d. Animals shall not be housed, grazed, or otherwise maintained within the Forest Conservation Easement.

LR - Government 0.00
Instrument 0.00
Agency Name: BALTIMORE
COUNTY MD
Instrument List:
Declaration
Describe Other:
Ref:
=====
Total: 0.00
10/21/2020 03:37
CC03-SB
#14207762 CC0301 -
Baltimore
County/CC03.01.03 -
Register 03

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 43509, p. 0121, MSA_CE62_43366. Date available 10/23/2020. Printed 01/05/2024.

e. Pesticides shall not be stored, used or applied within the Forest Conservation Easement, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service.

f. Motorized vehicles shall not be stored or operated within the Forest Conservation Easement, except for planting, maintenance, and emergency use approved by DEPS.

g. Materials shall not be stored within the Forest Conservation Easement.

h. Logging and timber harvesting operations shall not occur within the Forest Conservation Easement except in accordance with a Forest Management Plan that has been approved by DEPS as part of the Forest Conservation Plan.

2. Waiver by DEPS. The aforementioned covenants, conditions and restrictions may be waived or modified by variance only by DEPS as provided in Section 33-6-116 of the Code.

3. Easement for Access. The Declarant hereby grants to Baltimore County, Maryland, an easement of access to the Forest Conservation Easement on, over, and across the Property, for the limited purposes of inspecting and maintaining the Forest Conservation Easement and providing for the abatement and correction of water pollution, erosion, and sedimentation of stream channels, wetlands, and flood plains, and for no other use or purpose.

4. Miscellaneous.

a. Enforcement shall be pursuant to the Enforcement Procedures of Section 33-6-118 et seq. of the Code. Invalidation of any one or more of these covenants by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

b. Any failure by any party entitled to enforce any of the covenants, conditions and restrictions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior to, or subsequent thereto.

c. These covenants shall run with and be binding upon the Property and shall inure to the benefit of and be binding upon the Declarant, its successors and assigns. These covenants and the rights and liabilities arising hereunder are governed by and shall be determined in accordance with the laws of the State of Maryland.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESS:

Geri Ross
Stacy Robinson

DECLARANT:

Patrik J. Reilly (Seal)
Kristen K. Reilly (Seal)
Kristen K. Reilly

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 4 day of September, 2020, before me, a Notary Public in and for the State and County aforesaid, personally appeared Patrik J. Reilly and Kristen Reilly, known to me (or satisfactorily proven) to be the Declarant of the within instrument and acknowledged that [he/she/they] executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Shanna M Edwards
Notary Public

My commission expires: 7/9/2023

SHANNA M EDWARDS
Notary Public-Maryland
Howard County
My Commission Expires
July 09, 2023

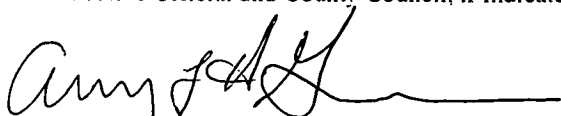
BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 43509, p. 0123, MSA_CE62_43366. Date available 10/23/2020. Printed 01/05/2024.

APPROVED:



Director, DEPS

APPROVED FOR LEGAL FORM AND SUFFICIENCY*
(Subject to Execution by A Duly Authorized County
Administrative Official and County Council, if Indicated)

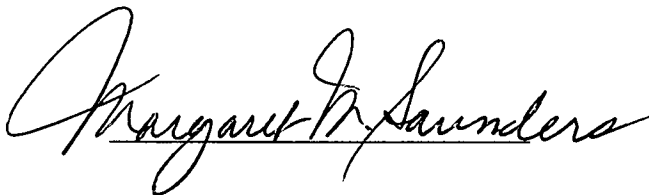


OFFICE OF THE COUNTY ATTORNEY

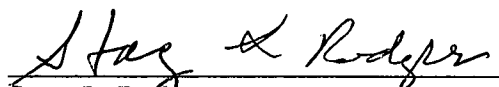
*Approval of Legal Form and Sufficiency Does Not Convey
Approval or Disapproval of Substantive Nature of Transaction.
Approval is Based Upon Typeset Document. All Modifications Require Re-Approval.

WITNESS:

APPROVED and ACCEPTED this 5th day of
October, 2020
BALTIMORE COUNTY, MARYLAND

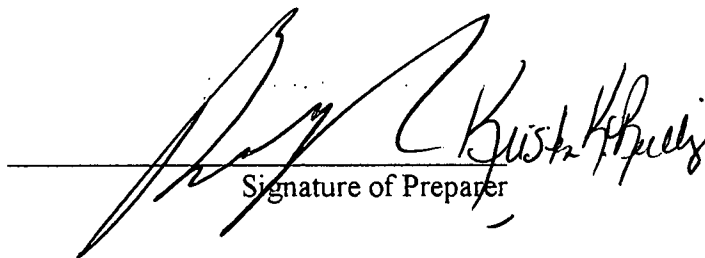


By:



Stacy L. Rodgers
Baltimore County Administrative Officer

This Declaration was prepared by me, Patrick J. Reilly, Kristen K. Reilly,
(name of preparer)
a party to this Declaration.


Signature of Preparer

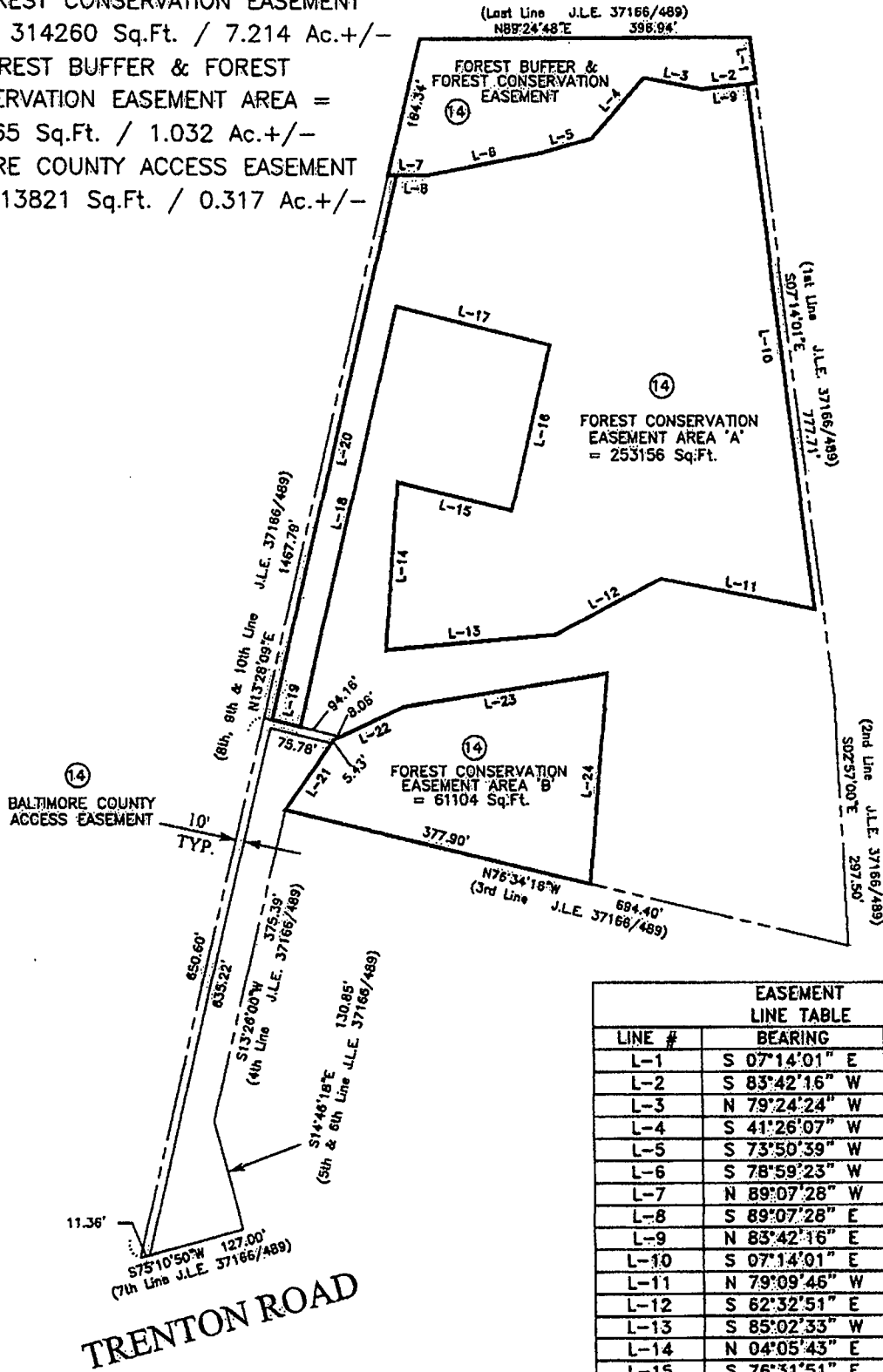
INDEXED
DATE: 10-19-2020

14

PATRICK J. REILLY &
KRISTEN K. REILLY
J.L.E. 37166/489

EXHIBIT "A"
RW17-002
ITEM 14

TOTAL FOREST CONSERVATION EASEMENT
AREA = 314260 Sq.Ft. / 7.214 Ac.+/-
FOREST BUFFER & FOREST
CONSERVATION EASEMENT AREA =
44965 Sq.Ft. / 1.032 Ac.+/-
BALTIMORE COUNTY ACCESS EASEMENT
AREA = 13821 Sq.Ft. / 0.317 Ac.+/-



EASEMENT LINE TABLE		
LINE #	BEARING	DISTANCE
L-1	S 07°14'01" E	54.83'
L-2	S 83°42'16" W	64.87'
L-3	N 79°24'24" W	70.58'
L-4	S 41°26'07" W	94.88'
L-5	S 73°50'39" W	63.93'
L-6	S 78°59'23" W	141.16'
L-7	N 89°07'28" W	45.48'
L-8	S 89°07'28" E	35.26'
L-9	N 83°42'16" E	54.87'
L-10	S 07°14'01" E	620.66'
L-11	N 79°09'45" W	186.71'
L-12	S 62°32'51" E	142.28'
L-13	S 85°02'33" W	205.76'
L-14	N 04°05'43" E	197.49'
L-15	S 76°31'51" E	142.13'
L-16	N 13°28'09" E	199.00'
L-17	N 76°31'51" E	190.24'
L-18	S 13°28'09" W	505.23'
L-19	N 76°31'51" W	35.00'
L-20	N 13°28'09" E	655.09'
L-21	N 35°22'49" E	102.17'
L-22	N 65°29'17" E	92.36'
L-23	N 80°56'47" E	248.69'
L-24	S 04°52'49" W	249.42'

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.

ANY FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

DISTRICT NO. 5C3			
APPROVED <i>Thomas M. Kasper</i> TAK Environmental Protection and Sustainability DATE 8/16/17	<input type="checkbox"/> AREA TO BE ACQUIRED <input checked="" type="checkbox"/> AREA TO BE RELEASED	<input checked="" type="checkbox"/> EXISTING COUNTY R/W	EXHIBIT "A"
Note: This plat was prepared from a drawing by: Human & Rohde, LLC		SCALE: 1" = 200' B.C. JOB ORDER NO. '0' RW17-002-14	REVISIONS
ITEM NO.	RECORDED	DRAWN BY FSB	

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State of Maryland Land Instrument Intake Sheet

Baltimore City County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

XL#16413 (Type or Print in Black Ink Only—All Copies Must Be Legible) A20-3335

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments () Check Box if addendum Intake Form is Attached. Deed of Trust Mortgage Lease X Other FCE Declaration Other

2 Conveyance Type Check Box Improved Sale Arms-Length [1] Unimproved Sale Arms-Length [2] Multiple Accounts Arms-Length [3] Not an Arms-Length Sale [9]

3 Tax Exemptions (if applicable) Recordation State Transfer County Transfer

4 Consideration and Tax Calculations Consideration Amount Finance Office Use Only Transfer and Recordation Tax Consideration

5 Fees Amount of Fees Doc. 1 Doc. 2 Recording Charge Surcharge State Recordation Tax State Transfer Tax County Transfer Tax Other

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From Doc. 1 - Grantor(s) Name(s) Doc. 2 - Grantor(s) Name(s)

8 Transferred To Doc. 1 - Grantee(s) Name(s) Doc. 2 - Grantee(s) Name(s)

9 Other Names to Be Indexed Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information Instrument Submitted By or Contact Person Name: Real Estate Compliance, Brenda Reeder, Inter Office, Baltimore County, MD Room # 125

11 Assessment Information Will the property being conveyed be the grantee's principal residence? Does transfer include personal property? Was property surveyed?

Assessment Use Only - Do Not Write Below This Line Terminal Verification Agricultural Verification Whole Part Tran. Process Verification Transfer Number Date Received: Deed Reference: Assigned Property No.:

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