

Cliff M. Blondes

From: DJenkins@ci.rockville.md.us
Sent: Monday, November 18, 2002 11:51 AM
To: jngreenberg@earthlink.net; BlondCB@Verizon-uc.com; gkbrooks@comcast.net; gr1723@msn.com; tracy.dejong@nextiraone.com
Subject: Flint Ledge Follow-up

The following is a list of items brought up by Jerry and Cliff during a meeting on October 24, 2002 with myself and Amy Dineen that required follow-up.

Curb-cut at 2465 McCormick Road

I relayed the HOA's request for a curb-cut at 2465 McCormick Road to the Department of Public Works. Mike Wilhelm, Chief of Contract Management, said that a ramp could be installed. He could not give a specific date for installation. However, he did say that the City might be able to do it before the end of the year, before shutting down all concrete work in mid December. If the ramp is not installed at this time, then it would be installed some time in the spring (mid March) when the City resumes concrete work. I will try to keep you posted of the progress.

Entrance Sign

I spoke with Don Rice, Public Works Administrator, to get clarification on the process of obtaining a permit to install an entrance way sign on the public right-of-way. Mr. Rice stated that the HOA would definitely have to get permission from the Public Works Department and a permit from Inspection Services to assure that the sign is built to specifications and is maintained. In addition, if granted permission, the HOA would also have to post a bond as an insurance policy in the event that the City had to remove or maintain the sign.

* Dedication of R-O-W Example

Having had a lengthy discussion with Susan Nolde, City Forester, about tree maintenance and public r-o-w, it was determined that there are no examples of where there is a dedication of public r-o-w where the City is responsible to maintain landscapes and trees. Based upon my understanding of our conversation, it is understood that the City will maintain the trees and landscapes unless stated otherwise in the POR. I am currently trying to schedule a time that she may come out to meet with you to fully explain the situation as well as to talk about the maintenance of the Juniper bushes at 2425 McCormick Road. Please contact me to let me know when you might be available.

PRU =
Planned
Residential
Unit

I am sorry that it has taken me a while to respond to your inquiries, but for the past two weeks or so I have been tied up with other matters. If you have any questions regarding the above information, please feel free to contact me.

Thanks for your patience in these matters!

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Cliff M. Blondes

From: Cliff M. Blondes [blondcb@verizon-uc.com]
Sent: Thursday, September 05, 2002 12:11 PM
To: Gayle and Kenneth Brooks; Jerry and Nancy Greenberg; Sonia Rickman; Tracy De Jong
Subject: Easements

I have reviewed the plats and easements information that the HOA has on file.

There is Declaration of Terms and Provisions of Public Utility Easements dated 10/23/68 and recorded in the land records of Montgomery County in Liber 3834 at folio 457. This established a 10' wide utility easement on both sides of the entranceway and along the townhouse parking areas and along the areas contiguous to the street in the single family area. The Declaration does not require that the grantees (City & Utilities) perpetually maintain the property, only that they restore it to its original condition upon "entering" it. While not a land use expert, I do not think that perpetual maintenance is implied in the grant of an easement (Tracy, can you check this out?).

Plat Nos. 14391 and 14392 establish the boundary lines of the entrance area. I have attached portions of these plats in tif format for your review. We should consider retaining the services of a surveyor to determine where the HOA's and City of Rockville's property lines are and where the easement actually is. After accomplishing this task we then can determine how to proceed. (Tracy, do you know any reasonably priced surveyors?).

Please give me a call if you want to stop by and review any of the documents (they won't scan well) so that we can discuss this issue in more detail at our next meeting on 9/18.

Cliff

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9/6/2002

Cliff M. Blondes

From: DJenkins@ci.rockville.md.us
Sent: Thursday, August 22, 2002 12:18 PM
To: BlondCB@Verizon-uc.com; gkbrooks@comcast.net; gr1723@msn.com;
jngreenberg@earthlink.net; tracy.dejong@nextiraone.com
Subject: Re: Flint Ledge Estates - Fence Litigation

The Parks Maintenance Supervisor, Amy Dineen, has determined that the entrance area where the berm of trees and shrubs are located belong to the City. Therefore, Ms. Dineen had the R-O-W crew remove the row of forsythia shrubs at the very front to facilitate sight distance at the stop sign for people exiting onto Wootton Parkway.

In addition, each of the cul-de-sac islands are common area which means that they belong to the HOA and not the City. Therefore, the HOA is responsible for pruning these trees and is required by State law to use a Licensed Tree Expert. Also, if the HOA wishes to remove any trees, the HOA must also get permission from the City Forester.

Last, Susan Nolde, City Forester, is still investigating the ownership of the trees in front of the homes between the street and sidewalks. She will let you know the outcome as soon as possible. If you have any questions regarding the above information, please feel free to contact me. Again, thanks for your patience!

10' easement

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