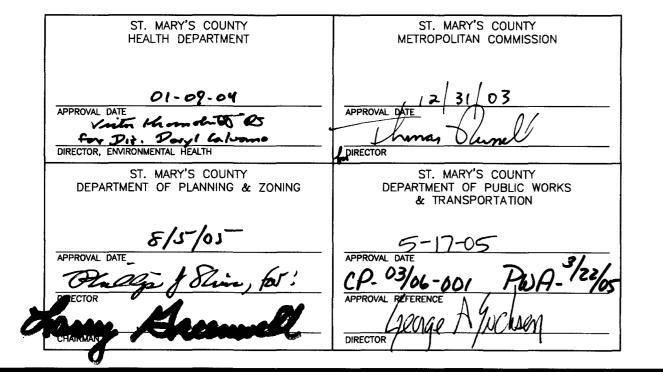
- - 2.) THE PROPERTY SHOWN HEREON AS BENOAKS A.K.A. SECTION III OF PERSIMMON HILLS IS OWNED BY J. D. MURRAY WHO HAS BEEN THE DEVELOPER OF THE FIRST TWO SECTIONS OF PERSIMMON HILLS. THIS SECTION IS INTENDED TO BE A SUBDIVISION OF THE REMAINDER OF: 1) THAT LAND CONVEYED TO J. D. MURRAY FROM C.G. FOX LUMBER COMPANY, INC. BY DEED DATED DECEMBER 15, 1989 AND RECORDED AT MRB 512/340. 2) THAT LAND CONVEYED TO J. D. MURRAY FROM DAVID HORSTICK BY DEED DATED MAY 16, 2000 AND RECORDED AT EWA 1516/230. SAID LAND IS PHASE TWO & THREE OF VALLEY WOOD ESTATES.
  - THE INTENT IN BENOAKS IS TO CREATE 114 NEW SINGLE FAMILY RESIDENTIAL LOTS AT ONE UNIT/THREE ACRE DENSITY FROM THE COMBINATION OF:

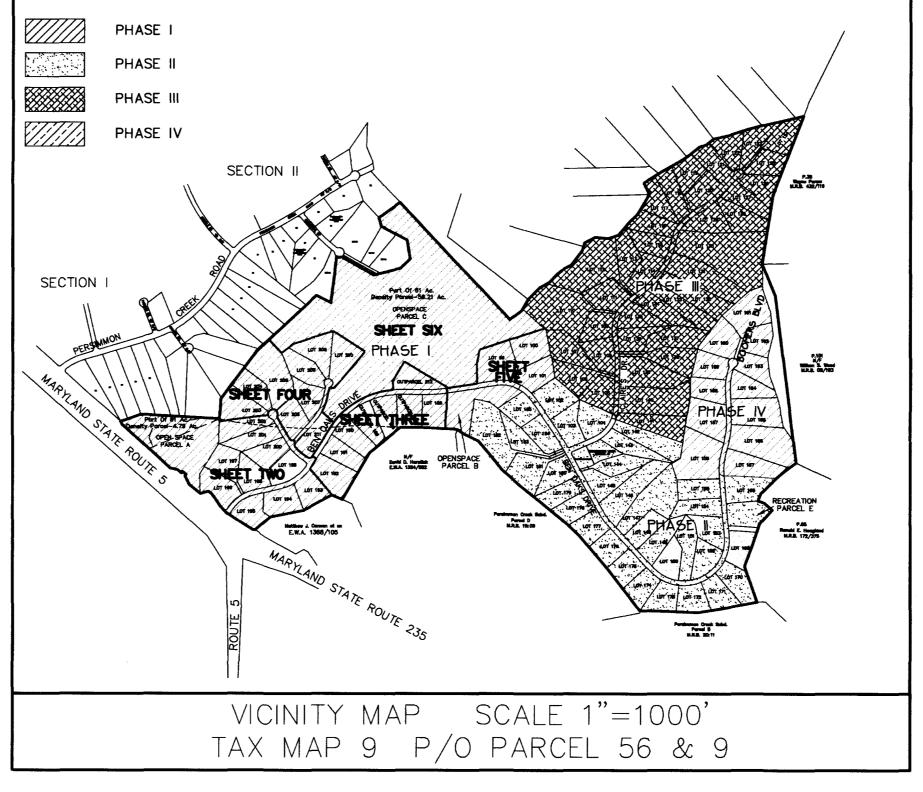
    1) REMAINING UNENCUMBERED ACREAGE. 342.6 61.14= 281.46 / 3 = 93.82 (93 LOTS) 2) RELOCATE LOTS 1-5 (5 LOTS) OF SECTION I PERSIMMON HILLS.

    3.) RE-PLAT SECTIONS TWO & THREE OF VALLEY WOOD ESTATES (18 LOTS) VALLEY WOOD ESTATES CONTAINS 42.9 ACRES WITHIN SECTIONS TWO & THREE, AN ADDITIONAL 10.7 ACRES OF LAND WAS USED IN THE DENSITY ANALYSIS FROM THE LAND RESTRICTED BY THE DENSITY RESTRICTION RECORDED AT E.W.A. 1510/359. THE TOTAL NUMBER OF PERMITTED LOTS IS 93 + 5 + 18 = 116 PERMITTED LOTS THE TOTAL NUMBER OF PERMITTED LOTS PROPOSED = 114
  - 4.) SITE AREA = THE TOTAL AREA OF THE REMAINDER, OR OUTPARCEL "A" = 342.6 ACRES+-. OF THIS APPROXIMATELY 61 ACRES HAS BEEN ENCUMBERED IN MEETING THE DENSITY REQUIREMENTS OF SECTIONS I & II OF PERSIMMON HILLS. THE 61 ACRES ARE AS SHOWN ON THE VICINITY MAP AND ON THE SUBDIVISION PLATS.
  - 5.) ZONING CATEGORY = RURAL PRESERVATION DISTRICT (RPD)
  - 6.) THE PROPERTY IS LOCATED IN THE FIFTH ELECTION DISTRICT
  - 7.) SETBACKS = FRONT =75', SIDE = 30', REAR = 50', 150' "B" BUFFERYARD ADJACENT TO MD. ROUTE 5 & 235.
  - 8.) THE WATER SUPPLY SHALL BE FROM A CENTRAL RW WATER SYSTEM.
  - 9.) SEWER PROVISION NOTE = "THIS HEALTH DEPARTMENT APPROVAL CERTIFIES THAT THE ABOVE LOTS ARE IN CONSONANCE WITH PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE; HOWEVER, THIS APPROVAL IS SUBJECT TO CHANGE IN SUCH LAWS AND REGULATIONS. CHANGES IN TOPOGRAPHY OR SITE DESIGNATIONS MAY VOID THIS APPROVAL. THE DESIGNATED PERC AREA IS THE ONLY PERC AREA APPROVED BY THE ST. MARY'S COUNTY HEALTH DEPARTMENT FOR SEWAGE DISPOSAL PURPOSES. THE APPROVED LOTS INCLUDE AN APPROVED AREA OF 10,000 SQUARE FEET FOR SEWAGE DISPOSAL PURPOSES AS REQUIRED BY CURRENT MARYLAND STATE HEALTH DEPARTMENT LAW. IMPROVEMENTS OF ANY NATURE, INCLUDING BUT NOT LIMITED TO THE INSTALLATION OF OTHER UTILITY LINES IN THIS AREA MAY RENDER THE LOT UNDEVELOPABLE. TO DETERMINE THE EXACT AREA OF THE LOT APPROVED FOR SEWAGE DISPOSAL PURPOSES OR TO ESTABLISH A DIFFERENT AREA FOR SUCH PURPOSES YOU SHOULD CONTACT THE ST. MARY'S COUNTY HEALTH DEPARTMENT, OFFICE OF ENVIRONMENTAL HEALTH."
  - 10.) WATER & SEWAGE PLAN COMPLIANCE NOTE: THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN UPON THE ADOPTION OF THE W-3 CATEGORY CHANGE.
  - 1.) UTILITY EASEMENT NOTE: THERE SHALL BE A TEN (10) FOOT UTILITY EASEMENT ALONG ALL LOT LINES. THE EASEMENTS ARE TO INCLUDE USE BY THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS FOR CONSTRUCTION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER AND SEWER FACILITIES.
  - 12.) RESOURCE PROTECTION NOTE: AREAS ESTABLISHED FOR RESOURCE PROTECTIONS ON THE SITE, IN ACCORDANCE WITH REQUIRED PROTECTION LEVELS, MUST REMAIN IN UNDISTURBED OPEN SPACE AND UNDEVELOPED.
- 13.) PARCEL NOTE

3 = 3

- ANY PARCELS SHOWN HEREON (OPEN SPACE PARCEL A, PARCEL B, PARCEL C ETC.) ARE BEING PLATTED OR RE-PLATTED TO MEET OPEN SPACE. RESOURCE PROTECTION OR DENSITY REQUIREMENTS OF THE ST. MARY'S COUNTY ZONING ORDINANCE
- 14) PRIVATE ROAD MAINTENANCE NOTE: THE PRIVATE RIGHT OF WAY FOR "LANES" AS DESCRIBED IN THE ST. MARY'S COUNTY ZONING ORDINANCE ARE PRIVATE AND SHALL NOT BE MAINTAINED BY THE COUNTY, NOR SHALL THE "LANES" BE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY ROAD SYSTEM UNTIL SUCH SHALL BE IMPROVED TO THE APPROPRIATE COUNTY ROAD SYSTEM STANDARD AT THE INDIVIDUAL OWNERS EXPENSE.
- 15.) WATER AND SEWERAGE PLAN CATEGORY (W-3) (S-NPS)
- 16.) THE OUTPARCELS SHOWN HEREON HAVE NOT BEEN EVALUATED FOR COMPLIANCE WITH SECTION 40.10 OF THE ST. MARY'S COUNTY ZONING ORDINANCE (ADEQUETE FACILITIES) AND CANNOT BE USED AS LEGAL BUILDING SITES UNTIL THE OUTPARCELS ARE FURTHER SUBDIVIDED IN ACCORDANCE WITH THE ST. MARY'S COUNTY SUBDIVISION REGULATIONS AND ZONING ORDINANCE.
- 17.) ALL LOTS SHOWN HEREON SHALL BE SERVED BY COUNTY MAINTAINED PUBLIC RIGHTS-OF-WAYS.
- 18.) A WETLAND CROSSING PERMIT HAS BEEN APPLIED FOR IN CONNECTION WITH THE ROAD CROSSING AREA AS SHOWN AT APPROXIMATE STATIONS 29+50 TO 31+50 OF BENOAKS DRIVE. A WAIVER REQUEST REGARDING FILL SIDE SLOPES AND K-FACTORS FOR THE VERTICAL DESIGN HAS BEEN APPROVED BY THE ST. MARY'S COUNTY DEPARTMENT OF PUBLIC WORKS. STEEPER SIDE SLOPES AND THE VERTICAL DESIGN WAIVER SHALL BE USED TO REDUCE THE DISTURBANCE TO NON-TIDAL WETLANDS.
- 19.) A FOREST STAND DELINEATION HAS BEEN PREPARED BY McCARTHY & ASSOCIATES & APPROVED BY ST. MARY'S COUNTY PLANNING & ZONING.
- 20.) ALL ADJACENT PROPERTIES ARE LOCATED WITHIN THE RPD ZONE.
- 21.) FOREST RETENTION AREA REQUIRED: 228.24 Ac. FOREST RETENTION AREA PROVIDED: 229.80 Ac. FOREST CONSERVATION AREA TABLES ARE SHOWN ON EACH SHEET OF THE STANDARD SUBDIVISION PLANS.
  RESOURCE PROTECTION STANDARDS PER SECTION 49.00 ARE SUPERCEDED BY FOREST CONSERVATION REQUIREMENTS PER SECTION 44.00. SPECIAL ATTENTION MUST BE PAID TO THE PRESERVATION OF STEEP SLOPES. ALL "A" RESOURCES MUST BE CLEARLY MARKED AND LABELED ON FINAL PLANS.
- 22.) TOTAL NUMBER OF LOTS-PHASE I = 26 LOTS
- 23.) TOTAL NUMBER OF OUTPARCELS-PHASE I = 4 OUTPARCELS
- 24.) BEN OAKS SUBDIVISION IS EXEMPT FROM STORMWATER MANAGEMENT PER SECTION 40.3.1.e. OF THE ST. MARY'S COUNTY ZONING ORDINANCE. (ALL LOTS 2.0 ACRES OR GREATER)
- 25.) ALL AREAS OF THIS PROPOSED SUBDIVISION KNOWN AS BEN OAKS ARE FREE AND CLEAR OF ANY LEINS, MORTGAGES, DEEDS OF TRUST, ETC.
- 26.) BEN OAKS SHALL BE SERVED BY A COMMUNITY WATER SYSTEM.
- 27.) THERE ARE NO 100-YEAR FLOODPLAIN AREAS WITHIN THE LIMITS OF BEN OAKS SUBDIVISION PER FEMA MAP NO. 240064 0025B.
- 28.) THE REVERTIBLE GRADING EASEMENT (R.G.E.) AND REVERTIBLE STOCKPILE EASEMENT (R.S.E.) AS SHOWN HEREON IS A TEMPORARY EASEMENT AND SHALL EXTINGUISH UPON COMPLETION OF CONSTRUCTION OF THE PUBLIC STREETS. THESE EASEMENTS SHOWN HEREON ARE APPROXIMATE. EXACT LIMITS ARE AS SHOWN ON THE ROAD CONSTRUCTION PLANS ON FILE AT THE DEPT. OF PUBLIC WORKS & TRANSPORTATION.
- 202 \$ 203 29.) LOTS 99, 100, 101, 196, 197, \$ 198, ARE TO BE ACCESSED BY THE PRIVATE RIGHTS OF WAY AS SHOWN ON THESE PLATS. THE ABOVE LOTS ARE TO BE SERVED BY AN R-20 MULTIPLE DRIVEWAY ENTRANCE AS PER THE ST. MARY'S COUNTY ROAD ORDINANCE. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION/BONDING OF THE MULTIPLE DRIVEWAY ENTRANCES PRIOR TO THE RECORDING OF THIS PLAT.





NOTARY CERTIFICATE

State of Maryland, County of \_\_\_\_\_\_\_

I, HEREBY CERTIFY, that on this I day of November

in the year \_ 2003, before me, the subscriber, a Notary Public

who acknowledged herself/himself to be the \_\_\_\_\_\_

for the property shown and referenced within the Owner's Dedication, and that she/he has such, being authorized to do so, executed the Owner's Dedication, and that she/he has such, being authorized to do so, executed the Owner's Dedication for the purpose therein contained.

As Witness my hand and Notarial Seal

JAN. 7,2006

PLANNING AND ZONING CASE NO. SSUB #00-120-028

DATE REVISION RANDY ALAN BARRETT PROF. L. S. NO. 11001 Date 11-17-03

R. A. BARRETT **2** ASSOCIATES, INC. **ENGINEERS & SURVEYORS** 

DUNKIRK MARKETPLACE PROFESSIONAL CENTER 3140 WEST WARD ROAD, SUITE 208, DUNKIRK, MD. 20754 410-257-2255 301-855-5554 FAX: 410-257-3782

STANDARD SUBDIVISION PLAT

SHEET 1 OF 6 PHASE ONE

## BEN OAKS

SITUATED IN MECHANICSVILLE, MD. FIFTH ELECTION DISTRICT, ST. MARY'S COUNTY, MARYLAND

1-9888-6581 NECOL

SURVEYOR'S CERTIFICATE

and conforms to the specifications; that this is a subdivision of Tax Map 9, Part of Parcel 56, the property conveyed unto

in Liber M.R.B. 512 at Folio 340 and all of the property

11-17-03

I hereby certify to the best of my knowledge, information and belief that the plat shown hereon is correct (subject to a title search)

D. Murray by deed dated December 15, 1989 from C.G. Fox Lumber Company, Inc. as recorded in the land records of St. Marys County, Maryland

conveyed unto Bay Mills Development Company, Inc. by deed dated March 17, 2000 from David Horstick as recorded in the land records

The requirements of Section 3-108 of the Annotated Code of

of St. Mary's County, Maryland in Liber E.W.A. 1516 at Folio 230

Maryland (Real Property Article) as far as it concerns the making of the plan and setting of the markers required therein have been

complied with to the best of our knowledge, information and belief.

OWNERS CERTIFICATE The platting or dedication of the following described land, being part of the land conveyed by C.G. Fox Lumber Company unto J.D. Murray by

of St. Mary's County, Maryland in Liber M.R.B. 512 at Folio 340, and being all of the land conveyed by David Horstick unto Bay Mills Development Company, Inc. by deed dated March 17, 2000 as recorded among the Land Records of

conveyance of Ben Oaks Drive, Yanak Court & Tomrose Court as shown hereon

is with free consent and in accordance with the desire of the undersigned

I/We, \_\_\_\_\_\_\_, the owners of the property shown hereon and described in the Surveyor's Certificate affixed

required agencies. There are no pending suits or actions at law, leases,

noted or shown hereon. All parties in interest, mortgagees, and trustees,

I/We further establish the building restriction lines as required by the

politic and corporate, its successors and assigns, in fee simple, the land

upon which are to be constructed the public roads, streets, sidewalks, and

I/We hereby grant unto the St. Mary's County Metropolitan Commission,

its successors and assigns, a right of ingress and egress over, and a

tenance, inspection and operation of public water and sewer facilities.

Ben Oaks Drive, Yanak Court, Tomrose Court will be dedicated for

Code of Maryland as far as it concerns the making of the plan and setting of the markers required therein have been complied with to the

public use to the Board of County Commissioners for St. Marys County

The requirements of Real Property Article, Section 3-108 of the Annotated

DATE

6/6/03 SCALE

DRAWN BY D.J.W./G.P.

DRAWING #

SM0036S1

SM0036

00020

TLE #

JOB #

perpetual easement in the 10 foot easement (along all lot lines), as well as others that may be shown herein for the construction, repair, main-

walkways shown hereon, including the right-of-way and easements associated therewith, together with an easement for public use over such roads, streets,

St. Mary's County Zoning Ordinance and do hereby grant and convey unto the Board of County Commissioners for St. Mary's County, Maryland, a body

liens, mortgage or deeds of trusts affecting this subdivision except as

if any, have affixed their signatures indicating their assent to this plan

hereto, hereby adopt this plan of subdivision upon its approval by all

deed dated December 15, 1989 as recorded among the Land Records

St. Mary's County Maryland in Liber E.W.A. 1516 at Folio 230, and the

owners, proprietors, mortgagees, and trustees, if any.

sidewalks, and walkways.

via the recording of this plat.

mm

President, Bay Mills Development

J.D. Murray

Company, Inc.

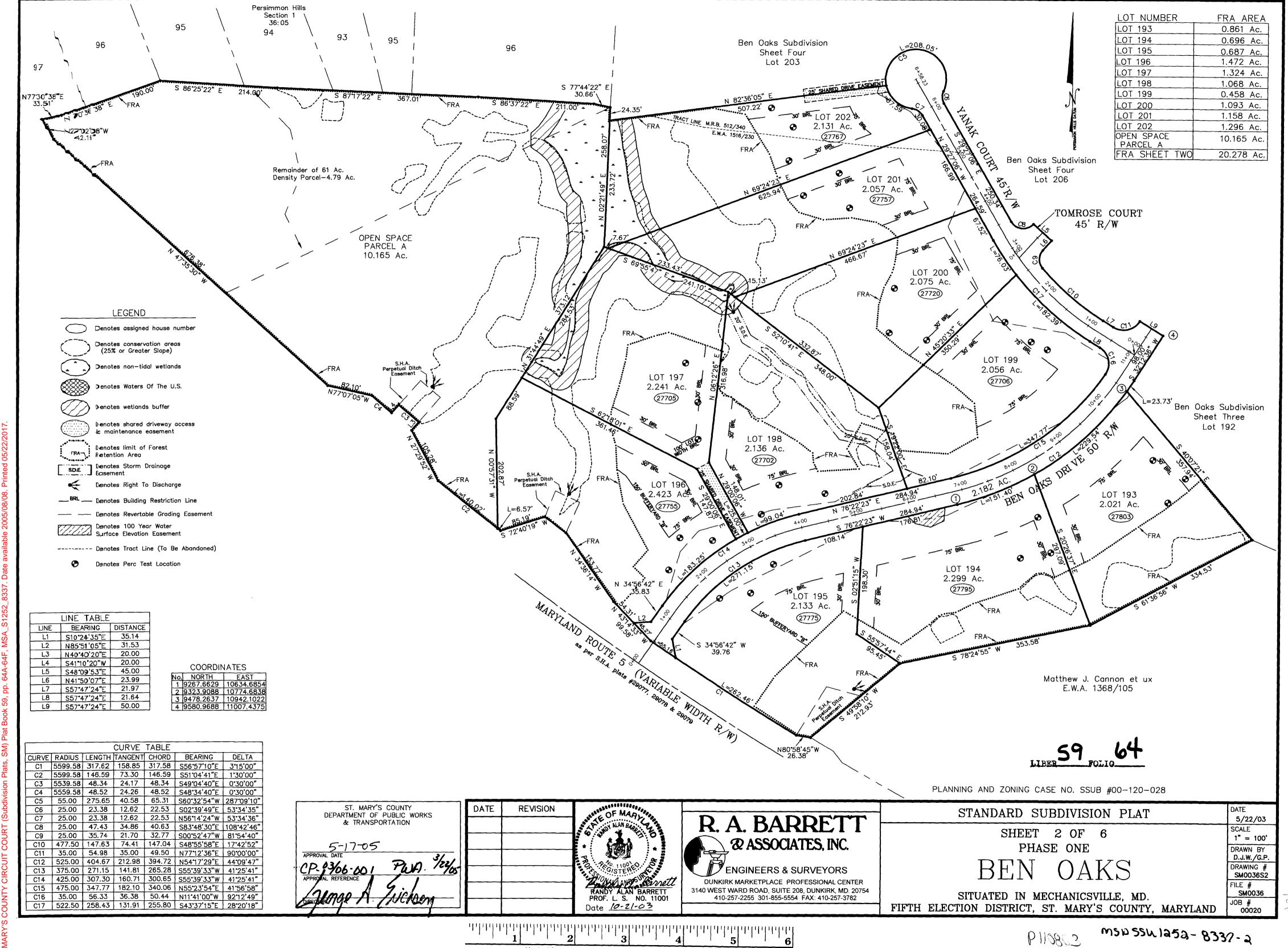
best of our knowledge, information and belief.

J.D. Murray

and the subordination of their interests to this subdivision plat.

6280119





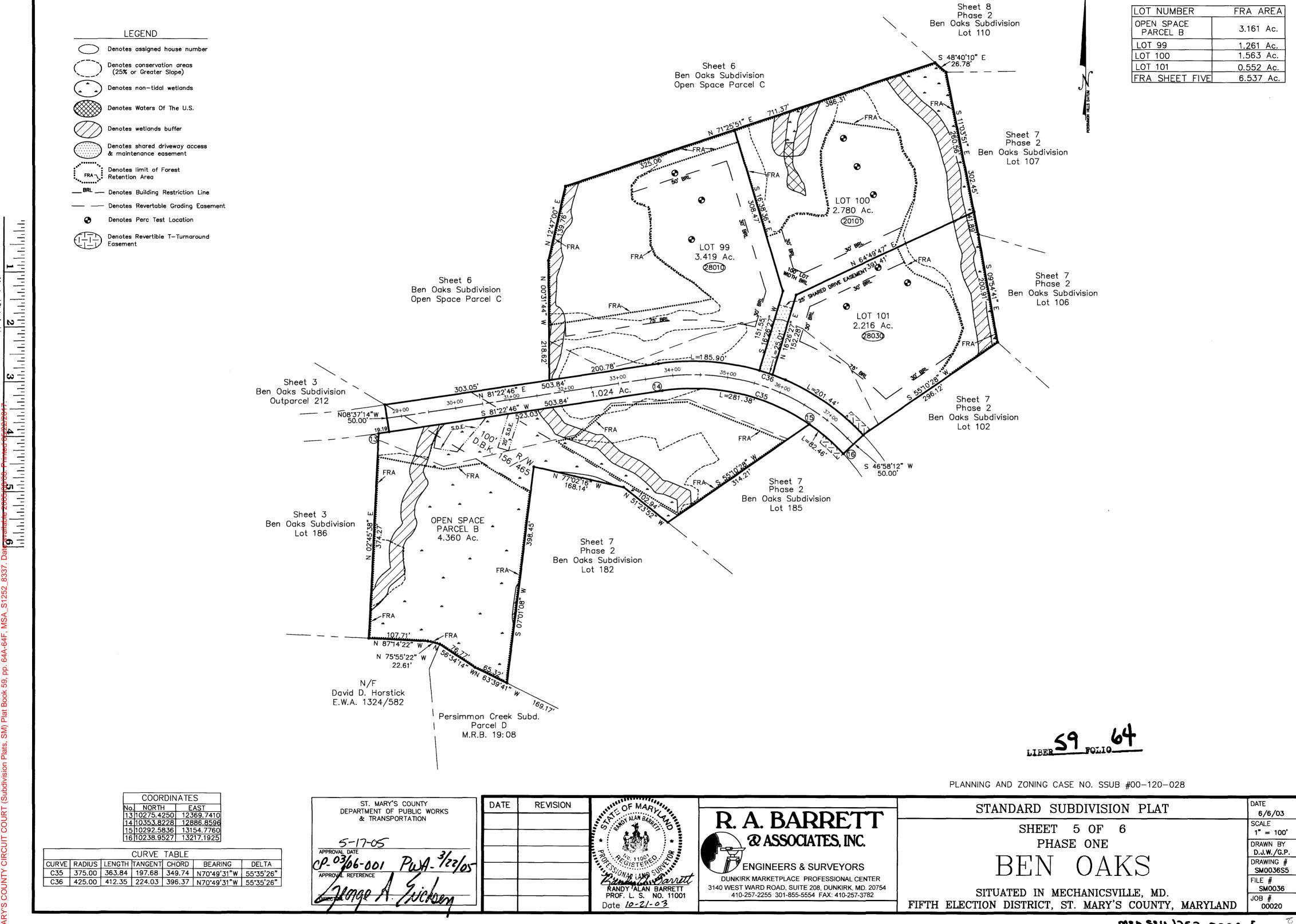
Marvland State Archives

mspssw1252-8337-2

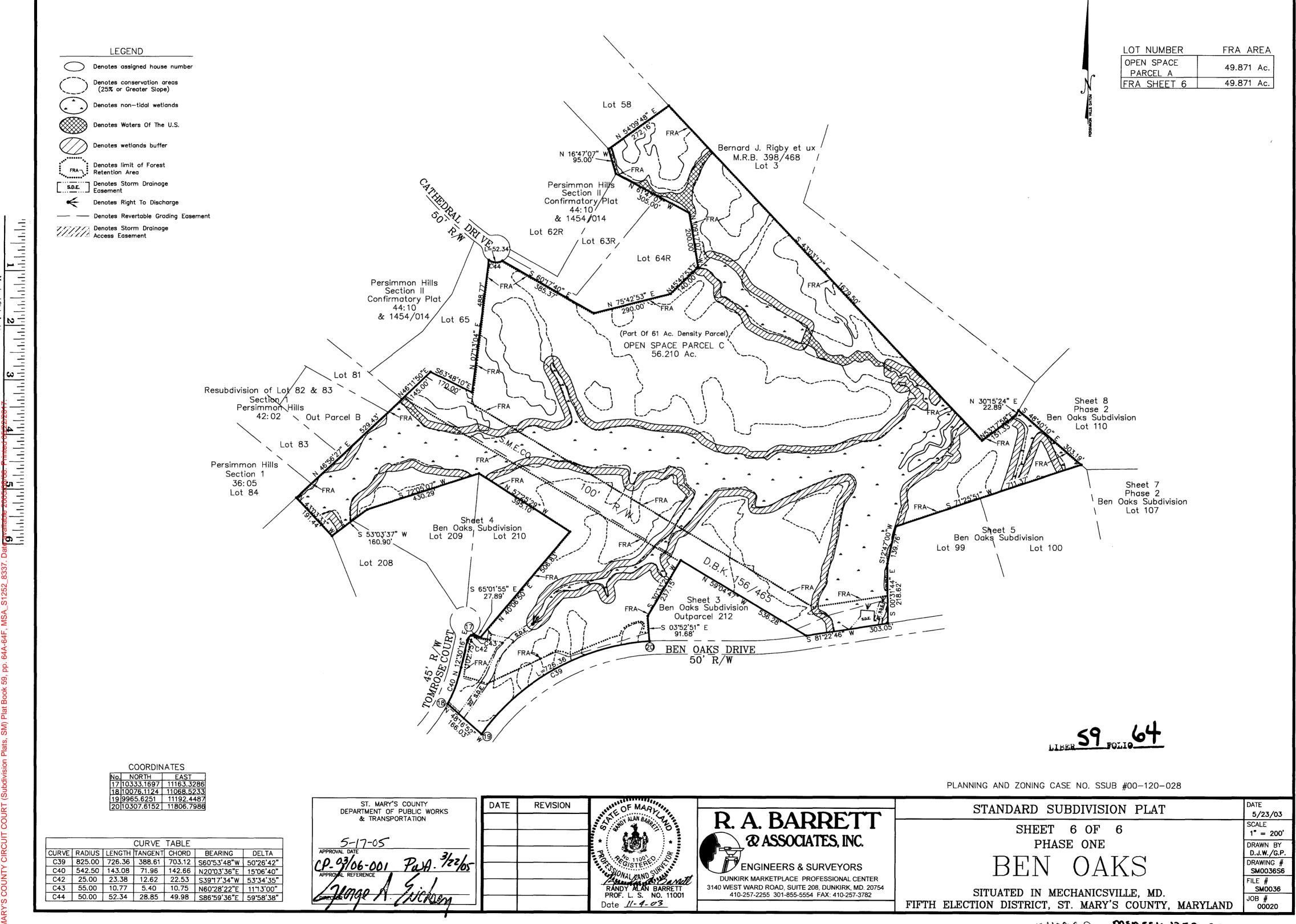
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MARY'S COUNTY CIRCUIT COURT (Subdi



MARY'S COUNTY CIRCUIT COURT (Subdivision Plats, SM) Plat Book 59, pp.



T. MARY'S COUNTY CIRCUIT COURT (Subdivision Plats, SM) Plat Book 59, pp.