

111074.107

NO TITLE EXAMINATION

NO CONSIDERATION

THIS DEED AND DECLARATION, Made this 5th day of JUNE, 1995, by and between M. SHIRLEY HOFFECKER and THOMAS W. HOFFECKER, her husband, of Baltimore County, State of Maryland, parties of the first part, Grantors, and M. SHIRLEY HOFFECKER and THOMAS W. HOFFECKER, her husband, of Baltimore County, State of Maryland, parties of the second part, Grantees.

WITNESSETH, That in consideration of the love and affection by and between the parties, the actual consideration paid or to be paid being the sum of ZERO DOLLARS, the said M. SHIRLEY HOFFECKER and THOMAS W. HOFFECKER, her husband do grant and convey unto the said M. SHIRLEY HOFFECKER and THOMAS W. HOFFECKER, her husband, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives, heirs and assigns, in fee simple, all those lots of ground situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION OF LOTS 1 & 2 known as 2627 and 2629 Monkton Road, respectively.

SUBJECT TO and together with the benefit of use in common with others entitled thereto of a 20' wide private access easement as set forth in the description

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Per Joy Bullock
Authorized Signature

Date 6-7-95 Sec 33-139E

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE [Signature]
DATE 6-7-95

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By [Signature]
Date 6-7-95

0188

of Lots 1 and 2 attached hereto and described herein for the purpose of establishing the shared and mutual use of the private access easement and to provide for its continued maintenance and for the continued use of said easement by the remaining lands of M. Shirley Hoffecker and Thomas W. Hoffecker (hereinafter "Hoffecker").

Declaration of Private Access Agreement

The Grantors hereby declare that Lots 1 and 2 are being conveyed, and shall be held, subject to the following conditions. The owners of Lots 1 and 2 and the owners of the remaining lands of Hoffecker shall have the right of use in common for both vehicular, animal and pedestrian traffic for the purpose of ingress and egress between their lots and Manor Road and for the installation of gas, electric, telephone, light, power, cable, water and sewer and other utilities necessary or desirable for the convenient use of the said Lot 1 and Lot 2 and remaining lands of Hoffecker in, over and under the private access easement in the location as set forth in the descriptions of Lots 1 and 2 as herein established. The owners of the remaining lands of Hoffecker shall have the right to use and cross the private access easement for purposes of traversing animals or equipment from one portion of the remaining lands of the Hoffecker parcels to the other portion of the remaining lands of the Hoffecker parcels. The parties of the first part, their heirs and assigns, may grant and assign the right of use in said private access easement, in whole or in part, to their successors and assigns of any portion of the remaining lands of Hoffecker by specific grant of the rights herein established and by mention of this private access easement, but no such specific grant or mention shall be necessary to convey the rights of use,

subject to this agreement, to the subsequent owners of the remaining lands of Hoffecker lying to the west of this private access easement.

The cost of maintenance, repairs and improvements to the private access easement hereby established, including but not limited to the cost of snow removal and driveway maintenance for its entire length from Manor Road to Lot 1 and Lot 2, shall be borne equally by the owners of Lot 1 and Lot 2. The type and nature of the maintenance, repairs or improvements shall be determined by mutual agreement of the owners, or if they are unable to agree, by binding arbitration pursuant to American Arbitration Association Rules. The private access easement hereby created shall be deemed to run with the land and bind and inure to the benefit of both Lot 1, Lot 2 and the remaining lands of Hoffecker or parts thereof to which rights of use are granted as provided herein.

All of the terms, covenants and conditions of this private access agreement shall extend to and bind and inure to the benefit of, as the case may be, not only the declarants, but to their respective successors, grantees, purchasers, licensees, heirs, legal representatives, and assigns, and also the respective successors, grantees, purchasers, licensees, heirs, legal representatives and assigns of the purchasers of Lots 1 and 2 and the remaining lands of Hoffecker, as hereinabove specified, except that the obligation of an owner of a lot or parcel or of the remaining lands of Hoffecker, if any, to contribute to the maintenance, repair, or improvement of the private access easement shall be the personal obligation of an owner only with respect to contributions arising during the period of such owner's ownership of his

or her lot or parcel of remaining lands of Hoffecker.

By unanimous written consent of the then owners of Lots 1, 2 and the remaining lands of Hoffecker and of those persons specifically granted the use of said private access easement, the provisions of this Declaration may be amended and modified or rescinded, provided that any unanimous written amendment, modification or rescision shall be recorded among the Land Records of Baltimore County.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said M. SHIRLEY HOFFECKER and THOMAS W. HOFFECKER, her husband, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives, heirs and assigns, in fee simple.

AND the said Grantors hereby covenant that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

WITNESS:

Deborah L. Burk

Deborah L. Burk

M. Shirley Hoffecker (SEAL)
M. SHIRLEY HOFFECKER

Thomas W. Hoffecker (SEAL)
THOMAS W. HOFFECKER

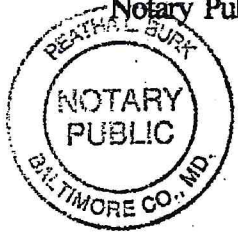
01074.191

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 5TH day of JUNE, 1995, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared M. Shirley Hoffecker and Thomas W. Hoffecker, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained and in my presence signed and sealed the same.

AS WITNESS my hand and notarial seal.

Reatha L. Burk
Notary Public



My Commission Expires:

January 1, 1996

I hereby certify that the within instrument was prepared by me or under my supervision, and that I am an attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

Mark J. Daneker
Mark J. Daneker

Return to:
Mark J. Daneker, Esquire
Daneker, McIntire & Davis, P.C.
250 W. Pratt Street
Baltimore, Maryland 21201

deed.love.ss2.#15083

011074.192

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 825-3908

LOT # 1
2.377 AC. ±

RESIDENCE: 771-4592

PROPERTY OF

THOMAS W.B. HOFFECKER

February 17, 1995

Beginning for the same at a point at the end of the 2nd or N 85° 23' 40" W 450.00' line of the First Parcel of Land which by deed dated July 20, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. 3870, folio 324, was conveyed by Francis N. Iglehart, Jr., and Harriet S. Iglehart, his wife, to Thomas W. B. Hoffecker and Margaret S. Hoffecker, his wife, running thence and binding reversely on part of the said 2nd line, as now surveyed, N 86° 05' 00" E 269.03' thence leaving the 2nd line of aforesaid deed, and running for lines of division now made, through the lands of the Grantor, and binding on the Division Lines of Lot 1 and Lot 2, as shown on the plat attached hereto and made a part hereof, the 2 following courses and distances, 1) S 5° 30' 28" W 119.99' and 2) S 36° 14' 55" E 205.45' to intersect the 4th or S 85° 23' 40" E 746.08' line of the aforesaid deed, running thence and binding reversely on part of said 4th line and reversely on all of the 3rd line of said deed, as now surveyed, S 86° 05' 00" W 496.08', and N 21° 09' 40" E 322.55' to the place of beginning.

Containing 2.377 Acres of land, more or less.

Subject to and together with the access easement as shown on said plat.

Being part of the First Parcel, of the land, which by deed dated July 20, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. 3870, folio 324, was conveyed by Francis N. Iglehart, Jr. and Harriet S. Iglehart, his wife, to Thomas W. B. Hoffecker and Margaret S. Hoffecker, his wife.

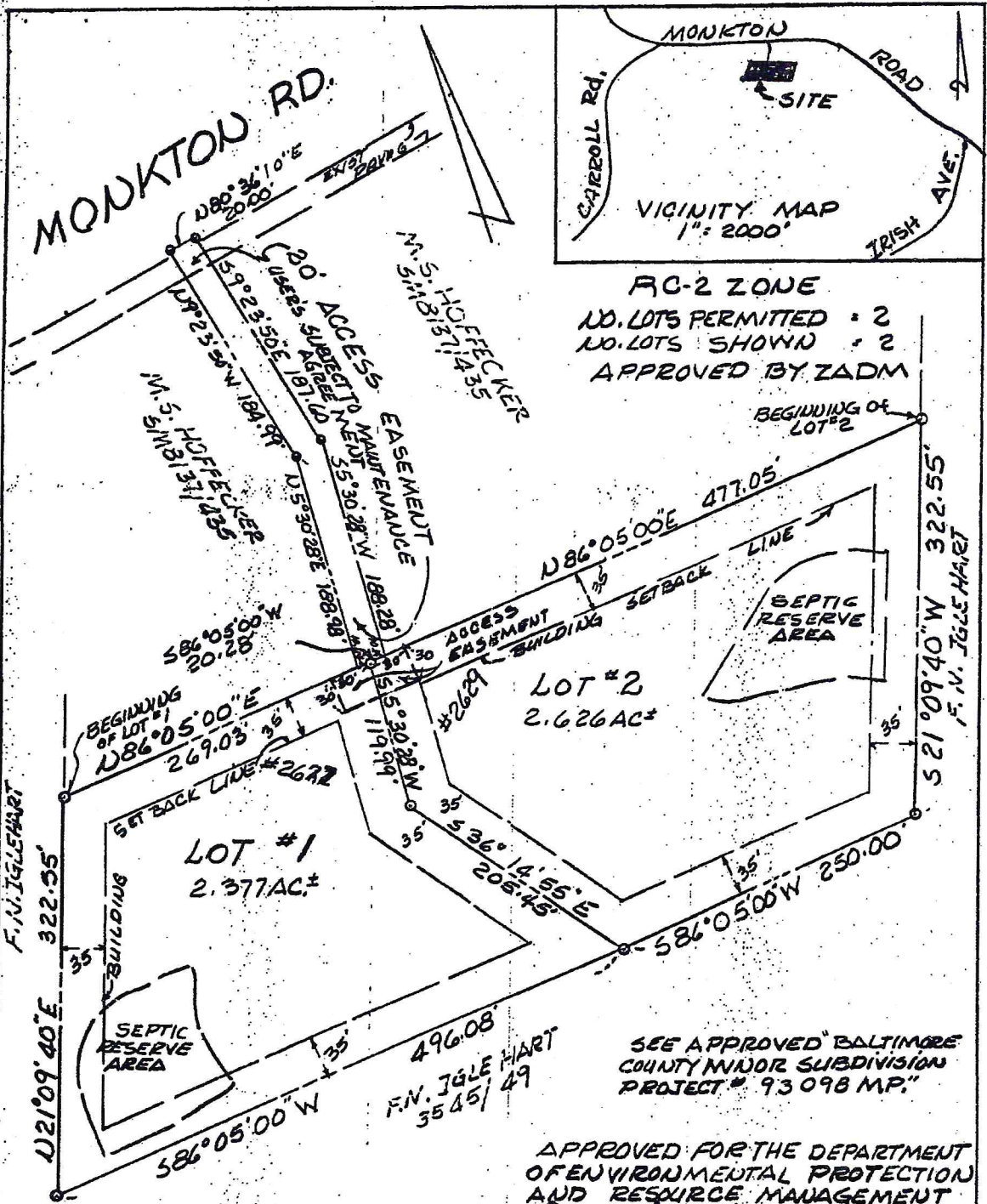
Being also Lot #1 as shown on the said attached plat.

Together with a 20' Access Easement, for the purpose of ingress and egress, and the installation of underground utilities, through the land of the Grantor and with the use in common with others entitled thereto, leading from the above described Lot #1 to Monkton Road, and more particularly described as follows:

Beginning for the same at a point located, as now surveyed, N 86° 05' 00" E 269.03' from the end of the 2nd or N 85° 23' 40" W 450.00' line of the 1st parcel of land which by deed dated July 20, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. 3870 folio 324, was conveyed by Francis N. Iglehart, Jr. and Harriet S. Iglehart, his wife, to Thomas W. B. Hoffecker and Margaret S. Hoffecker, his wife, said point being also located, as now surveyed, N 86° 05' 00" E 269.03' from the end of the 4th or N 85° 23' 40" W 450.00' line of the land which by deed dated March 3, 1989, and recorded among the Land Records of Baltimore County in Liber S.M. 8137, folio 435, was conveyed by Charles H. Heine and M. Shirley Hoffecker, Co-Personal Representatives of the Estate of Margaret Heine White, to M. Shirley Hoffecker and Thomas W. Hoffecker, her husband, said point being also the division of Lot #1 and Lot #2 as shown on the said attached plat, running thence and binding on part of the aforesaid 2nd line and on part of the aforesaid 4th line, as now surveyed, S 86° 05' 00" W 10.14', thence leaving said lines and binding on the west side of the 20' access easement, as now surveyed, the following courses and distances, 1) N 5° 30' 28" E 188.98' and 2) N 9° 23' 50" W 184.99' to a point on the north side of Monkton Road and to intersect the 2nd or N 89° 07' 30" E 292.76' line of the last mentioned deed, Heine et.al. to Hoffecker, running thence on the north side of Monkton Road and binding on part of the last mentioned 2nd line, as now surveyed, N 80° 36' 10" E 20.00', thence leaving Monkton Road, and the said 2nd line, and binding on the east side of the 20' Access Easement, as now surveyed, the 2 following courses and distances, 1) S 9° 23' 50" E 187.60' and 2) S 5° 30' 28" W 188.28' to intersect the aforesaid 4th line of said deed, Heine et. al. to Hoffecker, running thence and binding on part of said 4th line, S 86° 05' 00" W 10.14' to the place of beginning.

Being part of the land which by deed dated March 3, 1989 and recorded among the Land Records of Baltimore County in Liber S.M. 8137, folio 435, was conveyed by Charles H. Heine and M. Shirley Hoffecker, Co-Personal Representatives of the Estate of Margaret Heine White, to M. Shirley Hoffecker and Thomas W. Hoffecker, her husband.

BALTIMORE COUNTY CIRCUIT COURT (Head Records) SIM 44674, p. 0194, MSA CE62, 10929. Date available: 03/03/2005. Printed 02/29/2020.

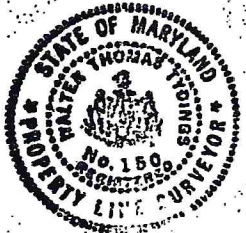


RC-2 ZONE
 NO. LOTS PERMITTED : 2
 NO. LOTS SHOWN : 2
 APPROVED BY ZADM

SEE APPROVED BALTIMORE COUNTY MAJOR SUBDIVISION PROJECT # 93 098 MP."

APPROVED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

J. Gus Dietz
 DIRECTOR
 9/1/94
 DATE



E. F. RAPHEL & ASSOCIATES
 Registered Professional Land Surveyors
 285 Courtland Avenue
 Towson, Maryland 21284

PROPERTY OF
THOMAS W.B. HOFFECKER
 10TH ELEC. DIST. BALTO. CO. MD.
 SCALE 1" = 100' AUG. 26, 1994

OWNER
 THOMAS HOFFECKER
 2701 MONKTON RD.
 MONKTON MD. 21111
 771-4722

#2250-B