

The requiremente Section 3-108, The Real Property Article, Annotated Code of Maryland, 1988 replacement volume, (as supplemented) as far as they relate to the making of this plat and the setting of markers have

2-17-10

Cross Creek Hameowhere Association, INC. Cindy Huntzberry, President

DAFT MCCUNE WALKER INC

200 EAST PENNSYLVANIA TOWSON, MD 21286 P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS, ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

APPROVED: FOR PUBLIC WATER AND PUBLIC SEWERAGE SYSTEMS, IN HOWARD COUNTY HEALTH DEPARTMENT

2/17/2010

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

Z.18.10 28 Date

CONF

Newport Homes Limited Liability Company Cindy Huntzberry, Member 278-60 Cross Creek Homeowners Association, INC. Date

Maryland, its successors and assigns,

Cindy Huntzberry, President

rights-of-way and the epecific easements shown hereon;
(2) The right to require dedication for public ways.

TABULATION OF FINAL PLAT TOTAL SHEET 2 SHEET 3 TOTAL NUMBER OF LOTS AND/OR PARCELS TO BE RECORDED 23 23 OPEN SPACE LOTS . BUILDABLE BULK PARCELS P/Q "D" 2, "E" & P/O "D" NON-BUILDABLE BULK PARCELS 1.592 AC.± 0.712AC.± 0.000 AC.± 0.000 AC.± 3. TOTAL AREA OF LOTS AND/OR PARCELS . 2.121 AC.± 3.713 AC.± 2.441 AC.± 0.000 AC.± 0.000 AC.± 1.729 AC.± 0.000 AC.± 0.000 AC.± 0.392 AC.± BUILDABLE ...... OPEN SPACE LOTS ...... BUILDABLE BULK PARCELS NON-BUILDABLE BULK PARCELS 1.272 AC.± 0.880 AC.± 0.000 AC.± C. TOTAL AREA OF ROADWAY AND HIGHWAY WIDENING TO BE RECORDED. 0.000 AC.± 0.000 AC.± 1.592 AC.± D. TOTAL AREA OF SUBDIVISION TO BE RECORDED .. 3.713 AC.± 2.121 AC.±

**OWNER'S DEDICATION** 

The right to lay, construct, and maintain sewers, drains, water pipes, and other municipal utilities and services, in and under all roads and street

(2) The right to require dedication for public use the beds of the streets and/or roads, and floodplains and open spaces, where applicable, and for other good and 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 spaces, where applicable;
(3) The right to require dedication of waterways and drainage easements for the specific purpose of their construction, repair and maintenance; and

Date

That no building or similar structure of any kind shall be crected on or over the said easements and rights-of-way.

2-17-10

## **GENERAL NOTES:**

1. Coordinates are based on Maryland Coordinated System - NAD83 (1991) as projected by Howard County Geodetic Control Stations No. 47G2 and 47E4. STATION NORTH EAST ELEVATION DESCRIPTION

47G2 532938.964 1351224.095 364.210 X CUT 535846.138 47E4 1355431.196 338.909 CONC. MON.

2. This Plat is based upon a field run monumented boundary survey performed on or about June 25, 1999 by Daft-McCune-Walker, Inc.

3. All areas shown on this plat are more or less.

4. The subject property is Zoned MXD-3 per the July 28, 2006 Comprehensive Zoning Plan and ZB-979M. The Zoning Board granted approval of ZB-979M on September 3, 1998 for the preliminary development plan and development criteria for the 516.9 acres of land rezoned as PEC-MXD-3 and R-SC-MXD-3. The Decision and Order was signed on September 3, 1998.

5. Developer reserves unto itself, its successors and assigns, all easements shown on this plan for storm drainage, other public utilities and forest conservation (designated as "Forest Conservation Easements"), located in, on, over and through lote/parcele, any conveyances of the aforesaid lote/parcele shall be subject to the easements herein reserved, whether or not expressly stated in the deed(s) conveying said lot(s)/parcele. Developer shall execute and deliver deeds for the essements herein reserved to Howard County. Upon completion of the public utilities and their acceptance by Howard County, and in the case of the forest conservation essement(s), upon completion of the developer's obligations under the forest conservation installation and maintenance agreement executed by the developer and the County, and the release of the developer's surety posted with said agreement. The County shall accept the easements and record the deed(s) of easement in the Land Records of Howard County.

6. Landscaping for this project was previously addressed and surety posted with SDP-06-112.

7. Driveways shall be provided prior to residential occupancy to insure safe access for fire and emergency vehicles per the following minimum requirements: Width - 12 feet (16 feet serving more that one residence) Surface - 6 Inches of compacted crusher run base with tar and chip coating (11/2" min.) Geometry - Maximum 14% grade, maximum 10% grade change and minimum of 45 foot turning radius Structures (culverts/bridges) - Capable of supporting 25 gross tons (H25 loading) Drainage Elements - Capable of earely passing 100-year flood with no more that 1 foot depth over driveway surface Structure clearances - Minimum 12 feet Maintenance - Sufficient

8. Previous Howard County Department of Planning and Zoning File Nos.: 5-99-12, PB-339, ZB-979-M, WP-01-14, WP-03-154, P-03-16, F-04-53, WP-05-24, SDP-06-112, SDP-06-113, WP06-120, WP-06-121, PB-359, F-05-93, F-07-138, Plat 17669, W/9 24-4120-D, F-03-13, F-05-49, and F-01-127.

Minimum building restriction setbacks from property lines and public road rights-of-way are to be in accordance with the Development Criteria approved with the Comprehensive Sketch Plan S-99-12 and the decision and order for PB-339 approved on July 1, 1999.

The fee-elimple units (Units 6-37) must meet the minimum setback requirements from the proposed new lot lines in accordance with the approved Emerson Development Criteria per PB Case Nos. 339 and 259 for all SFA

5 feet form the front property line; 5 feet from the elde property line for end townhouse unite; and

15 feet form the rear property line.

10. Water and eewer service to these lots will be granted under the provisions of Section 18.122.B of the Howard County Code.

11. Public water and sewage allocation will be granted before the record plate are recorded.

- 12. There are no known cometeries on this site.
- 13. Phasing for this project is in accordance with the decision and order for Zoning Case: ZB-979M and the decision for and order for PB-339 (Comprehensive Sketch Plan S-99-012).
- 14. Stormwater management (SWM) for this project has been addressed under F-04-53 Emerson, Section 2, Phase 5A with the installation of a Stormwater Management Facility which will control the runoff per the latest approved Deelgn Standards.

15. The wetlands delineation etudy for this project was prepared by Daft-McCune-Walker, Inc. dated September 1998 and was approved by the U.S. Army Corps of Engineers on December 19, 2001. There are no wetlands on site

16. The floodplain study for this project was prepared by Howard County, dated 1986. 17. This project compiles with the requirements of Section 16.1200 of the Howard County Code for Forest Conservation. Development of Emerson Section 2, Phase 7 under the current Forest Conservation Act proposes no forest clearing, forest retention, or reforestation. When evaluated cumulatively with previous phases of the project, 61.73 acres of clearing, 53.93 acres of retention, no reforestation is proposed. The cumulative reforestation obligation is 7.81 acres. There is no Forest Clearing, Forest Retention, or Reforestation proposed on site, The Forest Conservation requirements were met via off-site Forest Conservation easements credit on

Emereon Open Space Lote Per F-05-49. 18. WP-03-154, Emerson 2/58 approved on August 6, 2003. Section 16.121.e. (1) waived requiring minimum 40' frontage onto a public road right-of-way for open space lots. Approval granted with the following conditions: (1) The preliminary plan for Phase 5B (P-03-16) shall show a temporary 40' access easement to open space lots 2 and 3, and that easement shall be maintained until Eternal Rings Drive is extended on a future plan for

19. WP-05-24, Emerson, Section 2, Phase 7, approved on October 29, 2004 to waive Section 16.146(a) to waive the requirement of submitting a preliminary subdivision plan for this phase of the Emerson MXD project. Approval is granted with the following conditions: (1) The limits of the property associated with this phase shall extend to the boundary of future Eternal Rings Drive and up to the eastern boundary of existing Open Space Lot 2. (2) The Petitioner shall submit a final subdivision plan application within 9 months of the date of approval of this waiver (on or before July 29, 2005).

20. ODenotes iron pipe or rebar and cap found/set Denotes concrete monument found/set

O Denotes angular change in bearing

21. Emerson Section 2 Phase 7 was allocated 120 units with the recordation of plat # 17669, Parcel 'A' was allocated 60 units and Parcel 'B' was allocated 60 units. Additionally, Parcel 'A' received 44 tentative unit allocations from Emerson Section 2 Phase 6A, plat #17678 for a total of 164 units (60+60+44=164). With the recordation F-07-138, Plat Nos. 18931-18933, Emerson Section 2 Phase 7, Parcel 'A' will have 40 tentative housing unit allocations reserved and Parcei 'B' will have 37 tentative housing unit allocations reserved. The remaining 87 housing unit allocations from Emerson Section 2 Phase 7 (164-40-37=87) were shifted as follows: 20 housing unit allocations were shifted to Emerson Section 3 Area 4, Parcel A-1, SDP-06-159 and the remaining 67 housing unit allocations are shifted to Emerson Section 2 Phase 8, Parcel 'B'.

22. WP-06-120 (Parcel A) and WP-06-121 (Parcel B) to waive section 16.134.B.1 of the subdivision and land development regulations which requires that a sidewalk be constructed along roadways were denied on June 23, 2006 23. A waiver was granted on December 23, 2009 (WP-10-076) of section 16.156 (O)(1)(ii) to extend the approval status for SDP-06-112 in order to apply for building permits for all single family attached or Condominium Dwelling Unite approved within 2 years of signature approval of the SDP for this project, and from Section 16.120 (c)(4) Requiring that all SFA Residential lote have a minimum of 15 feet of frontage on a public road or located on a private road not exceeding 200 feet measured form the edge of the public right-of-way along the centerline of the private road; 16.102(c)(2) Requiring a Resubdivision Plat to cover the entire Parcel Area; 16.102(d) Requiring a Resubdivision Plat to be approved to modify a previously recorded Plat for Residential Properties. The approved waiver is subject to the following conditions: (1.) The approval period for SDP-06-112 is hereby extended for an additional two year period from the June 30, 2010 expiration of HB 921 (or until June 30, 2012) to apply for all building permits for all SFA residential units for the subject site development plan, in compliance with the County's Deadline Tolling policies. The applicant shall comply with all building permit application requirements of the Department of Inspections, Licenses, and Permits. (2.) The applicant must submit a final plan application to DPZ for processing to establish the proposed new SFA lot lines for Units 6-37, if they have not already done so. (3.) The HOA and/or the current property owners must be the signing entity for the owner of the proposed plat, since the changes are occurring on HOA common area. (4.) The final draft of the Cross Creek Home Owners Association Declaration and Covenants shall be recorded prior to and concurrent with the final plat for Unite 6-37. (5.) The fee-simple lote must have free and clear access to the public road through the private drive that leads past the existing condominium units and platted with the MDR Plat #20021. The existing Easement Agreement recorded in the Howard County Land Records in Liber 10867, Folio 378 must be amended prior to or concurrent with the plat to reflect that both the Condo Owners of Unite 1-5 and the Fee-Simple Owners of Unite 6-37 shall share ingress and egress as well as maintenance obligations of the private roadways. (6.) A note must be provided on the plat stating that joint access is granted and that the common private roads will be jointly maintained by the Cross Creek Condominium Association and the Cross Creek Home Owners Association. (7.) A note must be provided on the plat that will indicate that the Cross Creek Homeowners Association, inc. will own and maintain Non-Buildable Bulk Parcel "D" and "E" as shown on F-10-058. (8.) The fee-simple units (Units 6-37) must meet the minimum setback requirements for the proposed new lot lines in accordance with the approved Emerson Development Criteria per PB Case Nos. 339 and 259 for SFA units: (a) 5 feet from the front property line; (b) 5 feet from the side property line for end townhouse units; and (c) 15 feet from the rear property line. (9.) All easemente, existing and new, being created or modified as a result of or by virtue of the proposed plat shall be part of the said plat and contained within proposed residential lots or bulk parcels. (10.) No public easements may encroach over the areas encompassing existing condominium land units, unless the owners of the affected land units are signatories to the plat or there is confirmation from the applicant's counsel and the Howard County Office of Law that any blanket easements cover the encroachment onto individual land units, providing the Applicant the right to create said public easement. (11.) If applicable, approved Design Manual waivers shall be obtained for any departure in current design standards and required setbacks for all public utilities and associated easements prior to the approval of the proposed plat. (12.) Water and Sewer Plans shall be redlined to reflect any changes to the design and/or associated easements prior to signature approval of the proposed plat, if applicable. (13.) Any previously approved Site Development Plans for the property must be relined or resubmitted to reflect the changes in the project resulting from the approval of this walver and the approval of the revision plat, if any of the approved changed areas are part of that plan.

24. The road shown hereon (Northern Lakes Lane) is intended to be private and to be owned and maintained by the Cross Creek Homeowners Association, Inc. Each Condominium unit owner and lot owner will have the right to

25. The Crose Creek Homeowners Association, INC. will own and maintain Non-Buildable Bulk Parcel "D" and "E" as shown on F-10-058.

26. Joint access is granted to the Cross Creek Condominium Association & The Cross Creek Homeowner Association over the common private roads. The common private roads will be jointly maintained by the Cross Creek Condominium Association and the Cross Creek Home Owners Association, as required by WP-10-076 in the conditions of approval.

27. This Subdivisions access to the public road (ironleaf Trail) is provided through the portion of Northern Lakes Drive recorded with that plat. A portion of Parcel "B" is excluded from this subdivision, the condominium units on that portion of Parcel "B" are to remain, information regarding condominium unite 1-5 can be obtained by the existing Condominium Plat recorded in the plat recorde of Howard County Maryland at Plat No. 20021.

# OWNER/DEVELOPER

NEWPORT HOMES LIMITED LIABILITY COMPANY 5485 HARPERS FARMS RD, SUITE 200 COLUMBIA, MD. 21044

Witness our hands this 17th day of FESRUARY 2010

PH: (410) 997-8800

2-17-2010

### THE PURPOSE OF THIS PLAT IS TO RESUBDIMDE A PORTION OF BULK PARCEL B AS

SHOWN ON PLAT NO. 18931 (F-07-138) TO CREATE NEW FEE SIMPLE LOTS 6-37.

**PURPOSE NOTE:** 

## SURVEYOR'S CERTIFICATE

We. Newport Homes Limited Liability Company., A Maryland Limited Liability Company, by Cindy Huntzberry, Member, and Cross Creek Homeowners Association, iNC., by Cindy Huntzberry, President, Owners of the property shown hereon, hereby adopt this plan of Resubdivision, and in consideration of the approval of this Final Plat by the Department of Planning and Zoning, establish the minimum building restriction lines and grant unto Howard County, I hereby certify that the final plat shown hereon is correct; that it is a Plat of Resubdivision of the land conveyed by U.S. Home Corporation to Newport Homes Limited Liability Company by deed dated November 30, 2009 and recorded in the land records of Howard County, Maryland, in Liber 12193, Folio 371 and that all monuments are in place or will be in place prior to the acceptance of the streets in the subdivision by Howard

County as shown, in accordance with the Annotated Code of Maryland, as

Date

Michael D. Martin, Professional Land Surveyor Maryland Registration No. 21234

RECORDED AS PLAT No. 20979 ON 2/19/10 IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND

# EMERSON SECTION 2, AREA 7, BULK PARCEL B.

LOTS 6-37, AND NON-BUILDABLE BULK PARCELS D & E A RESUBDIVISION OF SECTION 2, AREA 7, PARCEL B TAX MAP 47, GRID 8, PARCEL 1062

ZONED: PEC-MXD-3 SIXTH ELECTION DISTRICT HOWARD COUNTY MARYLAND **FEBRUARY 9, 2010** 

SCALE 1" = 30'

SHEET 1 OF 3



