

# ENVIRONMENTAL COVENANT

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**OWNER/HOLDER: Howard County, Maryland Government**

**PROPERTY ADDRESS: 7751 Mayfield Avenue, Elkridge, MD 21075**

This Environmental Covenant is executed pursuant to the provisions of Subtitle 8, Title 1 of the Environmental Article, Ann. Code of Md. (2007 Repl. Vol.). This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. As indicated later in this document, this Environmental Covenant has been approved by the Maryland Department of the Environment (Department).

1. **Property Affected**. The property affected (Property) by this Environmental Covenant is located in Howard County, Maryland. It encompasses a portion of the property identified below. This portion is defined by the metes and bounds survey attached as Exhibit A.

The postal street address of the Property is: **7751 Mayfield Avenue, Elkridge, MD 21075.**

The Howard County, Maryland Land Records Deed Reference: **Liber 935/ Folio 48.**

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: **39.19165556 N / -76.7787444 W. (See Tax Map 37, Grid 15, Parcel 408)**

The Property has been known by the following names:

- **Mayfield - East Zone Highway Maintenance Facility**
- **Mayfield Repair Facility**
- **Mayfield Maintenance Yard**

A complete metes and bounds description of the Property is attached to this Environmental Covenant as Exhibit A. A plat of the Property is attached to this Environmental Covenant as Exhibit B.

2. **Holder:** Howard County, Maryland Department of Public Works  
3430 Court House Drive  
Ellicott City, Maryland 21043.

3. **Regulating Department:** Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore, Maryland 21230.

4. **Regulatory Program(s) Issuing Departmental Determination.** The following regulatory program(s) within the Department is responsible for having issued a determination requiring the use of this Environmental Covenant:

- Voluntary Cleanup Program
- Controlled Hazardous Substance (CHS) Enforcement Division
- Oil Control Program
- Solid Waste Program
- Hazardous Waste Program
- Other Program within the Department: \_\_\_\_\_

5. **Activity & Use Limitations.** The Property is subject to the following activity and use limitations, which the Owner and each subsequent owner of the Property shall abide by:

- a. The Property shall not be used for residential purposes.
- b. The groundwater under the Property shall not be accessed, drilled or used for any purpose. Owner may, but shall not be obligated to, drill, access, use and maintain wells on the Property only for purposes of remedial evaluation, investigation and remedial action. Any subsequent development or use of the Property shall only utilize the public water supply.
- c. The Property Owner must obtain prior written approval from the Chief of the CHS Enforcement Division prior to any activity that might disturb or alter the subsurface of the Property.
- d. Any soil or groundwater excavated, pumped or otherwise removed from the Property, must be tested, properly characterized, and disposed of in an appropriate manner. All excavation work on the Property shall be conducted in accordance with an Occupational Safety and Health Administration (OSHA) compliant health and safety plan.

6. **Notice of Limitations in Future Conveyances.** Each instrument hereafter conveying any interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.

7. **Access by the Department.** In addition to any rights already possessed by the Department, this Environmental Covenant grants to the Department a right of access of the Property to implement or enforce this Environmental Covenant.

8. **Recordation & Filing with Registry.** The Owners shall file a copy of the Environmental Covenant in the Land Records of Howard County following the execution of the Environmental Covenant and send proof of the recording to the Department within 30 days of recordation. This Environmental Covenant shall be filed as soon as possible after execution in the Registry of Environmental Covenants maintained by the Department. The Environmental Covenant may be found electronically on MDE's website at:

[www.mde.maryland.gov/programs/land/marylandbrownfieldvcp/pages/programs/landprograms/errp\\_brownfields/ueca.aspx](http://www.mde.maryland.gov/programs/land/marylandbrownfieldvcp/pages/programs/landprograms/errp_brownfields/ueca.aspx)

9. **Termination or Modification.** This Environmental Covenant may only be terminated or modified in accordance with Section 1-809 of the Environmental Article, Ann. Code of Md. (2007 Repl. Vol.).

10. **Department's Address.** Communications with the Department regarding this Environmental Covenant shall be sent to: Registry of Environmental Covenants, Maryland Department of the Environment, Land Management Administration, Land Restoration Program, 1800 Washington Blvd., Baltimore, MD 21230.

[Signatures follow on next page.]

ACCEPTED by Howard County on this 24<sup>th</sup> day of June, 2011.

ATTEST:

[Signature]  
Lonnie R. Robbins  
Chief Administrative Officer

HOWARD COUNTY, MARYLAND

By: [Signature] (SEAL)  
Ken Ulman  
County Executive

APPROVED:

[Signature]  
James M. Irvin, Director  
Department of Public Works

APPROVED FOR SUFFICIENCY OF FUNDS:

[Signature]  
Sharon F. Greisz, Director  
Department of Finance

APPROVED FOR FORM AND LEGAL SUFFICIENCY

this 16 day of June, 2011.

[Signature]  
Margaret Ann Nolan  
County Solicitor

COUNTY EXECUTIVE:  
STATE OF MARYLAND, Howard COUNTY, TO WIT:

I HEREBY CERTIFY that on this 24<sup>th</sup> day of June, 2010, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Ken Ulman, the County Executive for Howard County, Maryland, the Grantee in the within Deed of Easement, who acknowledged the same to be the act of the County and that he executed the foregoing Deed of Easement for the purposes therein contained by signing in my presence the name of Howard County, Maryland as County Executive.

AS WITNESS my Hand and Notarial Seal.

[Signature]  
Notary Public

My Commission Expires: 2/3/2012

[Signatures continue on next page.]

**APPROVED by Maryland Department of the Environment**

Date: \_\_\_\_\_

By: HTH  
Name: Horacio Tablada  
Title: Director

**STATE OF MARYLAND**

Approved as to form and legal sufficiency this 18 day of July 2011

[Signature]  
Assistant Attorney General

EXHIBIT A:  
METES & BOUNDS SURVEY

Howard County, Maryland  
Department of Public Works  
Bureau of Engineering  
Survey Division

Project No.: GC-004-1  
Plats No.: GC-004  
SJ No.: 2011-035

DESCRIPTION OF  
PROPERTY AFFECTED BY ENVIRONMENTAL COVENANT  
AT  
MAYFIELD - EAST ZONE HIGHWAY MAINTENANCE FACILITY  
HOWARD COUNTY, MARYLAND

**BEING** a parcel of land through, in, over and across the property conveyed by Albert P. Dunn, Henry Webb and Donald Delauter to Howard County, Maryland in a deed dated April 6, 1979 and recorded among the land records of Howard County, Maryland in Liber 935, Folio 48.

**BEGINNING** for the property affected by environmental covenant at a corner of a chain link fence, being South 11 degrees 52 minutes 09 seconds East 587.67 feet from a iron pipe found at the beginning of the tenth or North 89 degrees 49 minutes east 172 feet line in the above mentioned deed, said point of beginning having coordinates in the Maryland State Reference System datum NAD '83/'07 of North 555,456.689 feet and East 1,375,085.166 feet as projected from Howard County Geodetic Control Topcon GPS base station at the Dayton - Central Zone Highway Maintenance Facility, thence running with and on a chain link fence

- 1) South 58 degrees 29 minutes 11 seconds West 72.21 feet to a point on a said chain link fence, thence leaving said fence
- 2) North 29 degrees 24 minutes 07 seconds west 52.30 feet to a point, thence
- 3) North 47 degrees 35 minutes 00 seconds East 100.61 feet to a point on a chain link fence, thence running with and on said fence
- 4) South 09 degrees 42 minutes 57 seconds east 76.78 feet to the place of beginning.

Containing 5137.4001 square feet or 0.1179 acres of land more or less. As shown on plat indented to be recorded here with. Subject to the restrictions, covenants, conditions and easements of record.



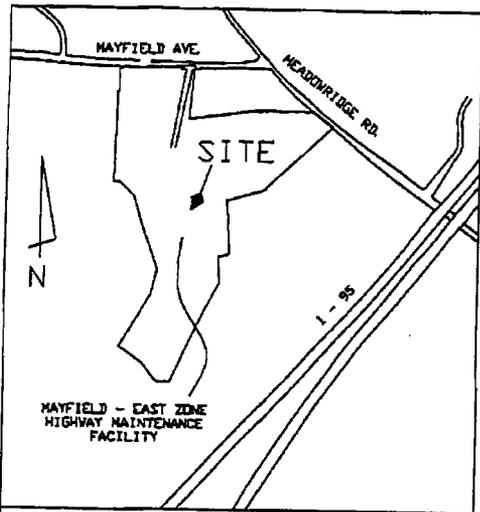
Original signed in blue ink

S-12-11

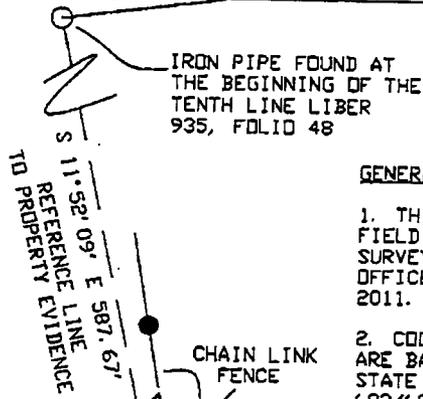
Jefferson Davis Hobbs II

Professional Certification: I hereby certify that these documents were prepared by me or under my responsible charge, and I am a duly licensed property Line Surveyor under the laws of the State of Maryland, License No. 362, Expiration Date October 22, 2012.

EXHIBIT B:  
STE MAP



VICINITY MAP - NO SCALE

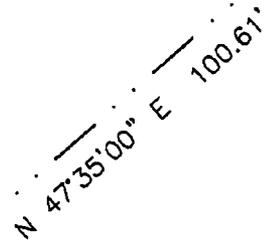
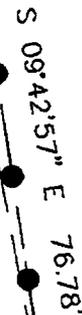
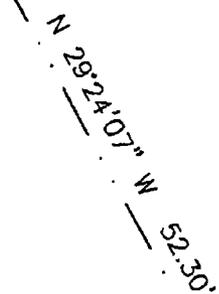
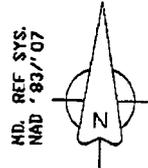


GENERAL NOTES

1. THIS PLAT IS BASED ON A FIELD RUN AND MONUMENTED SURVEY PERFORMED BY THIS OFFICE ON OR ABOUT MAY 10, 2011.
2. COORDINATES SHOWN HERE ON ARE BASED ON THE MARYLAND STATE REFERENCE SYSTEM NAD '83/'07 AS PROJECTED BY HOWARD COUNTY GEODETIC CONTROL STATION TOPCON BASE.
3. THE PURPOSE OF THIS PLAT IS TO ESTABLISH THE BOUNDARY OF THE PROPERTY AFFECTED BY ENVIRONMENTAL COVENANT AT THE MAYFIELD - EAST ZONE HIGHWAY MAINTENANCE FACILITY.

PROPERTY AFFECTED BY ENVIRONMENTAL COVENANT  
5137.4001 SQ. FT. MORE OR LESS  
0.1179 ACRES MORE OR LESS

POB  
N: 555,456.689  
E: 1,375,085.166



JEFFERSON D. HOBBS II  
PROPERTY LINE SURVEYOR  
MD. REG. No. 362

ORIGINAL SIGNED IN BLUE INK

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND I AM DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 362, EXPIRATION DATE OCTOBER 22, 2012.

PLAT No. GC-004-1  
PROJECT N. GC-004  
SCALE: 1" = 20'  
DATE OF PLAT: MAY 11, 2011

PROPERTY AFFECTED BY ENVIRONMENTAL COVENANT  
MAYFIELD - EAST ZONE HIGHWAY MAINTENANCE FACILITY  
HOWARD COUNTY, MARYLAND  
TAX MAP 37 - GRID 15 - PARCEL 408  
FIRST ELECTION DISTRICT

APPROVED:  
BUREAU OF ENVIRONMENTAL SERVICES  
*Evelyn S. Jones*  
APPROVED:  
REAL ESTATES SERVICES DIVISION  
*Tina D. Hackett*