

31/7-93D 10003 Leafy Avenue
Capitol View Park Historic District

**THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
8787 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20907**

*Bruce Ungaro
10003 Leedy Avenue
Capital New Park Historic District
#317-920 09/08/93*



RIGHT FRONT APPROACHING FROM CAPITOL
VIEW DIRECTION. PLANTINGS ALONG FENCE
WILL SOFTEN LOOK.

EXHIBIT 19132 11/14

8/14/93



FRONT SIDE TAKEN FROM
INSIDE REAR

8/04/93

PHOTO BLANK (REAR)



RIGHT SIDE REAR YARD

8/12/93

NO. 10 19116 0101



FRONT RIGHT SIDE TAKEN FROM STREET

8/14/93

PHOTO 01651 188803



PHOTO 15113 DTG

8/14/93

PEAR FENCE LINE + RIGHT PEAR CORNER



FRONT RIGHT SIDE TAKEN CLOSE UP

NOTICE IN-LINE CONSTRUCTION HIDING
POST TO GIVE CLEANER LOOK TO
FENCE

8/14/93



LEFT REAR YARD

8/14/93

1993 15115 0104

K



LEFT REAR YARD

8/14/93

PHOTO 01351 0100



RIGHT SIDE REAR YARD

8/14/93

NOTA BENE



FRONT RIGHT SIDE TAKEN FROM STREET

8/14/93

PHOTO 01161 01161



LEFT FRONT FROM STREET

8/14/93

0100 19110 0100

2-16-95

Application

Cancelled

DPS.

(Called 4/21/97
R02)



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850-217-3625

Flood DEP: 250 Hungerford Drive, Rockville

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 13-5-994758

NAME OF PROPERTY OWNER BRUCE LUPIN TELEPHONE NO. 301-589-7649
 (Contract/Purchaser) (Include Area Code)

ADDRESS 10003 Leafy Avenue Silver Spring, Maryland 20910
 CITY STATE ZIP

CONTRACTOR _____ TELEPHONE NO. _____

PLANS PREPARED BY BRUCE LUPIN CONTRACTOR REGISTRATION NUMBER _____ TELEPHONE NO. 301-589-7649
 (Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10003 Street Leafy

Town/City Silver Spring Election District _____

Nearest Cross Street _____

Lot 12 Block 34 Subdivision Capital View PARK

Liber _____ Folio _____ Parcel Plat Book A Plat 9

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition
Wreck/Raze	Move	Revocable	Revision	Porch	Deck	Fireplace
	<input checked="" type="radio"/> Install			<input checked="" type="radio"/> Fence/Wall (complete Section 4)	Shed	Solar
					Woodburning Stove	Other

1B. CONSTRUCTION COSTS ESTIMATE \$ 2500.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO

1E. IS THIS PROPERTY A HISTORICAL SITE? YES

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 () Septic	2B. TYPE OF WATER SUPPLY
03 () Other _____		01 <input checked="" type="checkbox"/> WSSC
		02 () Well
		03 () Other _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

4A. HEIGHT 6 feet _____ inches

4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/Property line Yes
- Entirely on land of owner Yes, plus on a perpetual easement of record
- On public right of way/easement perpetual easement of record (Revocable Letter Required).

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Bruce A Lupin

8/12/93

Signature of owner or authorized agent (agent must have signature notarized on back)

Date

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: 9308160062 FILING FEE: \$ _____

DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS



Historic Preservation Commission
 51 Monroe Street, Suite 1001, Rockville, Maryland 20850--
 217-3625

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 13-5-994758

NAME OF PROPERTY OWNER BRUCE LUPIN TELEPHONE NO. 301-587-7649
 (Contract/Purchaser) (Include Area Code)

ADDRESS 10003 Leafy Avenue Silver Spring Maryland 20910
 CITY STATE ZIP

CONTRACTOR _____ TELEPHONE NO. _____

PLANS PREPARED BY BRUCE LUPIN CONTRACTOR REGISTRATION NUMBER _____
 TELEPHONE NO. 301-587-7649
 (Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10003 Street Leafy

Town/City Silver Spring Election District _____

Nearest Cross Street _____

Lot 12 Block 34 Subdivision Capital View Park

Liber _____ Folio _____ Parcel Plot Block A Plot 9

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition
Wreck/Raze	Move	Install	Revocable	Porch	Deck	Fireplace
			Revision	Fence/Wall (complete Section 4)	Shed	Solar
				Other	Woodburning Stove	

1B. CONSTRUCTION COSTS ESTIMATE \$ 2500.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

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Bruce Lupin _____ 9/12/93 _____
 Signature of owner or authorized agent (agent must have signature notarized on back) Date

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: 137816116.2 FILING FEE: \$ _____

DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850-217-3625

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 13-5-994758

NAME OF PROPERTY OWNER: BRUCE LUPIN TELEPHONE NO. 301-589-7649
 (Contract/Purchaser) (Include Area Code)

ADDRESS 10003 Leafy Avenue Silver Spring, Maryland 20910
 CITY STATE ZIP

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PLANS PREPARED BY BRUCE LUPIN CONTRACTOR REGISTRATION NUMBER _____ TELEPHONE NO. 301-589-7649
 (Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10003 Street Leafy

Town/City Silver Spring Election District _____

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Lot 12 Block 34 Subdivision Capital View Park

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Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition
Wreck/Raze	Move	Install	Revision	Porch	Deck	Fireplace
		Revocable		Fence/Wall (complete Section 4)	Shed	Solar
					Woodburning Stove	Other

1B. CONSTRUCTION COSTS ESTIMATE \$ 2,500.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO

1E. IS THIS PROPERTY A HISTORICAL SITE? YES

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 () Septic	2B. TYPE OF WATER SUPPLY
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Bruce A Lupin 8/12/93
 Signature of owner or authorized agent (agent must have signature notarized on back) Date

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DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT

REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

A two-story single family home (new). The front yard is on a slight grade running downhill. The rear yard is also on a slight grade. The lot is an end lot and is lined by trees on two sides, side and rear. A large Pin Oak tree is located in the mid-right hand side of rear yard. Beyond the rear yard is Leafy House, a County retirement center.

- b. General description of project and its impact on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The six foot board on board privacy and safety fence located in the side and rear yard runs along the tree line on the right side and rear. The fence has no impact on historic resources that I am aware of and is designed to blend in to the existing neighborhood improvements.

2. Statement of Project Intent:

Short, written statement that describes:

- a. the proposed design of the new work, in terms of scale, massing, materials, details, and landscaping:

Six foot, board on board privacy and safety fence made of #1 pressure treated yellow pine (highest quality). Fence borders a neighbor on the left side, tree line in rear, and tree line on right side, and across side yard facing street. Plan to stain fence within 90 days to seal wood. Plan to plant shrubs along front fence facing street.

- b. the relationship of this design to the existing resource(s):

Fence is designed to blend in with the natural tree line and cannot be seen from the outside on two sides. It is built to flow with the natural property grade. In-line construction provide a very clean look and hides posts to passerby.

- c. the way in which the proposed work conforms to the specific requirements of the Ordinance (Chapter 24A):

Materials are of the highest quality (see above) with all posts set in concrete to ensure stability and long life. All posts are capped to provide water damage and give a clean look.

3. Project Plan:

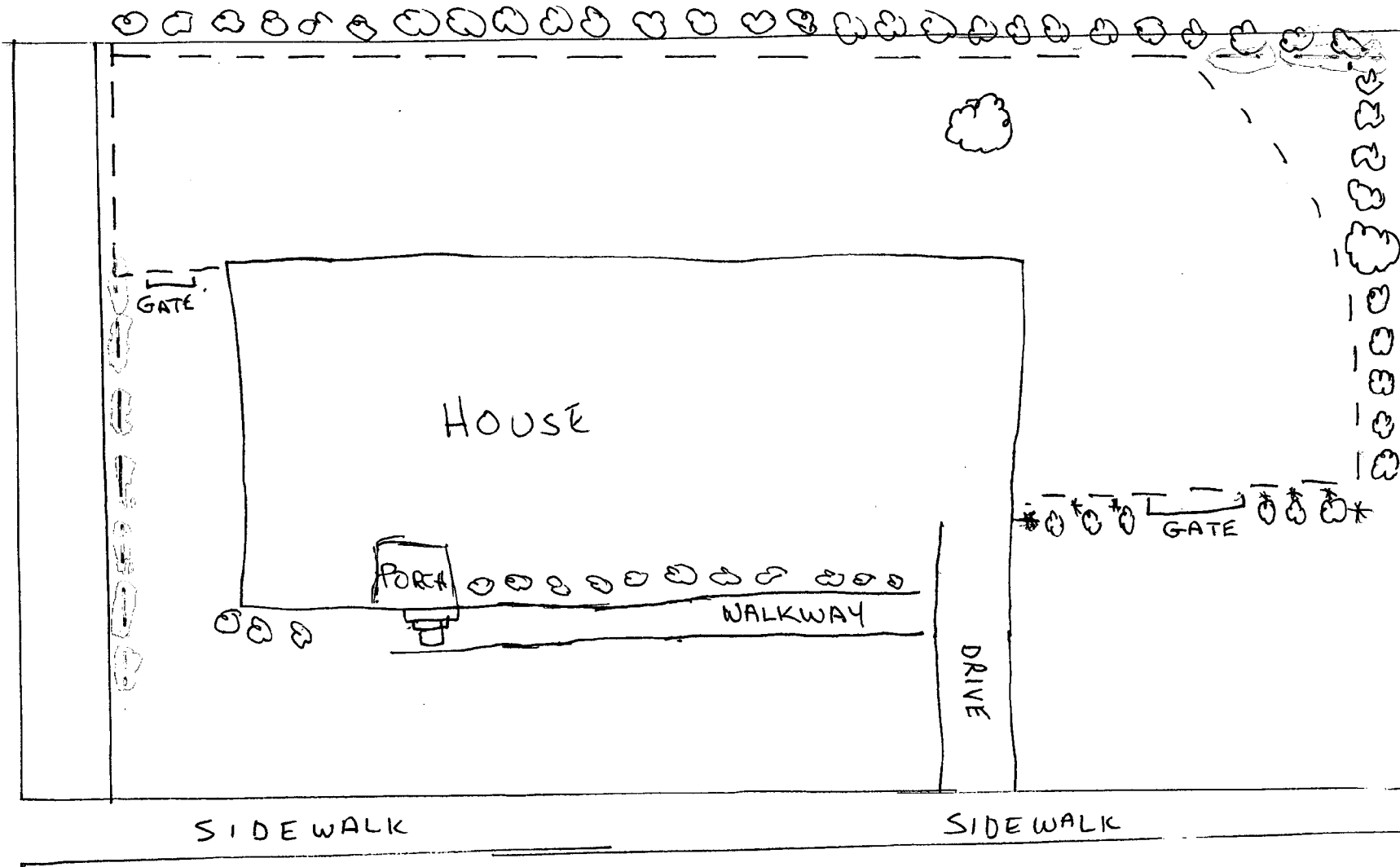
Site and environmental setting, drawn to scale (staff will advise on area required). Plan to include:

- a. the scale, north arrow, and date;
- b. dimensions and heights of all existing and proposed structures;
- c. brief description and age of all structures (e.g., 2 story, frame house c.1900);
- d. grading at no less than 5' contours (contour maps can be obtained from the Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring; telephone 495-4610); and
- e. site features such as walks, drives, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

4. Tree Survey: If applicable, tree survey indicating location, caliper and species of all trees within project area which are 6" in caliper or larger (including those to be removed).

8/10/93
LUPIN

10003 Leaty Avenue



(2 STORY, FRAME house c. 1993)

- * Planned
- - - Fence
- ☁ - Trees and or shrubs

8/10/93
LUPIN
10003 Leafy

SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT

REQUIRED ATTACHMENTS

#7. MATERIAL SPECIFICATIONS

- #1 PRESSURE TREATED YELLOW PINE
- GALVANIZED NAILS
- CONCRETE FOR POST SETTINGS
- POST CAPS (GALVANIZED)
-

#8. PHOTOS OF RESOURCES

* ATTACHED

5. Design Features: Schematic construction plans drawn to scale at 1/8" = 1'-0", or 1/4" = 1'-0", indicating location, size and general type of walls, window and door openings, roof profiles, and other fixed features of both the existing resource(s) and the proposed work.
6. Facades: Elevation drawings, drawn to scale at 1/8" = 1'0", or 1/4" = 1'0", clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.
7. Materials Specifications: General description of materials and manufactured items proposed for incorporation in the work of the project.
8. Photos of Resources: Clearly labeled color photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
9. Photos of Context: Clearly labeled color photographic prints of the resource as viewed from the public right-of-way and from adjoining properties, and of the adjoining and facing properties.

Color renderings and models are encouraged, but not generally required.

Applicant shall submit 2 copies of all materials in a format no larger than 8 1/2" x 14"; black and white photocopies of color photos are acceptable with the submission of one original photo.

10. Addresses of Adjacent Property Owners. For all projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. If you need assistance obtaining this information, call the Department of Assessments and Taxation, at 279-1355.

1. Name STU FOSTER
Address 10005 Leafy Avenue
City/Zip Silver Spring, MD 20910
2. Name ONLY OTHER ADJOINING PROPERTY
Address IS LEAFY HOUSE, A COUNTY RETIREMENT HOME.
City/Zip NO HOME DIRECTLY ACROSS THE STREET.

3. Name _____
Address _____
City/Zip _____

4. Name _____
Address _____
City/Zip _____

5. Name _____
Address _____
City/Zip _____

6. Name _____
Address _____
City/Zip _____

7. Name _____
Address _____
City/Zip _____

8. Name _____
Address _____
City/Zip _____

1757E

Parcel ID #13-5-994758
Title Insurer: First American Title Insurance Company
Property Address: 10003 Leafy Avenue, Silver Spring, MD 20910

CORPORATE DEED

This Deed, made this 23rd day of June, 1993 by and between CURZON HOMES OF KENSINGTON, INC., now known of record pursuant to a name change of December 19, 1991, effective January 1, 1992, as CURZON HOMES II, INC., party of the First Part, and BRUCE A. LUPIN and MARGARET D. LUPIN, Husband and Wife, parties of the Second Part:

Witnesseth, that in consideration of \$299,990.00 and other good and valuable consideration, the said party of the First Part hereby grants and conveys to the parties of the Second Part as Tenants By The Entirety, their heirs, personal representatives and assigns, in fee simple, land situate, lying and being in Montgomery County, State of Maryland, described as follows to wit:

Being Lot numbered Twelve (12) in Block numbered Thirty Four (34) in the subdivision known as "CAPITOL VIEW PART" as more fully described in Exhibit A attached hereto and made a part hereof

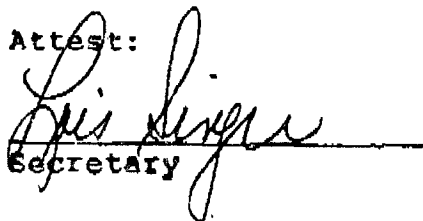
Subject to all easements, rights of way, covenants, and restrictions of record.

This is to certify that this is not a sale convey or transfer of all or substantially all of the corporate assets of the Grantor.

And the said party of the First Part covenants that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

Witness our hands and seals the day and year first above written.

Attest:


Secretary

CURZON HOMES OF KENSINGTON, INC.
now known of record as CURZON
HOMES II, INC.

By:  (SEAL)
Jay Kaufman, Vice President

EXHIBIT A

LEGAL DESCRIPTION

Lot numbered Twelve (12) in Block numbered Thirty Four (34) in the subdivision known as "CAPITOL VIEW PARK" as per plat thereof recorded in Plat Book J.A. No. 5 at Plat 207 and re-recorded in Plat Book A at Plat 9, among the Land Records of Montgomery County, Maryland.

TOGETHER with a perpetual right of way over the north 40 feet of Lot Thirteen (123) in said Block Thirty Four (34) as provided for in Deed dated July 17, 1989, recorded on July 19, 1989 in Liber 8914, folio 397.

IN TESTIMONY WHEREOF, CURZON HOMES II, INC., formerly known as Curzon Homes of Kensington, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed by Jay Kaufman, its Vice President, attested by Lois Singer, its secretary and does hereby appoint Jay Kaufman its true and lawful attorney in fact for it and in its name, to acknowledge and deliver these presents according to law as its act and deed, the day and year first hereinabove written.

CURZON HOMES II, INC.
a/k/a Curzon Homes of
Kensington, Inc.

BY: [Signature] (SEAL)

Attest: [Signature] (SEAL)
Secretary

I, Lois Singer, Secretary of CURZON HOMES II, INC., formerly known as Curzon Homes of Kensington, Inc. do hereby certify that the foregoing deed was executed in strict conformity with a resolution of the Board of Directors of the said CURZON HOMES II, INC., a corporation organized under the laws of Maryland, passed at a duly called meeting of said corporation, held on JUNE 23, 1993.

STATE OF MARYLAND
COUNTY OF MONTGOMERY

to wit:

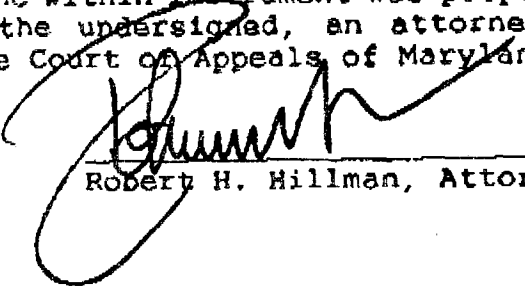
On this 23rd day of June, 1993, before me, the undersigned officer, personally appeared Jay Kaufman who acknowledged himself to be the Vice President and attorney in fact of CURZON HOMES II, INC., a Maryland corporation, and that he as such Vice President and attorney in fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Vice President and acknowledged the foregoing instrument to be the act and deed of the corporation.

In Witness Whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public Robert H. Hillman

My commission expires: 3-1-97

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.


Robert H. Hillman, Attorney

After recording return to

MAGAZINE & HILLMAN
416 Hungerford Drive
Suite 435
Rockville, MD 20850

*

AFFIDAVIT OF PURCHASER REGARDING
EXEMPTION FROM STATE TRANSFER TAX

After being duly sworn, the undersigned Purchasers depose and say the following under oath pursuant to Md. Tax-Prop. Code Ann. SS13-203 (1987 Sup.), as amended by 1988 MD. Laws 197:

1. The undersigned are the grantees of real property located at:

Address: 10003 Leafy Avenue, Silver Spring, MD
20910

being more particularly described as Lot/Unit 12
Block 34, Subdivision/Condominium Capitol
View Park, Montgomery County, Maryland.

2. Said real property is improved by a residence which the undersigned grantees will occupy.

3. This affidavit is being executed in order to obtain an exemption from the Maryland State Transfer Tax on the first \$30,000 of consideration payable for an instrument of writing for residentially improved owner-occupied real property pursuant to the aforesaid statute.

Bruce A. Lupin
Grantee-Purchaser
Bruce A. Lupin

Margaret D. Lupin
Grantee-Purchaser
Margaret D. Lupin

SUBSCRIBED and SWORN to before me this 23rd day of
June, 19 93.

Robert H. Hillman
Notary Public Robert H. Hillman

My commission expires: 3/1/97

CC015376
Title #1455610A

BOOK 914 PAGE 97

Mailed to: Chase & Chase
5225 Wisconsin Ave., N.W.
Washington, D.C. 20015

LEINUNG...
ALL RIGHTS RESERVED

WASHINGTON LAND RECORDS...
1001 First St., N.W., Washington, D.C. 20004

THIS DEED, made this 17th day of July, 1989, by and between

Constructive Alternatives, Inc.

, a corporation

party of the first part, and Curson Homes of Kensington, Inc.

party of the second part.

WITNESSETH, that in consideration of \$920,000.00
the said party of the first part does grant and convey unto Curson Homes of Kensington,

party of the second part, its heirs and assigns, in fee simple absolute as
Sole Tenant all that place or parcel of land
lying and being in Montgomery County, Maryland described as follows to wit:

Lots numbered FIVE (5) to TWELVE (12), both inclusive in Block THIRTY-FOUR (34)
in the subdivision known as and called, "Capitol View Park", as per plat recorded
in Liber J.A. No. 5, at Folio 207 (re-recorded in Plat Book A, at Plat 9), among
the Land Records of Montgomery County, Maryland, together with a perpetual right
of way over the North 40 feet of Lot THIRTEEN (13) in said Block THIRTY-FOUR
(34), and the South 40 feet of Lot FOUR (4) in said Block THIRTY-FOUR

- Parcel I.D. #13-5-994680
- #13-5-994691
- #13-5-994703
- #13-5-994714
- #13-5-994725
- #13-5-994736
- #13-5-994747
- #13-5-994758

AGRICULTURE TRANSFER TAX IN THE

AMOUNT OF \$

SIGNATURE

DEED 1049.00
 577 TRANS AMOUNT 4000.00
 DEED PAIR NIN 10.00
 NAMES 2.00
 PW/CEL ID 8.00
 CHECK 8568.00
 TOTAL 13114.00

Title Insurer: Columbia Real Estate Title
Address for the grantee: 2 Wisconsin Circle, Suite 700, Chevy Chase
Address for the grantor: 7734 Curson Ave. Tenema Park Md 20912

This is to certify that the grant made by this deed is not part of a transaction
in which there is a sale, lease, exchange or other transfer of all or substantially
all of the property and assets of the grantor herein.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Montgomery County

John Fleming, President

LLM 00848

AND the said party of the first part covenants that it will warrant specially
the property hereby conveyed:

and (that it will execute such further assurances of said land as may be requisite.

IN WITNESS WHEREOF, the said Constructive Alternatives, Inc.

has caused these presents to be signed in its corporate name by John Fleming
President, attested by Susanna Fleming, its Secretary, and its corporate
seal to be hereunto affixed; and done hereby executed and signed John Fleming
its true and lawful Attorney in fact, for it and in its name to acknowledge and deliver these presents as
shown and do so.

Constructive Alternatives, Inc.

(Name of Corporation)

BY: John Fleming, President



Susanna Fleming
Secretary

Handwritten mark resembling the number '5'.

Post It brand

Fax Transmittal Memo 7672

To Bobbitt

Company

Location

Fax #

Telephone #

Comments

No. of Pages

Today's Date

Time

From

Company

Location

Fax #

Original Disposition:

Destroy

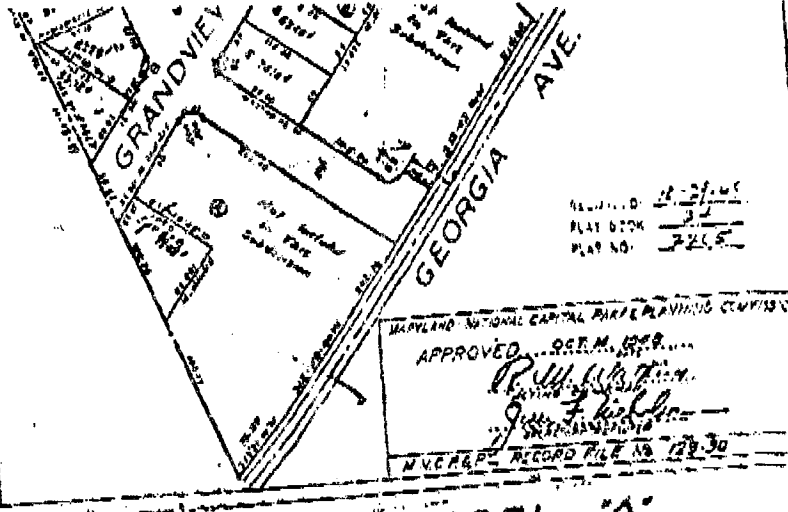
Return

Call for pickup

HERE ARE THE TAX MAP, PART OF THE SUBDIVISION PLAT AND THE NEW SUBDIVISION PLAT FOR PAR. A WHICH WAS PART OF THE ORIGINAL PLAT. SEE PAR. A PLAT FOR INFO ABOUT UNDESIGNATED STRIP OF LAND

Robert S. Gearty
Surveyor & Engineer, Baltimore, Maryland

CURVE DATA	ARC	CHORD	BEARING
100.00	100.00	100.00	0°00'00"
100.00	100.00	100.00	90°00'00"
100.00	100.00	100.00	180°00'00"
100.00	100.00	100.00	270°00'00"
100.00	100.00	100.00	360°00'00"



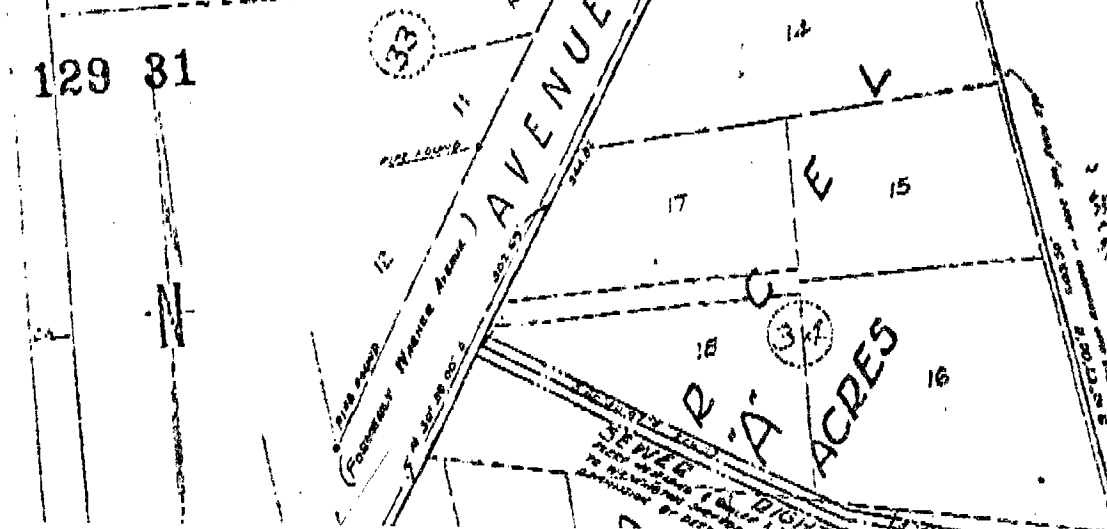
32

APPROVED OCT 22 1988
MARYLAND NATIONAL CAPITAL PARK PLANNING COMMISSION
Harry L. Shaw

APPROVED OCT 22 1988
MARYLAND NATIONAL CAPITAL PARK PLANNING COMMISSION
John F. Hillman
RECORD FILE NO. 129-30

APPROVED OCT 22 1988
MARYLAND NATIONAL CAPITAL PARK PLANNING COMMISSION
John F. Hillman
RECORD FILE NO. 129-31

PARCEL 'A'
A RESUBDIVISION OF
PARTS OF LOTS 13 & 25
& ALL OF LOTS 14 TO 24, INC
BLOCK 34
CAPITOL VIEW PARK
PRINCE GEORGE COUNTY MARYLAND
SCALE 1"=30'
OCTOBER 1988
THOMAS G. GUYER & ASSOCIATES
1320 BUNNINGHAM COURT
WHEATON TRIANGLE
SILVER SPRING, MARYLAND



ENGINEERS CERTIFICATE

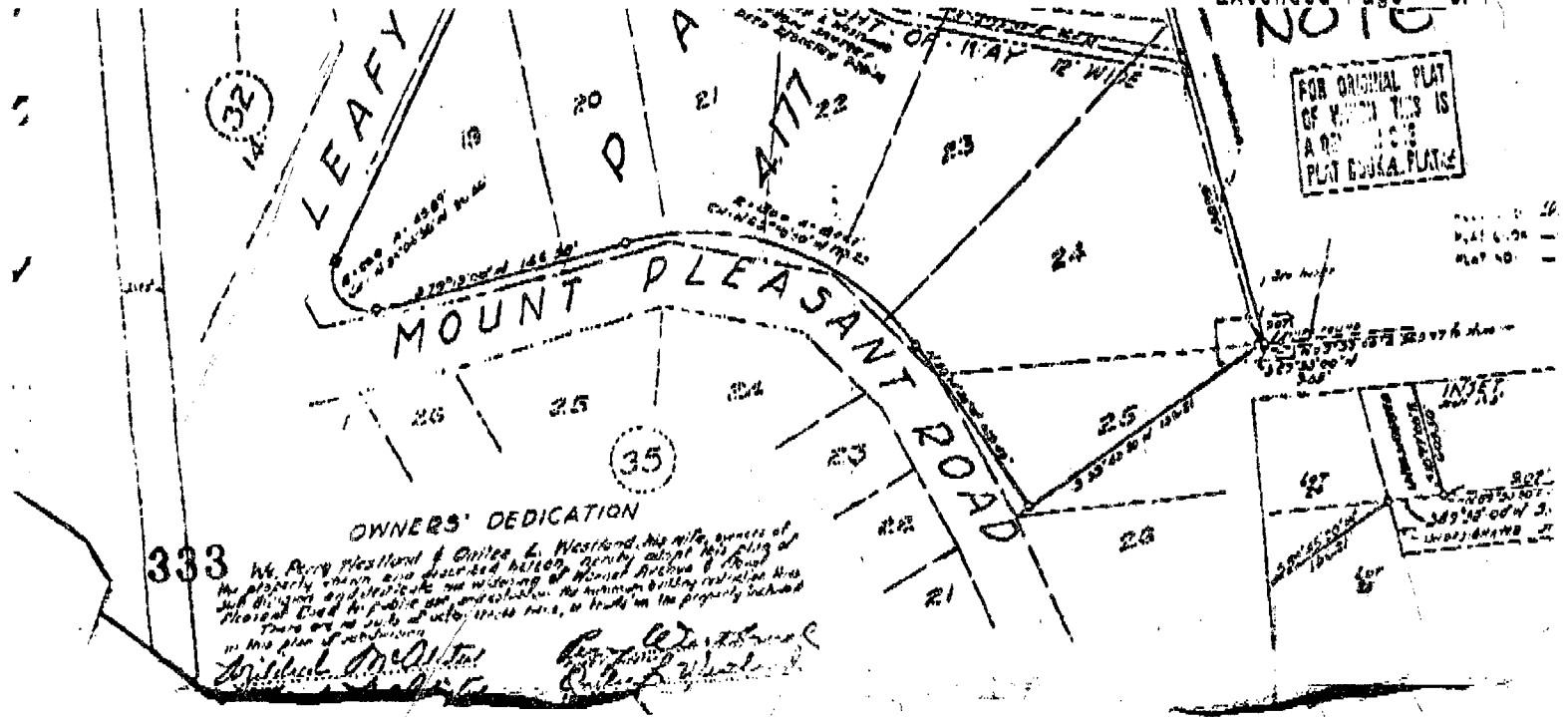
I hereby certify that the plat shown in the enclosed is a resubdivision of the land contained in the National Metropolitan Bank of Washington, D.C. Trusts in Prince Georges and District of Columbia Counties, Maryland, and that the same were recorded among the Land Records of Prince Georges County, Maryland, June 30, 1988 in Lot 13. That it combines into one parcel Lot 13, Lots 14 to 24, and a strip of land, a designated strip of land, a strip of land, and an undesignated strip of land, and adjoining said parcel of Lot 13 of Parcel A, and all in Parcel A, Capitol View Park, Block 34, as recorded among the Land Records of Prince Georges County, Maryland, May 12, 1987, in Plat Book M 9. That the same were shown that one sheet thereof is in the enclosed in place of indicated.

Thomas G. Guyer
Thomas G. Guyer & Associates
1320 BUNNINGHAM COURT
WHEATON TRIANGLE
SILVER SPRING, MARYLAND 20910

NOTE

NOTE

FOR ORIGINAL PLAT OF WHICH THIS IS A PART SEE PLAT BOOK A. PLAT # 2

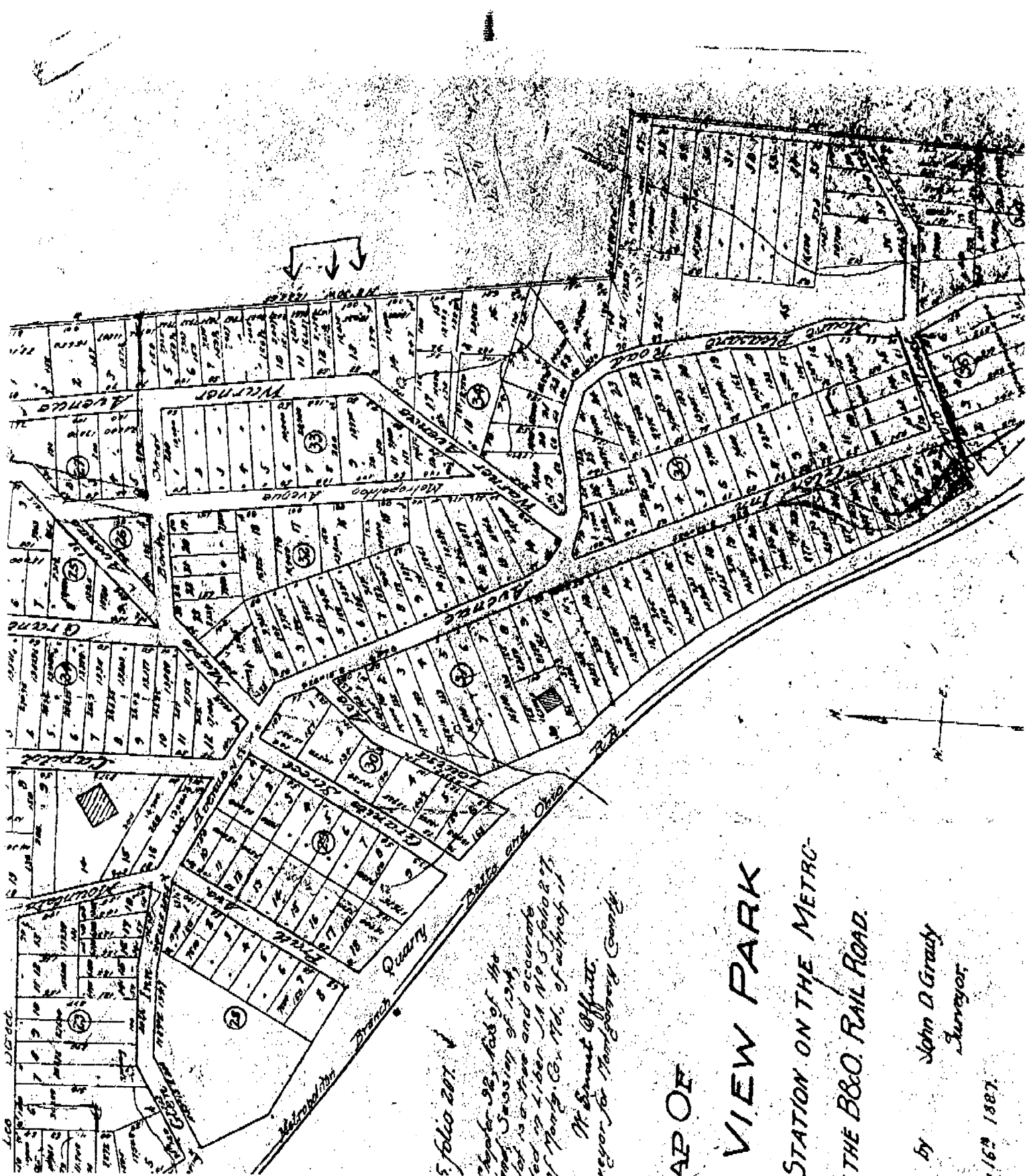


OWNERS' DEDICATION

333

We, Perry Westland & Olive L. Westland, his wife, owners of the property herein and described herein, hereby adopt this plat of said property and dedicate the widening of Mount Pleasant Road to the public use and enjoyment, the minimum width to be maintained thereon to be 12 feet, and we hereby irrevocably and exclusively dedicate to the public use and enjoyment, the widening of the property herein shown on this plat of dedication.

Perry Westland
Olive L. Westland

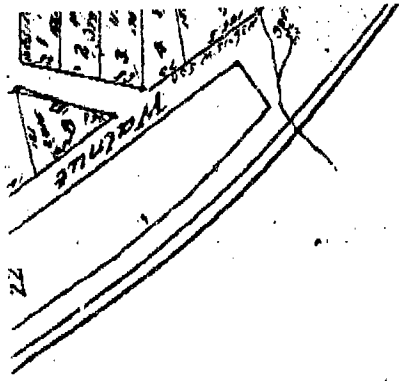


Folio 207.
 Chapter 26, Art. 1 of the
 Code, January 9, 1904,
 and 1905, and accurate
 lot 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7,
 of Maryland, Co. Md., of which it
 is a part.
 W. Summit Offutt,
 Surveyor for Montgomery County.

AP OF
VIEW PARK
 STATION ON THE METRO-
 THE B&O. RAIL ROAD.

BY
 John D. Grady
 Surveyor.

7/16/1887.



Copied from Liber L.A. No. 5.

Pursuant to Sec. 408-0, C.
 General Assembly of Nevada,
 I hereby certify that this is
 a copy of the original records of
 one of the Land Records of
 this State to be a copy.

County Clerk

MA

CAPITOL

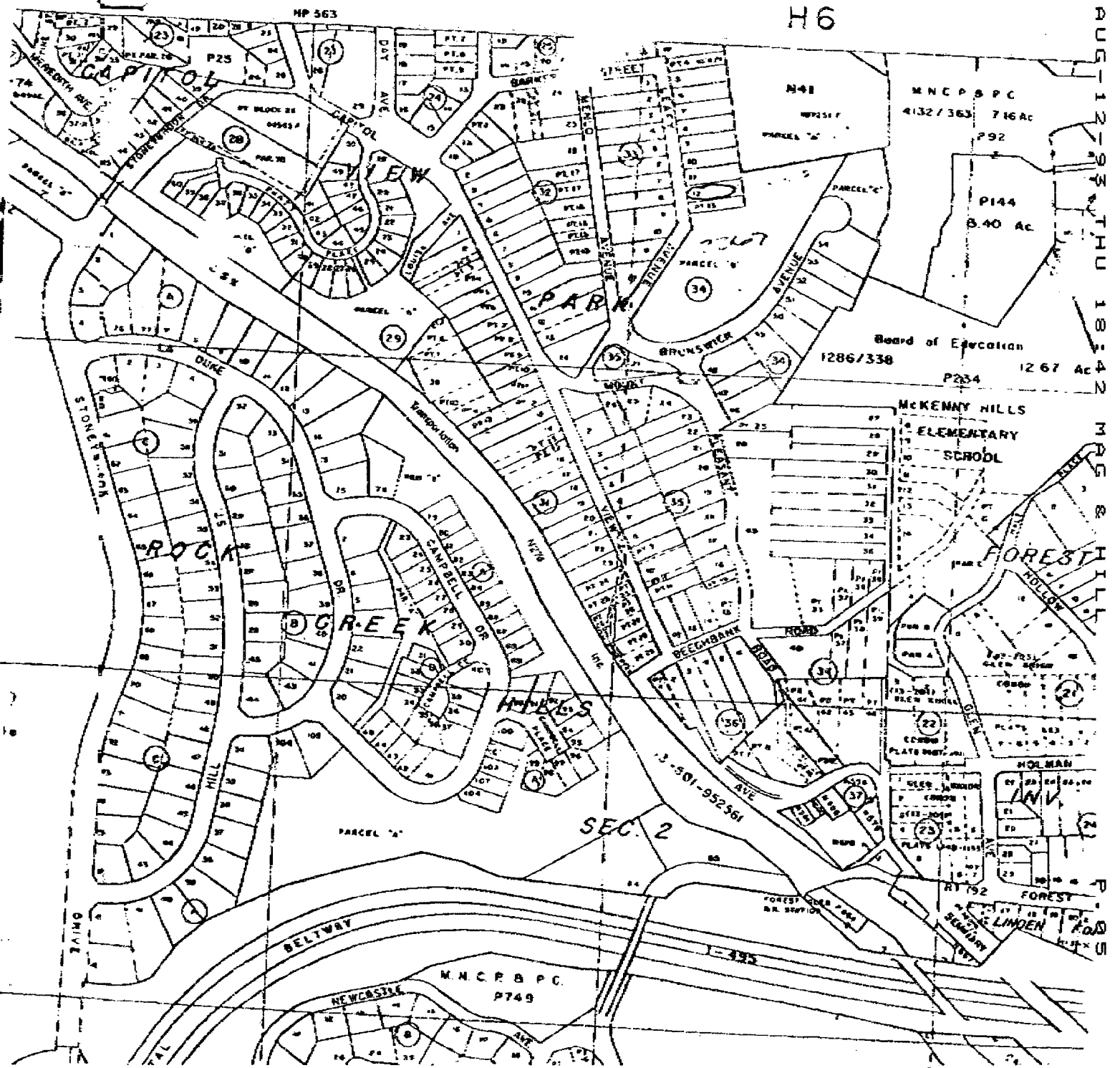
Extended Page
 SAT CAPITOL VIEW
 POLITAN BRANCH OF

Surveyed

for Mary A. Hann

May

MAY - 5 - 93 WED 11:15 TDL LIMITED



H6

AUG 12 93 THU 18:42 MRS S LLY

September 17, 1993

Mr. Bruce Lupin
10003 Leafy Avenue
Silver Spring, MD 20910

Dear Mr. Lupin:

I am writing on behalf of the Historic Preservation Commission to convey to you in writing the Commission's decision on September 8, 1993, concerning your HAWP application to install a fence at your property. Your application was approved, provided several conditions be met.

The conditions are as follows:

- 1) The location of the front fence section to the right of your house must be moved back to the approximate midpoint of the house's south wall.
- 2) That section of fence must be 50% open, that is with the pickets or boards spaced evenly apart.
- 3) The design of the front fence section, the staining of the fence, and the plantings you propose will be discussed with staff and will not be reviewed further by the Commission.

As you know, the fence was installed before the Commission received your application. The Commission, however, usually reviews HAWP applications to make determinations on proposed work and must be as consistent as possible in its decisions. Therefore, the conditions placed on your project reflect the fence the Commission would have approved had your project been submitted in advance. The conditions were stipulated so that the fence would look like other fences approved by the Commission in historic districts.

In general, solid 6' fences are approved in the rear yard only, with their use in the side yard approved only where there is limited or no visibility. The reason for this is that the view of the house and of the surrounding setting is a significant consideration in a historic district.

Patricia Parker of the Commission staff would be happy to discuss these issues with you further, and it may be possible to return to the Commission with a modified proposal. Please call her at (301) 495-4570.

If you wish to appeal the Commission's decision, you must notify the Montgomery County Board of Appeals within 30 days of the Commission's decision on September 8. The Board's phone number is 217-6600.

Sincerely,

Gwen Marcus
Historic Preservation
Coordinator

e-on
1941 Roland Clarke Place
Reston, Virginia 22091

FACSIMILE COVER SHEET

DATE: 9/27/93 PAGE 1 OF 2

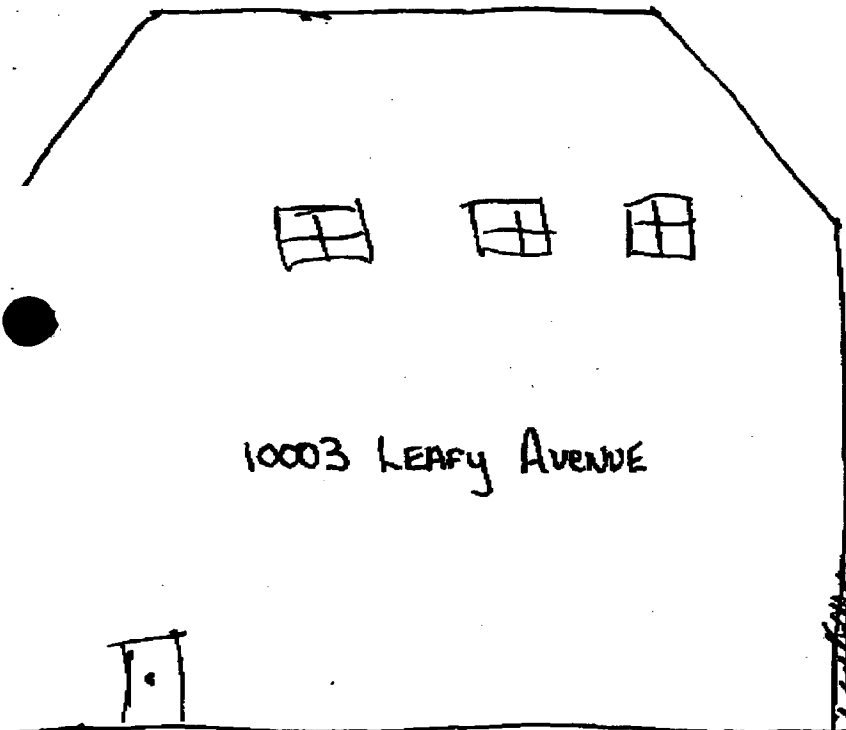
TO: PAT PARKER PHONE #: 3014954570
FAX #: 3014951307

FROM: BRUCE LUPIN PHONE #: (703) 715-8069
FAX #: (703) 715-8806


NOTES: PAT,
Attached is the proposed for the fence area
as was discussed. We really think the area will
be beautiful when finished. Thank you for your time and
help on this and I hope we can resolve it soon.
If there is any difficulty with this transmission,
please contact Kristy Michaels at (703) 715-8622. *Sincerely,*
Bruce Lupin

Privileged and Confidential Information

This information is intended only for the use of the addressee. If you are not the intended recipient... or the employee or agent responsible for delivering it to the intended recipient... any dissemination or copying of this facsimile is strictly prohibited. If you have received it in error, please immediately notify us by telephone.



10003 LEAFY AVENUE

- Lattice Fence Top


Proposed
lattice top to fence
Stained + Sealed
Fence
Members

Existing
Pines

DRIVEWAY

Hydrangea
Crape Myrtle

← Crape Myrtle

← Red Maple (developed)
← Crape Myrtle

Grass covered

SIDEWALK

e-on
1941 Roland Clarke Place
Reston, Virginia 22091

~ FACSIMILE COVER SHEET ~

DATE: 9/27/93 PAGE 1 OF 2

TO: PAT PARKER PHONE #: 301 495 4570
FAX #: 301 495 1307

FROM: Bruce Lupin PHONE #: (703) 715-8069
FAX #: (703) 715-8806

NOTES: PAT,

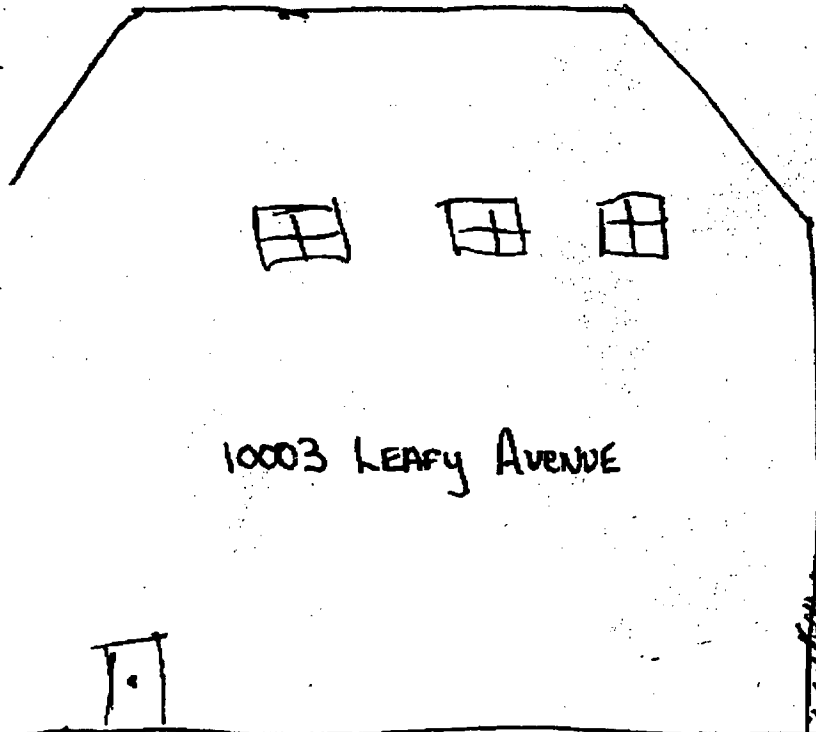
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10003 LEAFY AVENUE



Proposed
lattice top to fence
Stained + Sealed
Fence

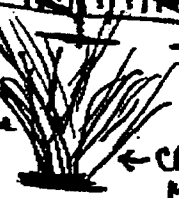
Members

Existing
Pines

DRIVEWAY



Hydrangea



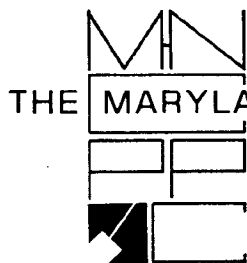
← CRAPE
MYRTLE



Grass covered

← RED Maple
(developer)
← CRAPE
MYRTLE

SIDEWALK



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

September 17, 1993

Mr. Bruce Lupin
10003 Leafy Avenue
Silver Spring, MD 20910

Dear Mr. Lupin:

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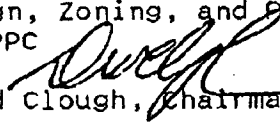
If you wish to appeal the Commission's decision, you must notify the Montgomery County Board of Appeals within 30 days of the Commission's decision on September 8. The Board's phone number is 217-6600.

Sincerely,

A handwritten signature in cursive script that reads "Gwen Marcus".

Gwen Marcus
Historic Preservation
Coordinator

To: Nancy Witherall, Historic Preservation Planner
Patricia Parker, Historic Preservation Planner
Design, Zoning, and Preservation Division
M-NCPPC

From:  David Clough, Chairman, Capitol View Park LAP

Date: September 7, 1993

Subject: HAWP's #31/7-93D and #31/7-93E

The Capitol View Park LAP met on the evening of 9/2/93. As a result of that meeting and subsequent conversations and phone consultations we have concluded the following:

With regard to HAWP 31/7-93D the LAP has long striven to preserve open space within the Capitol View Community and especially in areas such as the former Nursery sight involved here. It is the sense of this body that had Mr. Lupin submitted his plans to us properly we would not have recommended that he be allowed to fence a potential green space and buffer between his property and the Leafy House property to the south. We refer here to the "north forty feet of lot Thirteen" a greater portion of which Mr. Lupin has seen fit to incorporate within the perimeter of his fence despite the fact that he has purchased only an easement for "right of way" on that lot. The lot itself it would appear is still the property of Curzon Homes. Likewise the fence now constructed on this property is neither a style or size of fencing that would have been recommended for approval had the matter come to the LAP in proper sequence. The fence is both higher and more monolithic in design than the sort that we would have liked to have seen.

Ideally our preference would be to have the fence moved back to the owners property line (lot twelve) on the south and have the fence come no further forward than rear of the house on the west with the east and north fence lines remaining as installed. Barring that we concur that to a maximum extent possible the harshness of the fence be minimized with plantings along and in front of the fence where it fronts the street. For more about this see the discussion of the next case.

2

With regard to HAWP 31/7-93E the LAP is collectively appalled that Curzon Homes has seen fit to apparently willingly and knowingly remove a tree from a stand of pines that the LAP and the community have sought to protect ever since the earliest discussions of the development of this portion of the neighborhood. The LAP had been led to believe that the foundation now in place on the lot in question was to be moved further back in order to save all of these trees.

In light of the flagrant disregard for the community and the Historic Preservation Ordinance it is the sense of the LAP that Curzon Homes be required to replace every tree they have removed without permission (and it would appear that there is a maple tree now missing from lot 11) with at least two trees each. Further we feel they should be required to remove three now dead and hence potentially hazardous trees now standing at the rear of lot 12. And further that at least two trees of fair size (4" diameter minimum) be placed on lot 12 and 13 in order to soften the effect of the fence now in place there and one similar size tree be planted in the front of lot 11 with the remaining replacement tree to be planted as HPC staff suggests.

MEMORANDUM

September 8, 1993

To: Nancy Witherell
From: Bruce Moldow *BW*
Re: 10007 Leafy Avenue and 10003 Leafy Avenue

I wanted to provide you with some brief comments regarding the applications for 10007 and 10003 Leafy Avenue. Unfortunately, I cannot attend tonight's meeting.

10007 Leafy Avenue

I agree with Mr. Cary's recommendation that a 4" birch tree be planted in my front yard (10011 Leafy Ave). I also agree that 4" maples should be planted in the front yards, as opposed to the back yards.

10003 Leafy Avenue

While I have not had an opportunity to discuss this with the Lupin's, I would request that plantings be required in front of the fence. Without appropriate plantings to hide the fence, it does not fit in with the look and feel of the neighborhood.

I appreciate your consideration of the matters and thank you for your efforts.

Original

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10003 Leafy Avenue

Meeting Date: 09/08/93

Resource: Capitol View Park
Historic District

HAWP/Fence

Case Number: 31/7-93D

Tax Credit: No

Public Notice: 08/25/93

Report Date: 09/01/93

Applicant: Bruce Lupin

Staff: Patricia Parker

PROPOSAL: New Construction/
Fence

RECOMMEND: Approval

This is a retroactive application for an already constructed new six-foot tall board on board privacy fence located at the side yard and the rear of Lot 12, Block 34 in Capitol View Park Historic District. The property, listed as a nominal resource within the Historic District, is improved by a recently constructed frame house.

STAFF DISCUSSION

Staff feels that the type of fencing proposed, although not generally appropriate within the district, is nevertheless possible in this instance. The resource is nominal in category and recent in construction. The house is not a primary resource and is one of other recently constructed frame houses on the block. Therefore, greater leniency may be used in the review of this application.

We feel that this type of fencing should be re-installed farther back, possibly mid-way the adjacent exterior wall, so as, to recede in importance visually. The applicant has indicated his intention to stain the fence. Staff feels that the use of a color penetrating stain may have application in this instance. Further the street side of the fence should be fronted with a planting bed to mitigate the negative impact of such a solid element. The owner has indicated within his proposal the intention to provide a shrub bed anterior to the new fence.

STAFF RECOMMENDATION

The staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A-8(b)5:

The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship;

and with the Secretary of the Interior's Standards for Rehabilitation #10:

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

and with the following conditions:

1. A shrub bed shall be planted anterior to the fence on the street side within 90 days.
2. The fencing shall be color stained and located posterior to the front wall of the house.



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850

217-9825

File # DEP: 250 Hungerford Drive, Rockville

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 13-5-994758

NAME OF PROPERTY OWNER BRUCE LUPIN TELEPHONE NO. 301-589-7649
 (Contract/Purchaser) (Include Area Code)

ADDRESS 10003 Leafy Avenue Silver Spring, Maryland 20910
 CITY STATE ZIP

CONTRACTOR _____ TELEPHONE NO. _____

PLANS PREPARED BY BRUCE LUPIN CONTRACTOR REGISTRATION NUMBER _____
 TELEPHONE NO. 301-589-7649
 (Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10003 Street Leafy

Town/City Silver Spring Election District _____

Nearest Cross Street _____

Lot 12 Block 34 Subdivision Capital View PARK

Liber _____ Folio _____ Parcel Plat Book A Plat 9

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition			
Wreck/Raze	Move	Revocable	Revision	Porch	Deck	Fireplace	Shed	Solar	Woodburning Stove
		<u>Install</u>		<u>Fence</u>	Wall (complete Section 4)	Other			

1B. CONSTRUCTION COSTS ESTIMATE \$ 2500.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO

1E. IS THIS PROPERTY A HISTORICAL SITE? YES

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 () Septic
03 () Other _____	

2B. TYPE OF WATER SUPPLY

01 <input checked="" type="checkbox"/> WSSC	02 () Well
03 () Other _____	

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

4A. HEIGHT 6 feet _____ inches

4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/Property line Yes
- Entirely on land of owner Yes, plus on a perpetual easement of record
- On public right of way/easement perpetual easement of record (Revocable Letter Required).

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Bruce A Lupin 8/12/93
 Signature of owner or authorized agent (agent must have signature notarized on back) Date

HISTORIC AREA WORK PERMITS CHECKLIST OF APPLICATION REQUIREMENTS

REQUIREMENTS	REQUIREMENTS								
	WRITTEN DESCRIPTION	PROJECT INTENT	PROJECT PLAN	TREE SURVEY	DESIGN FEATURES	FACADES	MATERIAL SPECIFICATIONS	PHOTOGRAPHS	PROPERTY OWNER ADDR.
NEW CONSTRUCTION	*	*	*	*	*	*	*	*	*
ADDITIONS	*	*	*	*	*	*	*	*	*
PARTIAL/TOTAL DEMO.	*	*	*					*	*
DECKS/PORCHES	*	*	*		*	*	*	*	*
FENCES/WALLS	*	*	*				*	*	*
DRIVES/PARKING AREAS	*	*	*	*			*	*	*
MAJOR LANDSCAP./GRADING	*	*	*	*			*	*	*
TREE REMOVAL	*	*	*	*			*	*	*
SIDING/ROOFING CHANGES	*	*	*			*	*	*	*
WINDOW/DOOR CHANGES	*	*	*		*	*	*	*	*
MASONRY REPAIR/REPOINT	*	*	*			*	*	*	*
SIGNS	*	*	*			*	*	*	*

Please see attached instructions for further details regarding these application requirements.

NOTE: Historic Area Work Permits are not required for ordinary maintenance projects, such as painting, gutter repair, roof repair with duplicate materials, and window repairs.

HISTORIC AREA WORK PERMITS

INSTRUCTIONS FOR FILING AND APPLICATION REQUIREMENTS

All applications for work involving properties listed on the Montgomery County Master Plan for Historic Preservation require the approval of the Historic Preservation Commission, which is charged with reviewing all work projects in listed historic districts and on listed individual historic sites. Prior to filing an application for an Historic Area Work Permit (HAWP), applicants with major projects may contact the Historic Preservation Commission (HPC) for a preliminary consultation. The Commission is located at 51 Monroe Street, Suite 1001, Rockville, and can be reached at 217-3625.

Applications for HAWP's must be obtained from, and returned to, the Department of Environmental Protection (DEP), Division of Construction Codes Enforcement, 250 Hungerford Drive, Rockville (738-3110). The application requirements depend on the nature of the proposed project, and are listed in the attached checklist. HAWP applications and all required attachments will be reviewed by authorized staff prior to acceptance of the application. Applications must be complete before they will be accepted by DEP staff. Once accepted, the application will be forwarded within three business days to the Historic Preservation Commission office. The Historic Preservation Commission staff will review the application. If, in its judgment, additional information is necessary to reasonably document the proposed work in relationship to the historic district, existing historic resource(s) and/or environmental setting, staff will contact the applicant and request the information. The HPC will typically schedule a hearing on the application at the regular Commission meeting falling between 24 and 37 days after the date of the acceptance of the application. The applicant will be notified by mail of the meeting time and place, and will be expected to attend the meeting. The applicant may contact the HPC in order to confirm the time and place.

Some historic districts have Local Advisory Panels (LAP's), groups of volunteer citizens which assist the HPC in reviewing HAWPs. If the project is in a historic district the HPC will forward a copy of the application to the LAP. The LAP will review the application and forward its comments to the HPC for inclusion in the record. Further information on the Local Advisory Panel and the role it plays in the HAWP process is available from the HPC.

If the HPC approves the application, it is forwarded with approved plans and conditions of approval, if any, to DEP for issuance of an Historic Area Work Permit and Building Permit. A copy of the approved HAWP will also be forwarded to the applicant. A copy of the HPC and DEP-stamped approved plans and related information must be made readily available to DEP and HPC staff on the project site during construction for reference. If the application is denied, or if the applicant is not satisfied with the decision of the Commission, she/he may choose to submit a revised application, or may appeal the decision to the County Board of Appeals. The Board of Appeals will hear the original application and render its own decision.

The Historic Area Work Permit is neither a substitute for, nor a part of, the Building Permit. For most projects, both a Historic Area Work Permit and a Building Permit are required. These permits are entirely separate, with different application procedures and requirements. Applicants are encouraged to obtain the Historic Area Work Permit prior to filing for a Building Permit.

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SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT
REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

A two-story single family home (new). The front yard is on a slight grade running downhill. The rear yard is also on a slight grade. The lot is an end lot and is lined by trees on two sides, side and rear. A large Pin Oak tree is located in the mid-right hand side of rear yard. Beyond the rear yard is Leafy House, a County retirement center.

- b. General description of project and its impact on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The six foot board on board privacy and safety fence located in the side and rear yard runs along the tree line on the right side and rear. The fence has no impact on historic resources that I am aware of and is designed to blend in to the existing neighborhood improvements.

2. Statement of Project Intent:

Short, written statement that describes:

- a. the proposed design of the new work, in terms of scale, massing, materials, details, and landscaping:

Six foot, board on board privacy and safety fence made of #1 pressure treated yellow pine (highest quality). Fence borders a neighbor on the left side, tree line in rear, and tree line on right side, and across side yard facing street. Plan to stain fence within 90 days to seal wood. Plan to plant shrubs along front fence facing street.

- b. the relationship of this design to the existing resource(s):

Fence is designed to blend in with the natural tree line and cannot be seen from the outside on two sides. It is built to flow with the natural property grade. In-line construction provide a very clean look and hides posts to (describe).

- c. the way in which the proposed work conforms to the specific requirements of the Ordinance (Chapter 24A):

Materials are of the highest quality (see above) with all posts set in concrete to ensure stability and long life. All posts are capped to provide water damage and give a clean look.

3. Project Plan:

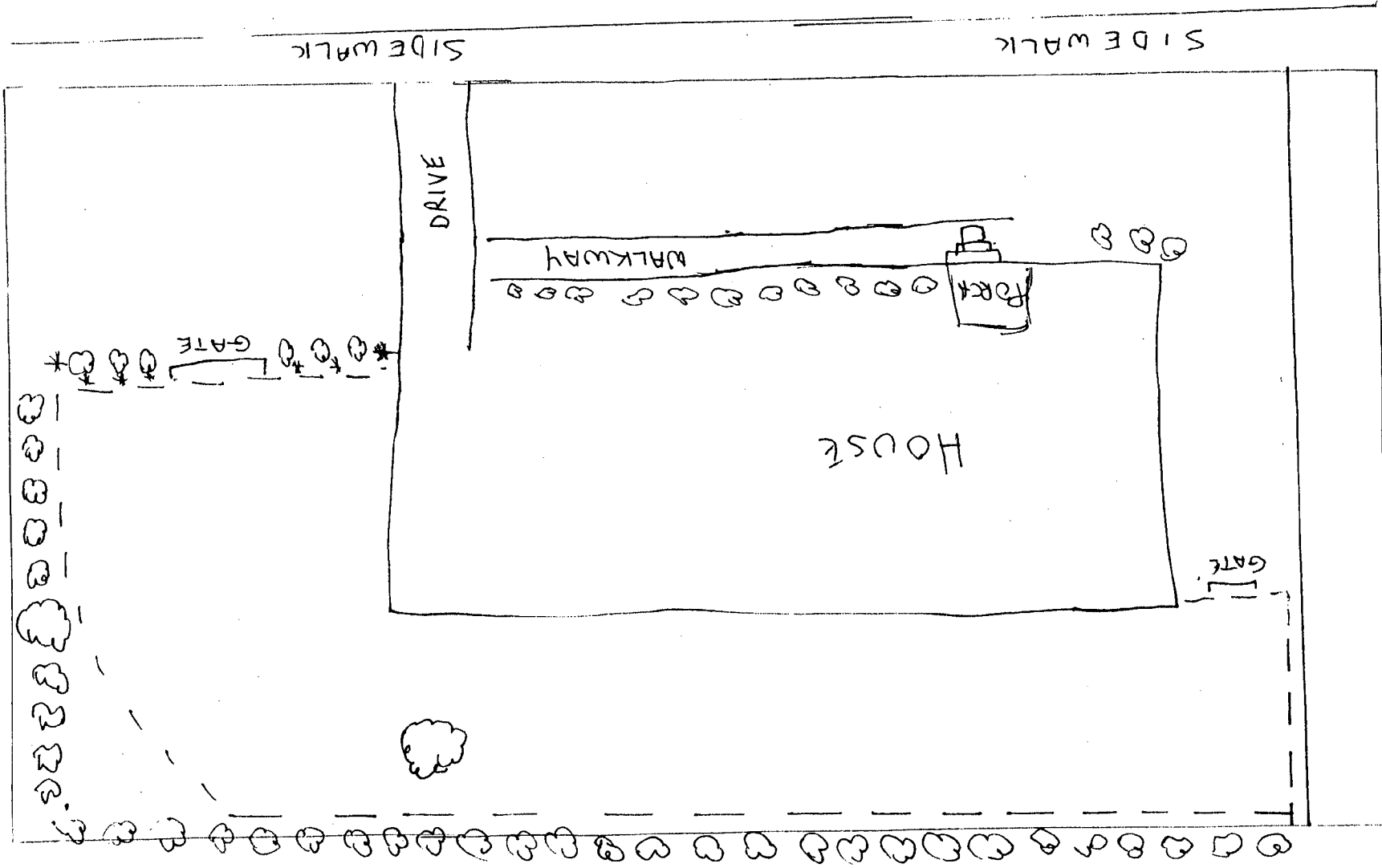
Site and environmental setting, drawn to scale (staff will advise on area required). Plan to include:

- a. the scale, north arrow, and date;
- b. dimensions and heights of all existing and proposed structures;
- c. brief description and age of all structures (e.g., 2 story, frame house c.1900);
- d. grading at no less than 5' contours (contour maps can be obtained from the Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring; telephone 495-4610); and
- e. site features such as walks, drives, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

4. Tree Survey: If applicable, tree survey indicating location, caliper and species of all trees within project area which are 6" in caliper or larger (including those to be removed).

8/10/93
LUPIN

10003 Leath Avenue



(2 STOREY, FRAME HOUSE c. 1993)

* Planned

--- Fence

☁ - Trees and or shrubs

8/10/93
Lynn
10003 Leahy

SUPPLEMENTAL APPLICATION FOR HISTORIC
AREA WORK PERMIT
REQUIRED ATTACHMENTS

#7. MATERIAL SPECIFICATIONS

- #1 PRESSURE TREATED YELLOW PINE
- GALVANIZED NAILS
- CONCRETE FOR POST SETTINGS
- POST CRPS (GALVANIZED)

#8. PHOTOS of RESOURCES
& ATTACHED

5. Design Features: Schematic construction plans drawn to scale at 1/8" = 1'-0", or 1/4" = 1'-0", indicating location, size and general type of walls, window and door openings, roof profiles, and other fixed features of both the existing resource(s) and the proposed work.
6. Facades: Elevation drawings, drawn to scale at 1/8" = 1'0", or 1/4" = 1'0", clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.
7. Materials Specifications: General description of materials and manufactured items proposed for incorporation in the work of the project.
8. Photos of Resources: Clearly labeled color photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
9. Photos of Context: Clearly labeled color photographic prints of the resource as viewed from the public right-of-way and from adjoining properties, and of the adjoining and facing properties.

Color renderings and models are encouraged, but not generally required.

Applicant shall submit 2 copies of all materials in a format no larger than 8 1/2" x 14"; black and white photocopies of color photos are acceptable with the submission of one original photo.

10. Addresses of Adjacent Property Owners. For all projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. If you need assistance obtaining this information, call the Department of Assessments and Taxation, at 279-1355.

1. Name STU FOSTER
 Address 10005 Leafy Avenue
 City/Zip Silver Spring, MD 20910
2. Name ONLY OTHER ADJOINING PROPERTY
 Address IS LEAFY HOUSE, A COUNTY RETIREMENT HOME.
 City/Zip NO HOME DIRECTLY ACROSS THE STREET.

3. Name _____
Address _____
City/Zip _____

4. Name _____
Address _____
City/Zip _____

5. Name _____
Address _____
City/Zip _____

6. Name _____
Address _____
City/Zip _____

7. Name _____
Address _____
City/Zip _____

8. Name _____
Address _____
City/Zip _____

1757E

Parcel ID #13-5-994758
Title Insurer: First American Title Insurance Company
Property Address: 10003 Leafy Avenue, Silver Spring, MD 20910

CORPORATE DEED

This Deed, made this 23rd day of June, 1993 by and between CURZON HOMES OF KENSINGTON, INC., now known of record pursuant to a name change of December 19, 1991, effective January 1, 1992, as CURZON HOMES II, INC., party of the First Part, and BRUCE A. LUPIN and MARGARET D. LUPIN, Husband and Wife, parties of the Second Part:

Witnesseth, that in consideration of \$299,990.00 and other good and valuable consideration, the said party of the First Part hereby grants and conveys to the parties of the Second Part as Tenants By The Entirety, their heirs, personal representatives and assigns, in fee simple, land situate, lying and being in Montgomery County, State of Maryland, described as follows to wit:

Being Lot numbered Twelve (12) in Block numbered Thirty Four (34) in the subdivision known as "CAPITOL VIEW PART" as more fully described in Exhibit A attached hereto and made a part hereof

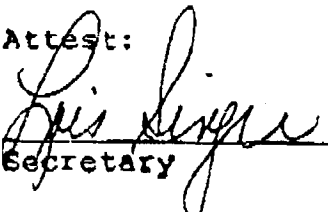
Subject to all easements, rights of way, covenants, and restrictions of record.

This is to certify that this is not a sale convey or transfer of all or substantially all of the corporate assets of the Grantor.

And the said party of the First Part covenants that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

Witness our hands and seals the day and year first above written.

Attest:


Secretary

CURZON HOMES OF KENSINGTON, INC.
now known of record as CURZON
HOMES II, INC.


By:  (SEAL)
Jay Kaufman, Vice President

EXHIBIT A

LEGAL DESCRIPTION

Lot numbered Twelve (12) in Block numbered Thirty Four (34) in the subdivision known as "CAPITOL VIEW PARK" as per plat thereof recorded in Plat Book J.A. No. 5 at Plat 207 and re-recorded in Plat Book A at Plat 9, among the Land Records of Montgomery County, Maryland.

TOGETHER with a perpetual right of way over the north 40 feet of Lot Thirteen (123) in said Block Thirty Four (34) as provided for in Deed dated July 17, 1989, recorded on July 19, 1989 in Liber 8914, folio 397.

IN TESTIMONY WHEREOF, CURZON HOMES II, INC., formerly known as Curzon Homes of Kensington, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed by Jay Kaufman, its Vice President, attested by LOIS SINGER, its secretary and does hereby appoint Jay Kaufman its true and lawful attorney in fact for it and in its name, to acknowledge and deliver these presents according to law as its act and deed, the day and year first hereinabove written.

CURZON HOMES II, INC.
a/k/a Curzon Homes of
Kensington, Inc.

BY: [Signature] (SEAL)

Attest: [Signature] (SEAL)
Secretary

I, LOIS SINGER, Secretary of CURZON HOMES II, INC., formerly known as Curzon Homes of Kensington, Inc. do hereby certify that the foregoing deed was executed in strict conformity with a resolution of the Board of Directors of the said CURZON HOMES II, INC., a corporation organized under the laws of Maryland, passed at a duly called meeting of said corporation, held on JUNE 23, 1993.

STATE OF MARYLAND
COUNTY OF MONTGOMERY

to wit:

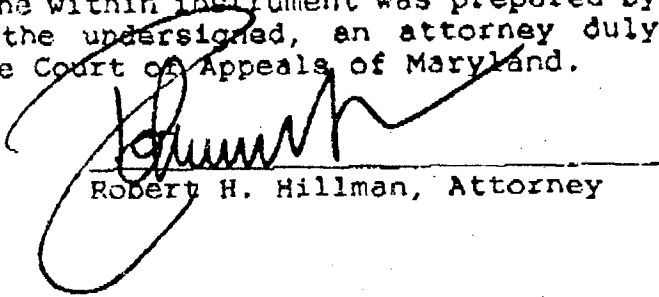
On this 23rd day of June, 1993, before me, the undersigned officer, personally appeared Jay Kaufman who acknowledged himself to be the Vice President and attorney in fact of CURZON HOMES II, INC., a Maryland corporation, and that he as such Vice President and attorney in fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Vice President and acknowledged the foregoing instrument to be the act and deed of the corporation.

In Witness Whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public Robert M. Hillman

My commission expires: 3-1-97

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.


Robert H. Hillman, Attorney

After recording return to

MAGAZINE & HILLMAN
416 Hungerford Drive
Suite 435
Rockville, MD 20850

AFFIDAVIT OF PURCHASER REGARDING
EXEMPTION FROM STATE TRANSFER TAX

After being duly sworn, the undersigned Purchasers depose and say the following under oath pursuant to Md. Tax-Prop. Code Ann. SS13-203 (1987 Sup.), as amended by 1988 MD. Laws 197:

1. The undersigned are the grantees of real property located at:

Address: 10003 Leafy Avenue, Silver Spring, MD
20910

being more particularly described as Lot/Unit 12

Block 34, Subdivision/Condominium Capitol

View Park, Montgomery County, Maryland.

2. Said real property is improved by a residence which the undersigned grantees will occupy.

3. This affidavit is being executed in order to obtain an exemption from the Maryland State Transfer Tax on the first \$30,000 of consideration payable for an instrument of writing for residentially improved owner-occupied real property pursuant to the aforesaid statute.

Bruce A. Lupin
Grantee-Purchaser
Bruce A. Lupin

Margaret D. Lupin
Grantee-Purchaser
Margaret D. Lupin

SUBSCRIBED and SWORN to before me this 23rd day of
June, 19 93.

Robert H. Hillman
Notary Public Robert H. Hillman

My commission expires: 3/1/97

CC025376
Title #1433400A

BOOKS 91 & PAGES 87

Mail to: Chase & Chase
5225 Wisconsin Ave., N.W.
Washington, D.C. 20013

RECORDED IN THE OFFICE OF THE CLERK OF COURTS
MONTGOMERY COUNTY, MARYLAND

RECORDED IN THE OFFICE OF THE CLERK OF COURTS
MONTGOMERY COUNTY, MARYLAND

THIS DEED, made this 17th day of July, 1989, by and between
Constructive Alternatives, Inc., a corporation
party of the first part, and Curzon Homes of Kensington, Inc.
party of the second part.

WITNESSETH, that in consideration of \$920,000.00
the said party of the first part does grant and convey unto Curzon Homes of Kensington,
party of the second part, its heirs and assigns, in fee simple absolute as
Sole Tenant all that piece or parcel of of
lying and being in Montgomery County, Maryland described as follows to wit:

Lots numbered FIVE (5) to TWELVE (12), both inclusive in Block THIRTY-FOUR (34)
in the subdivision known as and called, "Capitol View Park", as per plat recorded
in Liber J.A. No. 5, at Folio 267 (re-recorded in Plat Book A, at Plat 9), among
the Land Records of Montgomery County, Maryland, together with a perpetual right
of way over the North 40 feet of Lot THIRTYFOUR (13) in said Block THIRTYFOUR
(34), and the South 40 feet of Lot FOUR (4) in said Block THIRTYFOUR (34).

- Parcel I.D. #13-5-994680
- #13-5-994691
- #13-5-994703
- #13-5-994714
- #13-5-994725
- #13-5-994736
- #13-5-994747
- #13-5-994758

AGRICULTURE TRANSFER TAX IN THE
AMOUNT OF \$ 281.00
SIGNATURE: [Signature]

CLERK'S OFFICE
MONTGOMERY COUNTY, MARYLAND
09 JUL 19 PM 1:48

STT TRANS AMOUNT DEED PAGE MIN NAMES PARCEL ID
4043.00 4500.00 10.00 2.00 8.00 2148.00 2659.00 113146
07/19/89

Title Insurer: Columbia Real Estate Title
Address for the grantee: 2 Wisconsin Circle, Suite 700, Chevy Chase
Address for the grantor: 2934 Conroy Ave. Takoma Park, MD 20912

This is to certify that the grant made by this deed is not part of a transaction
in which there is a sale, lease, exchange or other transfer of all or substantially
all of the property and assets of the grantor herein.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Montgomery County
LLM 00948

[Signature]
John Fleming, President

AND the said party of the first part covenants that it will warrant especially
the property herein conveyed:

and that it will execute such further assurances of said land as may be requisite.

IN WITNESS WHEREOF, the said Constructive Alternatives, Inc.

has caused these presents to be signed in its corporate name by John Fleming, its
President, attested by Susanna Fleming, its Secretary, and its corporate
seal to be hereunto affixed; and does hereby acknowledge and appoint John Fleming
its true and lawful Attorney in fact, for it and in its name to acknowledge and deliver these presents as
aforesaid and do so.



[Signature]
Susanna Fleming
Secretary

Constructive Alternatives, Inc.
(Name of Corporation)
BY: [Signature]
John Fleming, President

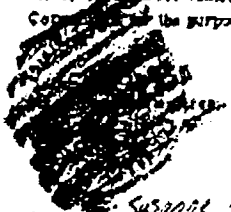
5

LIBRARY 914 FOLIO 398

Original of Deed

*Susan Fleming
John Fleming*

I, a Notary Public in and for the State of Maryland, do hereby certify that the within and foregoing Deed, bearing date on the 15th day of June, 1987, and hereto annexed, personally appeared before me in said State and before me in fact as aforesaid by virtue of the power vested in me by said Deed, acknowledged its status to be the act and deed of said Corporation for the purposes therein contained.



3/2/91

*Susan Fleming
Notary Public
John Fleming*

Susanne Fleming
Secretary of said Corporation do hereby certify that the foregoing Deed was executed in strict conformity with a resolution of the Board of Directors of the said Corporation, organized under the laws of the State of Maryland, passed at a duly called meeting of said Corporation, at which a quorum was present, the 15th day of June, 1987.

*Susanne Fleming
Susanne Fleming Secretary*



DIED
944 928
966 888
646 888
994 914
944 958

1987-994980
189466
944 914
944 914

All taxes and other charges which may be due on this instrument have been paid and the same are hereby acknowledged. The State of Maryland is hereby notified that this instrument is being recorded for the purpose of perfecting the title to the land therein described and is being recorded for the purpose of perfecting the title to the land therein described and is being recorded for the purpose of perfecting the title to the land therein described.

TRANSFER TAX DEPT.
MONTGOMERY COUNTY, MARYLAND

Joseph O. King

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS PREPARED UNDER THE SUPERVISION OF

MEMBER OF THE COURT OF APPEALS
RONALD CHASEW
By Louis Siasart

FILE TO:
CHASEW & CHASEW
2328 WISCONSIN AVE. N.W.
SUITE 200
WASHINGTON, D.C. 20036

NOTE

FOR ORIGINAL PLAN
OF THIS IS
A...
PLAT... PLAT...

32
146

LEAFY

20
P

21
A

ATT

23

24

MOUNT PLEASANT ROAD

26

25

24

23

22

21

25

26

35

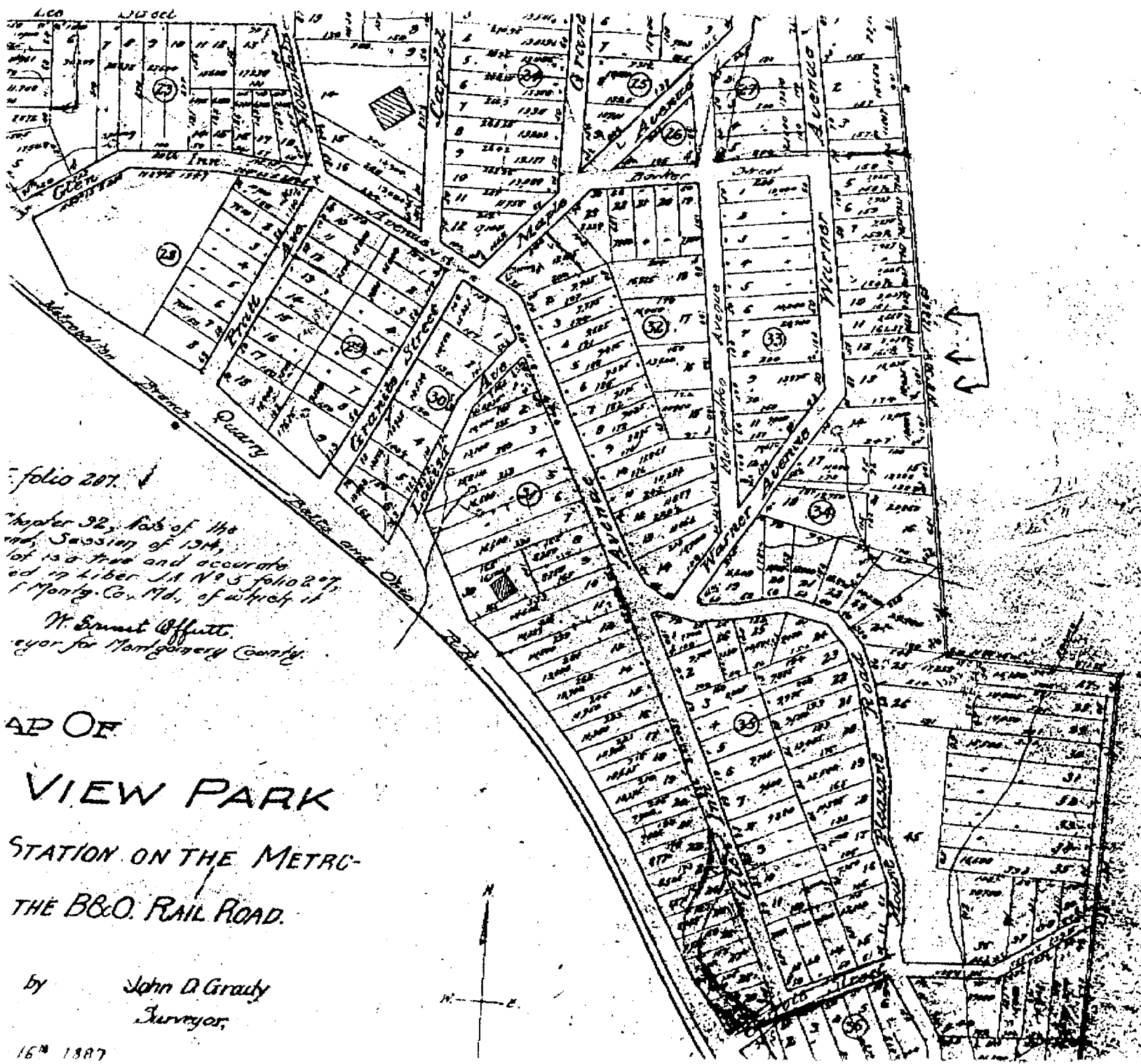
OWNERS' DEDICATION

333

We, Perry Westland & Charles L. Westland, the wife, owners of
the property herein and deceased Nelson County adopt this plan of
subdivision and dedicate to the use of Mount Pleasant Road
Plat 35 for public use and collection of minimum building setback lines
There are no other uses here, or to be on the property included
in this plan of subdivision

Perry Westland
Charles L. Westland

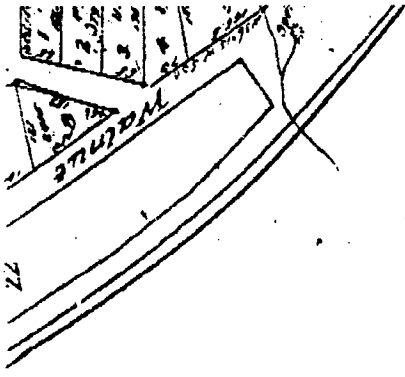




folio 207.
 Chapter 32, Acts of the
 18th Session of 1814,
 lot 150 true and accurate
 as laid in Liber 11 N^o 5 folio 207,
 of Montg. Co. Md., of which it
 is a part.
 W. Summit Offutt,
 Surveyor for Montgomery County.

AD OF
 VIEW PARK
 STATION ON THE METRO-
 THE B&O. RAIL ROAD.

by John D. Grady
 Surveyor,
 16th 1887



Copied from Liber LA. No. 5,

Pursuant to Sec. 406-D, C.
 General Assembly of Michigan
 I hereby certify that this plat
 copy of the original records
 of the Land Records of
 this county is a true and correct
 copy of the original records of
 the records of the county.

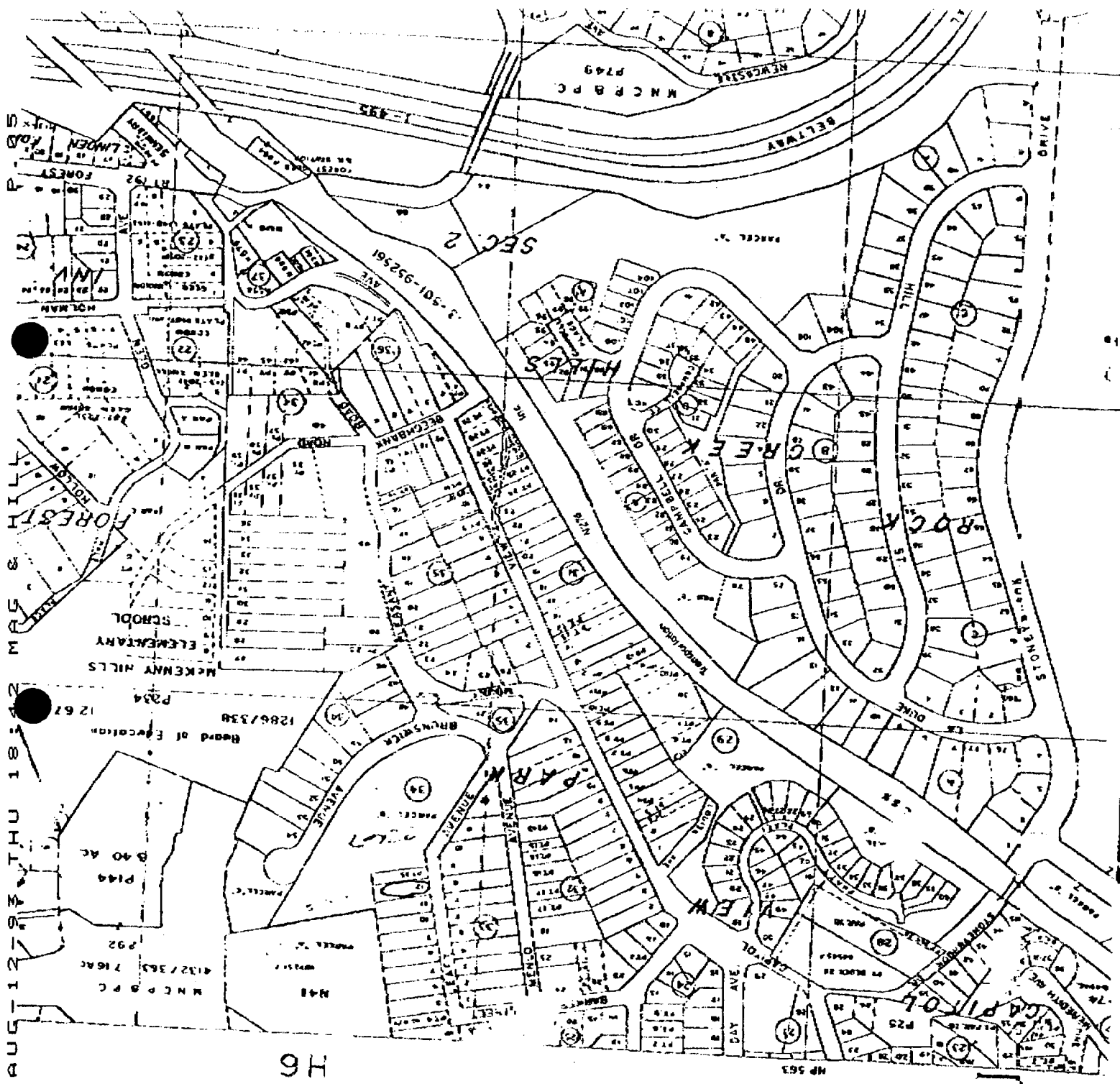
County Clerk

Ms
 CAPITOL

Extended Page 4
 SAT CAPITOL VIEW
 POLITAN BRANCH OF

Surveyed
 for Mary A. HARR

May



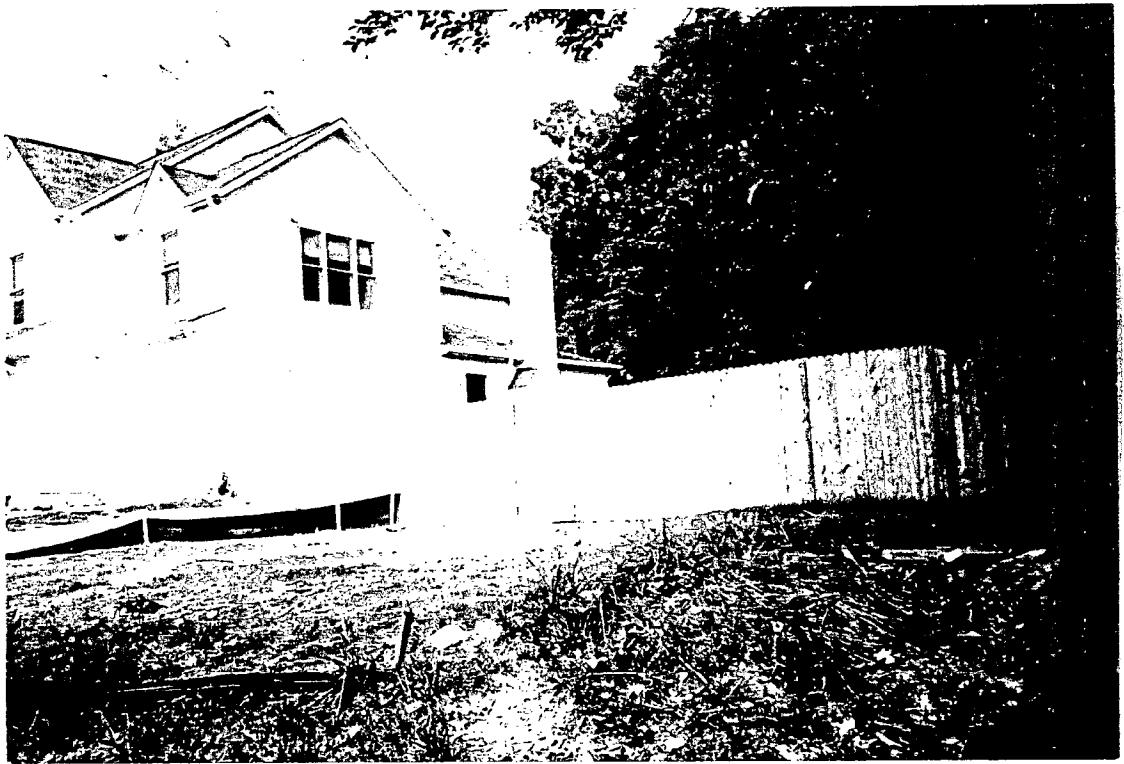
MAY - 5 - 93 WED 11:15 TDL LIMITED

DUR 12 38 THU 18 42

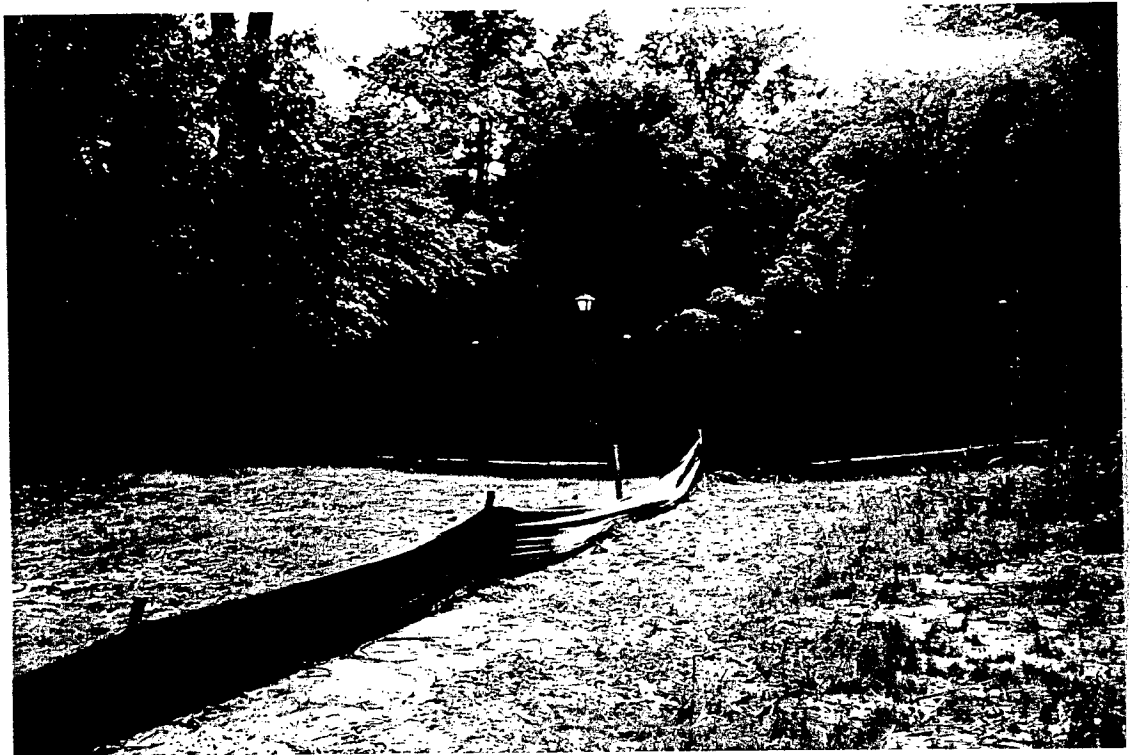
H6

HP 563

11:02



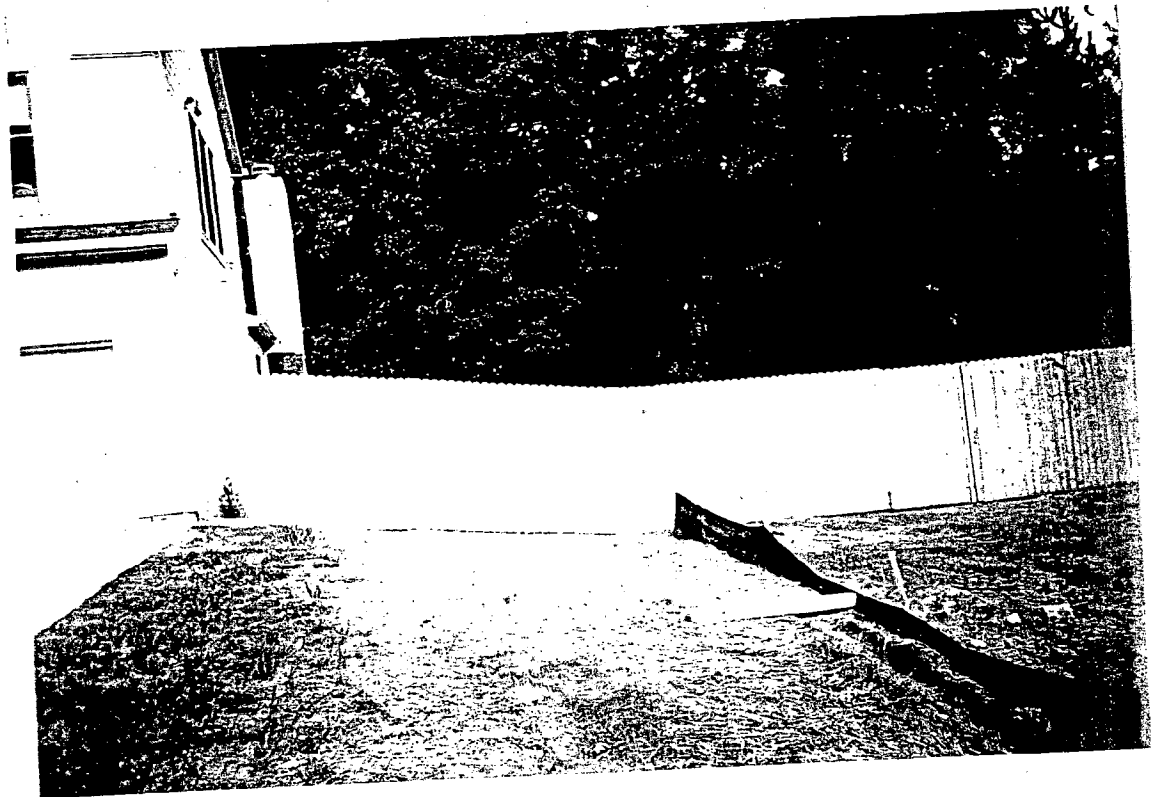
8/14/93 - Right front approaching from Capitol View Direction. Plantings along fence will soften look.



8/14/93 - Front side taken from inside rear.



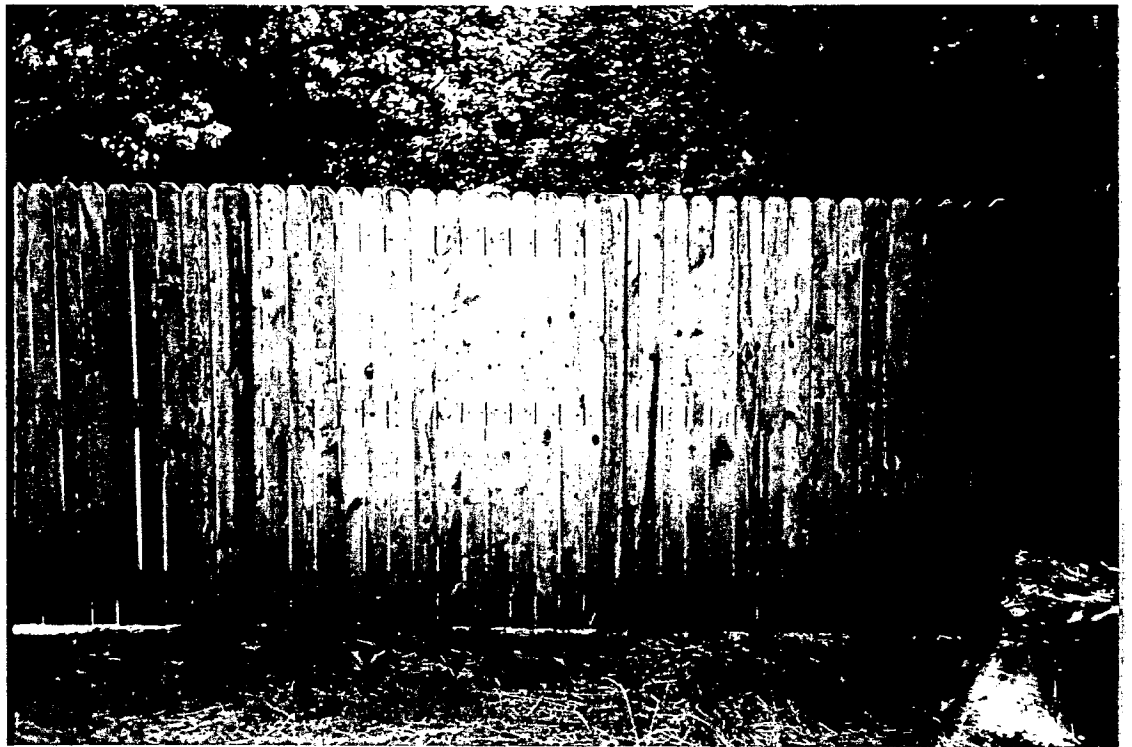
8/14/93 - Right side rear yard.



8/14/93 - Front right side taken from street



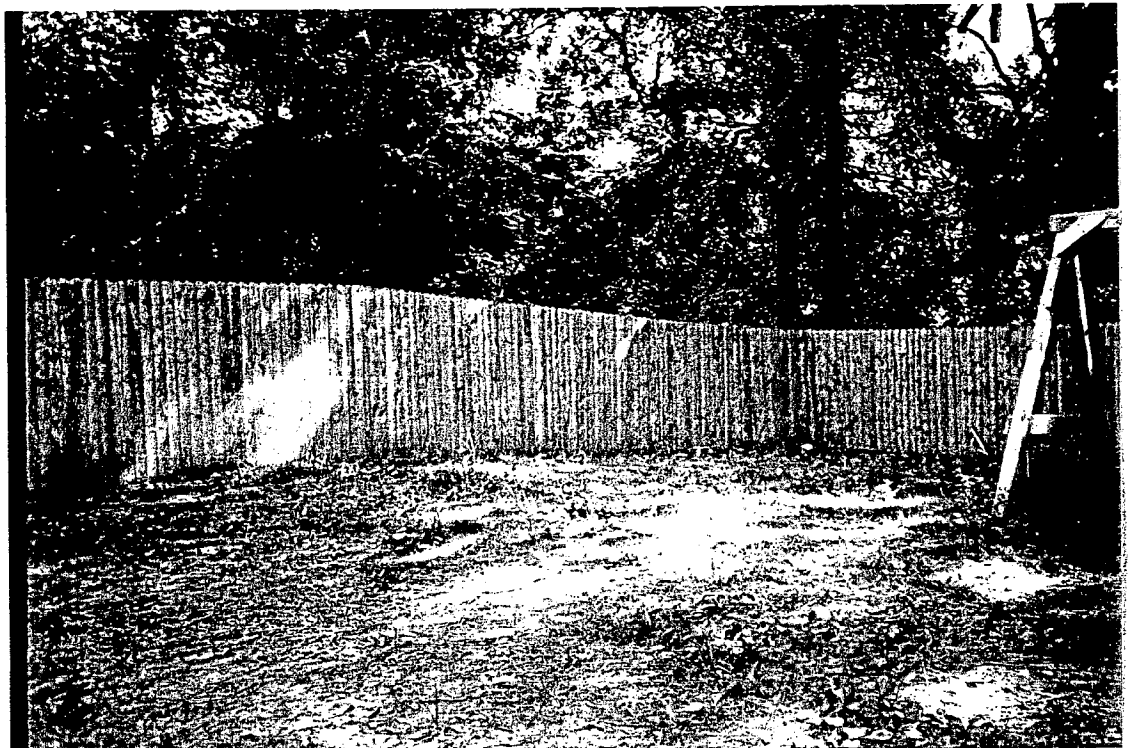
8/14/93 - Rear fence & right rear corner.



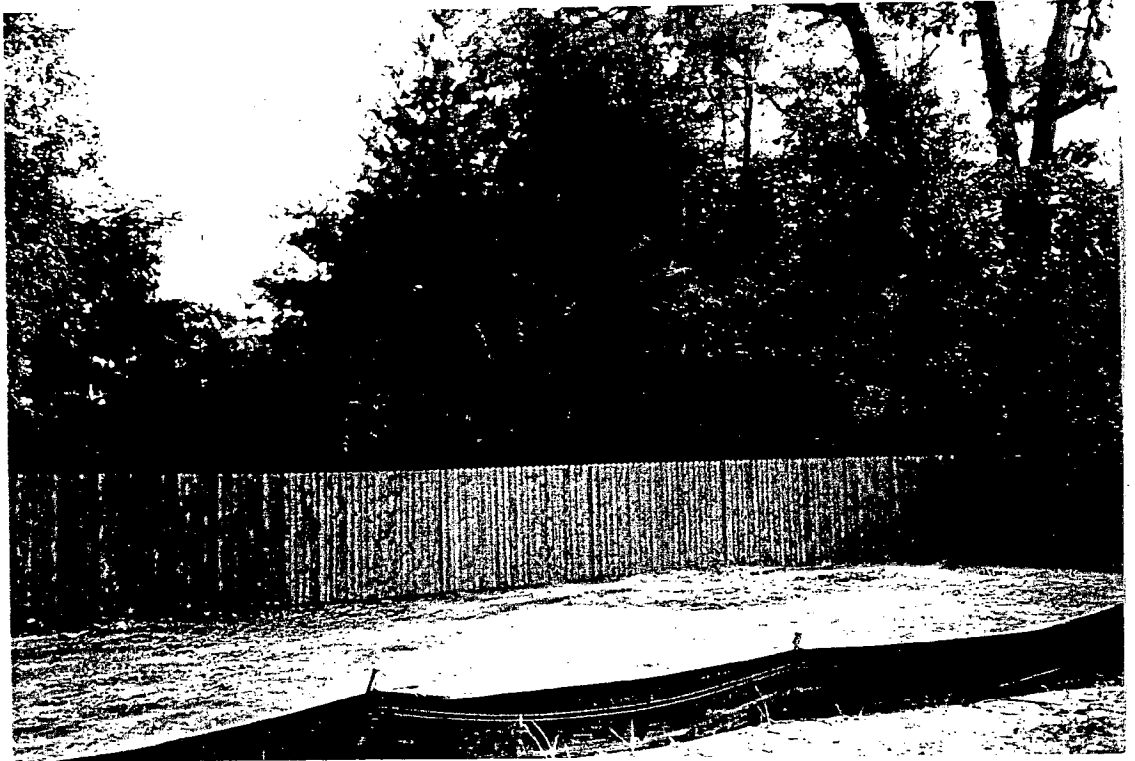
8/14/93 - Front right side taken close up. Notice in-line construction hiding post to give cleaner look to fence.



8/14/93 - Left rear yard.



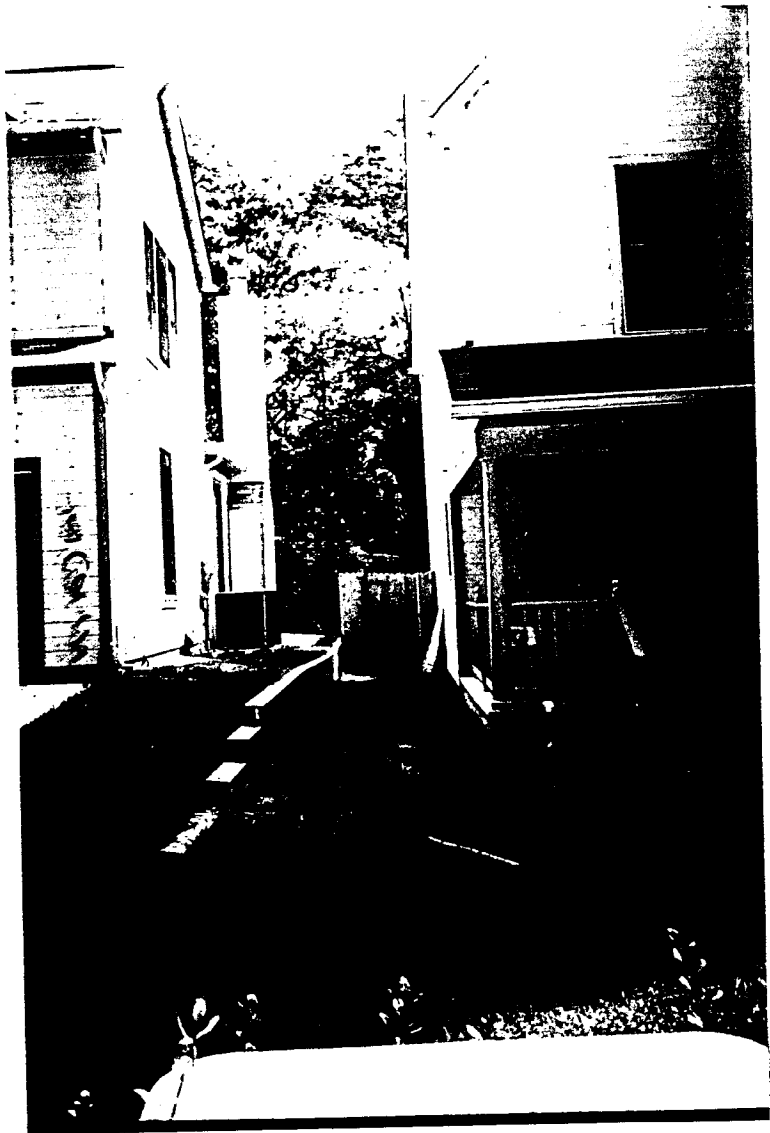
8/14/93- Left rear yard.



8/14/93 - Right side rear yard.



8/14/93 - Front right side taken from street.



8/14/93 - Left front from street.