



Board of Zoning Appeals MEETING AGENDA

Tuesday, July 16, 2024 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes

- a. Approval of the Draft Decision Summary from the June 18, 2024 meeting.

3. Applications

- a. **Application:** SE - 1235 / SE 24 - 07
Applicant: Sunny Side Reproductive Innovations
Location: 611 Dutchmans Lane Unit B
Tax Map 0107, Grid 0000, Parcel 2477
Zoning District: CG
Request: Special Exception request pursuant to Section 28-1303.5 B of the Town of Easton Zoning Ordinance, use (2) 232 in Table 2.1 of Section 28-201 to be utilized as an Animal Hospital or Veterinary Clinic * in the CG - Commercial General zoning district. This veterinary hospital provides a specialty in veterinary medicine known as theriogenology that is focused on assisted animal reproduction. The applicant is seeking to relocate their niche veterinary services to this facility.

4. Discussion Item



Town of Easton Board of Zoning Appeals

Draft Decision Summary

Tuesday, June 18, 2024 at 9:00 a.m.

Town Hall Chamber 2

14 S. Harrison Street, Easton, Maryland

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes](https://www.eastonmd.gov/Agendas/Agendas%20and%20Minutes)
([eastonmd.gov](https://www.eastonmd.gov/))

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck

Absent:

Board Members:

Paul Weber, Alternate

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh, Town Attorney
Samantha Smith, Administrative Specialist

1. Call to Order — Chairman Cotter called the meeting to order at 9:00 a.m.

2. Decision Summary Review —

Vice Chairman Molchan moved to approve the May 21, 2024 Decision Summary.
Board Member Krebeck seconded the motion.

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. Applications —

a. File No.: SE - 1226 / SE 24 - 05
Applicant: Andrew Blackwood and Rut Finnsdottir
Location: 207 Choptank Avenue, Easton, MD 21601

Tax Map 0105, Grid 0000, Parcel 1669

Zoning: R-7A

Request: The applicant is requesting a Special Exception pursuant to Section 28-201 (Table 2.1 (1) (121)) to allow the operation of a Short-Term Housing unit within the R-7A Residential zoning district.

Background: This request stems from a Code Enforcement case opened on April 3, 2024 regarding a Short-Term Housing rental (Airbnb) operating at 207 Choptank Avenue without a Special Exception or rental license.

Outstanding Issue: Aerial imagery taken in 2019 and July of 2022 shows the installation of a swimming pool in the rear yard of the property. The Town's records do not indicate that an inspection was conducted and/or a building permit was issued by the Building Inspection Department for the installation of this pool.

Staff recommends the following conditions:

1. The applicant shall obtain a rental license to operate a Short-Term Housing rental through the Town's Rental Housing Program.
2. The applicant shall obtain an after-the-fact building permit for any unpermitted swimming facilities located on the property.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Andrew Blackwood

Public Comment — None

Public Comment Written— None

Chairman Cotter moved to approve the Special Exception request with the following conditions:

1. The applicant shall obtain a rental license to operate a short-term rental through the Town's Rental Housing Program.
2. The applicant shall either remove or obtain a building permit for the existing above ground pool.

Vice Chairman Molchan seconded the motion.

Vote 3 - 0

FOR: 3 - Cotter, Molchan, Krebeck

AGAINST: 0
ABSTAIN: 0
ABSENT: 0

b. File No.: SE -739 / SE 22 - 12

Applicant: Stanley Dean

Location: 46 Wayman Avenue, Easton, MD 21601

Tax Map 0034, Grid 0009, Parcel 0169

Zoning: MXW

Request: The applicant is requesting a Special Exception pursuant to Section 28-201 (Table 2.1 (1) (121)) to allow the operation of a Short-Term Housing unit within the MXW zoning district - Water View subdistrict.

Background: This Special Exception application was first received in August of 2022. At that time, Short-Term Housing was prohibited within the MXW zoning district, and was not listed in the table of permitted uses. In February 2024, a text amendment was passed by the Town Council that added Short-Term Housing to the table of permitted uses via Special Exception within the Water View, Inland, and Port Street sub-districts of the MXW district.

Outstanding Issues: Chapter 14-19.1 of the Town Code requires that the structure in which the Short Term housing takes place shall be the principal residence of the owner of the property. The State Department of Assessments and Taxation lists the property owner's principal address as Burtonsville, Maryland. A short term rental license could not be issued if this property is not the applicant's primary residence.

Subsequent to the submission and scheduling of this application, Staff discovered potential violations to the Critical Area regulations. Critical Area violations involving the clearing of vegetation within the 100-foot buffer were recorded on this property in 2020 and 2023. A buffer management plan was subsequently approved for the planting of Spartina grasses and seven (7) canopy trees within the 100-foot buffer. In 2023, it was discovered the shoreline within the 100-foot buffer had been cleared without approval (including some of the required plants from the 2020 violation). A violation notice was issued and the applicant was required to plant 12 canopy trees and pay a fee-in-lieu for additional required plantings that could not be met on site.

Photos taken of the property by staff on June 6, 2024 indicate that these plantings have since been removed or died since planted; and new non-pervious parking pads were also installed within the Critical Area in violation of §28-401.(3)(C). Based on the approved 2021 buffer management plan, this lot was already in excess of the 15% lot coverage limit prior to the installation of this additional impervious surface, and was considered legally nonconforming for the purposes of lot coverage requirements.

Staff Presentation:

Nicholas Johnson, Planner

Lynn B. Thomas, Town Planner - Long Range

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Stanley Dean

Chairman Cotter moved to table the application for no more than 180 days (December 18, 2024) to address the Critical Area issues identified by Staff. Vice Chairman Molchan seconded the motion.

Vote	3 - 0
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FOR:	3 - Cotter, Molchan, Krebeck
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AGAINST:	0
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ABSTAIN:	0
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ABSENT:	0
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c. File No.: SE - 1184 / SE 24 - 06 and V - 1184 / V 24 - 04

Applicant: Z.H. Stafford III

Location: 20 S. Aurora Street, Easton, MD 21601

Tax Map 0104, Grid 0000, Parcel 1572

Zoning: R-7A

Request: The applicant is requesting a Special Exception from the following section of the Zoning Ordinance: Section 28-201 (Table 2.1 (1) (103.4)) to be utilized as a Fourplex, stacked * within the R-7A Residential Zoning District

The applicant is also requesting a Variance pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-302.2.C, the minimum front, rear, and side setbacks for all uses and structures in the R-7A zoning district; Section 28-302.2.E, the minimum building envelope of sixty (60) feet deep by thirty (30) feet wide; Section 28-1007.1.13.D, the minimum lot width of fifty (50) feet for a stacked Fourplex; and Section 28-1001.3.A, the number of required parking spaces for all uses and structures. The applicant is proposing to construct a two-story structure on the vacant parcel located at 20 S. Aurora Street, also known as Tax Map 0104, Grid 0000, Parcel 1572.

Background: This application was granted a Certificate of Appropriateness for construction from the Historic District Commission at their May 13, 2024 meeting conditioned upon the use of half-round style gutters. Staff notes that the elevations that were approved by the Historic District Commission differ from the elevations that were submitted as part of the Special Exception/Variance application.

Staff Presentation:

Nicholas Johnson, Planner

192 Miguel Salinas, Director of Planning and Zoning

193 **Applicant Presentation:**

194 Z.H. “Hoppy” Stafford III

195
196
197 **By the applicant’s request, the application was withdrawn without prejudice and**
198 **with the applicant’s right to re-apply and republish.**

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201 **4. Discussion Item — None**

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203
204 **5. Adjournment —** Chairman Cotter motioned to adjourn. Vice Chairman Molchan
205 seconded. The meeting was adjourned at 10:27 a.m.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY
2024-07-16
SE - 1235 / SE 24 - 07

Applicant notified of hearing date: Email: 2024-06-28 – 18 days

Exhibit A: Staff Report – 2024-07-09 – 7 days

Exhibit B: Application – 2024-06-12 – 34 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-06-28 – 18 days

400' Notices Distributed: 2024-06-15 – 21 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-06-24 – 22 days

Advertisement run in Star Democrat: 2024-06-30 – 16 days

Exhibit E: Picture of Property Sign Posting – 2024-06-26 – 20 days

Exhibit F: Proof of Payment – 2024-06-17 – 29 days

3a

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: SPECIAL EXCEPTION 1235

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Nicholas Johnson - Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Katie Whithowski

PURPOSE: The applicant is seeking a special exception to operate a veterinary clinic within an existing structure in the Commercial General (CG) Zoning District.

RECOMMENDATION:

Staff supports a Board **approval** of the application with a condition regarding the disposal of pet waste.

APPLICATION INFORMATION:					
APPLICANT: Katie Whithowski	REPRESENTATIVE: N/A				
<table><tr><td>Parcel Information</td><td>Square Feet</td></tr><tr><td>Map 107, Parcel 2477</td><td>1779</td></tr></table>		Parcel Information	Square Feet	Map 107, Parcel 2477	1779
Parcel Information	Square Feet				
Map 107, Parcel 2477	1779				
ACCEPTANCE DATE: June 12, 2024	LOCATION: 611 Dutchmans Lane, Unit B				

EXISTING ZONING Commercial General (CG)	EXISTING LAND USE: Commercial
HISTORIC DISTRICT: No	FUTURE LAND USE: Commercial

CONTEXT:

Location/Site Access – The subject property is located off of Dutchmans Lane in an existing three-unit office building. The site is accessed exclusively via Dutchmans Lane.

Existing Conditions – The subject property is best described as an existing three-unit office building and associated surface parking. The existing uses within Units A and C of this building are best described as medical services.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Commercial	CG	Commercial
North	Commercial	CG	Commercial
West	Commercial	CG	Commercial
East	Commercial	CG	Commercial

611 Dutchmans Lane Unit B



Figure 2 Vicinity Map

PROPOSAL: The applicant is proposing what is best described as a veterinary clinic. The proposed business specializes in veterinary reproductive medicine.

POLICY ANALYSIS (SPECIAL EXCEPTION)

a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located.

Analysis – There are no proposed changes to the footprint of the existing structure that affect the properties conformance with the Zoning Ordinance’s minimum requirements for the CG Zoning District. The existing structure meets the CG’s dimensional requirements including setbacks, building envelope, and lot coverage. The Zoning Ordinance does have one supplemental standard for the proposed use which is as follows:

“Disposal of waste shall be through approved, safe means and shall be separate from regular trash disposal.” - §28-1007.2.A.2

b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area.

Analysis – The area surrounding this site is commercial in nature and consists mainly of medical service uses. An existing veterinary clinic is located approximately 500 feet to the west of this property. There are no residential land uses bordering this property.

c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;

Analysis – This property is already served by public facilities and the proposed use should not generate any additional demand for public facilities.

d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;

Analysis – Vehicular and pedestrian access is provided to the property via Dutchmans Lane. The proposed use should generate a minimal increase in traffic as the applicant has indicated in their narrative that they typically see between 3 and 5 patients per day.

e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;

Analysis – The proposed use will not generate any undue smoke or effect drainage or access within the site. While odor and noise are always potential concerns with the operation of veterinary clinics, the applicant states that there is no boarding taking place on site. Visits to the veterinary clinic will be relatively infrequent and short in duration; limiting any increased noise to short periods during operating hours. The Zoning Ordinance's lone supplemental standard for veterinary clinics relates to the disposal of waste. Staff supports a condition regarding the submission of a waste disposal plan prior to the issuance of an occupancy permit to ensure that waste is being disposed of in a manner that does not generate excess odor.

f. The proposed use will not adversely affect the established character of the area.

Analysis – The proposed use is keeping with the existing character of the area which contains a variety of medical service uses and an existing veterinary clinic.

g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

Analysis – The Comprehensive Plan’s future land use map designates this property for commercial use which is consistent with the proposed use.

RECOMMENDED CONDITION:

1. The applicant shall submit a plan to staff for review prior to the issuance of an occupancy permit for the proper disposal of any pet waste generated by this use.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve** Special Exception 1235 with staff’s recommended condition.

OR

2. I move that the Board of Zoning Appeals **deny** Special Exception 1028 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
JUN 12 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☐ VARIANCE ☐ APPEAL ☒ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	611 Dutchmans Lane Unit B Easton MD 21601						
TAX MAP	0107	GRID	0000	PARCEL	2477	LOT	
DEED REFERENCE	LIBER	3043	FOLIO	0402			
PLAT REFERENCE	LIBER	3	FOLIO	46F			
EXISTING USE	Commercial - Art Studio						
ZONING DISTRICT	Commercial						

HISTORIC DISTRICT Y ☐ N ☒ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	Eastern Shore Senior Marketing, LLC		
MAILING ADDRESS	7215 Fir Street Easton MD 21601		
TELEPHONE NO.	410-725-6350	EMAIL	essd09@gmail.com

APPLICANT OR AGENT

NAME	Sunny Side Reproductive Innovations <i>Katie Withowski</i>		
MAILING ADDRESS	<i>216 South Lane, Easton, MD 21601</i>		
TELEPHONE NO.	631-838-0002	EMAIL	<i>kwithowski@gmail.com</i>

Surveyor / Engineer

NAME	<i>N/A</i>		
License Number and Expiration			
MAILING ADDRESS			
TELEPHONE NO.		EMAIL	

REQUEST DETAILS

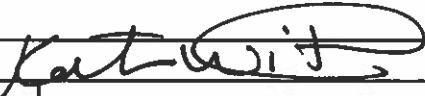
SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒

ZONING ORDINANCE SECTION

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING.

SIGNATURE OF APPLICANT OR AGENT	
Date	6/10/24
PRINTED NAME OF APPLICANT OR AGENT	Katie Witowski

For Office Use Only

Project Number	SE 24 - 07	Fee Received	06/14/2024
Application Number	2024 - 1235	Application Notification	07/01/2024
Filing Date	06/12/2024	Property Posting Date	07/01/2024
BOZA Hearing Date	07/16/2024	Notice(s) Published	06/30/2024
If ESDR, Date			

Revised 11-2023

Special Exception Findings of Fact
Sunny Side Reproductive Innovations
611 Dutchmans Lane Unit B
Easton, MD 21601

Purpose of request: special exception permit for a limited use veterinary hospital. The land/building is currently zoned commercial and there will be no construction. I am a specialist veterinarian providing a niche service in theriogenology; there are less than 700 specialists in the world in this field. I am currently providing services in Salisbury, but would like to bring my work closer to home as I am a resident of Easton of the last 4 years. My clients come from all over the Eastern Shore and this will be beneficial for other small businesses in the area to stop for provisions and to see how the area has developed over the last few years. I typically see just a handful (no more than 3-5) patients in a day, there is no surgery or boarding, and care is by appointment only. All of the dogs are required to be up to date on their vaccinations and preventative medications prior to booking their appointment with us.

Site plan and architectural drawings explained were not needed for the purposes of this permit.

I currently have 1 employee and plan to hire 1 additional employee in the next 6 months. Hours are typically 10 am to 3 pm on a Monday, Wednesday, Friday and occasional Saturday schedule. There is no special equipment needed or necessary for the use of this facility. Pets are examined and there are consultations provided in the building. There is no surgery or boarding. Clientele are responsible dog owners with well trained and behaving pets, 99% of which are canines. Occasionally I will see felines. There is sufficient parking in the lot with the other 2 offices in the building open on a limited basis throughout the week.

- A. Proposed use is a niche veterinary service and will conform to all minimum requirements of the district and in addition, conforms to the requirements of the Maryland Department of Agriculture as use as a limited use veterinary hospital.
- B. There is no change to the health, safety or general welfare of the residents of the area. All medical waste shall be exposed of properly according to OSHA regulations. All dogs are properly vaccinated according to the county laws, including rabies. All dogs will be leashed who are presenting for an appointment.
- C. The proposed use will not interfere with the adequate and orderly provision of public services. Appointments are scheduled throughout normal business hours and are 1-2 clients at a time. Normal commercial appointment necessity.
- D. There will be no excess congestion of the streets or traffic hazards as it is a very low volume clinic, with only a handful of appointments per day.
- E. This is a limited use veterinary clinic, meaning there is no surgery, boarding or grooming provided. The appointments are 1-2 hours at a time. There is no surgery and therefor no risk of anesthetic or oxygen hazards as with a typical clinic. There will be no smoke, fumes or noise. No boarding and no excess noise will be generated.
- F. The character will not be adversely affected; all clients are respectful and otherwise are not our client. Pets are well behaved or else they are not our client.

- G. The proposed use conforms with Easton Comprehensive Plan, which has been reviewed. There is no development or redevelopment of the land. The land is now commercial and will remain commercial.

Fee will be provided as determined by the Town Council.

SECTION 28 – 306 CG - **COMMERCIAL GENERAL** **DISTRICT**

28 – 306.1 PURPOSE

The purpose of this district is to provide appropriate locations for a broad range of intensive commercial activities. Provision is made for the accommodation of a wide range of business pursuits, including retail, wholesale, storage and contracting activities.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

28 – 306.2 DEVELOPMENT STANDARDS

The following minimum development standards shall be observed in the CG District:

A. Lot Standards:

1. Minimum lot size – All lots hereafter established shall be not less than 20,000 square feet
2. Lot frontage – Each lot hereafter established shall have a minimum frontage on a public street or way of sixty (60) feet.

B. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 28 – 1001.

C. Setback requirements for all lots and uses:

1. Front setback – All structures shall be setback at least twenty-five (25) feet.
2. Rear setback – All structures shall be setback at least fifteen (15) feet from the rear property line.
3. Side setbacks – A minimum of two side yards of ten (10) feet each.

D. Building Envelope – All lots shall have a minimum building envelope of twenty (20) feet deep by thirty (30) feet wide.

E. Height limitations – fifty (50) feet.

F. Lot coverage – by all buildings and structures shall not exceed fifty (50%) percent.

G. All on-site lighting unless approved otherwise by the Planning and Zoning Commission shall be low cut-off shielded luminaries at 18' height and light shall not shine off-site at levels greater than 1-foot candle.

H. All off-street loading and unloading areas shall be screened from view by permanent, decorative screens or natural plantings, a minimum of eight (8) feet in height.

1. All areas not devoted to buildings or parking areas shall be landscaped and maintained in accordance with Section 28 – 1014 of this Ordinance

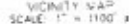
2. Animal Hospital/Veterinary Clinics or Services

a. Disposal of waste shall be through approved, safe means and shall be separate from regular trash disposal.

Parking- There is adequate parking (over 20 spots), two of the three other businesses are only open three days a week.

According to the town's Future Land Use Map 611, Dutchmans will remain zoned Commercial, therefore, there will not be a conflict.

The grass area is 8ft x 295 ft.



PL3/46F

[illegible]

• INDIVIDUAL UNIT

■ GENERAL COMMON ELEMENTS

* LIMITED EDITION ELEMENT
FOR UNITS "B" & "A" ONLY

* LIMITED COMMON ELEMENT
FOR UNIT "C" ONLY

4. MOTHER CERTIFY THAT THIS PLAY OF RECREATION BEING, CONSISTING OF 2 SECTIONS, IS IN ACCORDANCE WITH PROVISIONS OF TITLE 11, SECTION 11-101, 1968 SUPP. OF THE MARY. FREEDOM ACTS OF THE ANNOTATED CODE OF MARYLAND, 1968 REPLACEMENT VOLUME, AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAY AND THE SETTING OF PAPERING AND THAT THE PLAY TOGETHER WITH THE APPLICABLE PORTION OF THE RECREATION IS A LOGICAL REPRESENTATION OF THE CONCEPTS AND THAT THE IDENTIFICATION OF EACH SET AND THE IDENTIFICATION OF EACH SCENE, IS ACCORDING TO THEM.

THE PROPERTY SHOWN HEREON IS ALL OF THAT CONVEYANCE FROM WILLIAM M. KELL, JR. AND WILLIAM M. KELL, JR. TO MARK A. COZZANZONI, J. FREDERICK HEATON AND WILLIAM C. KELL, DATED DECEMBER 11, 1986 AND RECORDED IN THE LAND RECORDS OF TALBOT COUNTY, MARYLAND UNDER LIBER 625, FOLIO 60.

THE TOTAL AREA WITHIN THE POLYCE OF THE PLAT OF CONDEMNITION IS 8.59 ACRES. I FURTHER CERTIFY THAT THE LOCATION AND DIMENSIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRAVEL AND TAPES SURVEY, AND THAT, UNLESS OTHERWISE SHOWN, THERE ARE NO EXISTING ENCROACHMENTS AND NO IMPROVEMENTS IS SHOWN OTHER THAN THOSE PRESENTLY PHYSICALLY LOCATED. 7/15 PLAT CORRECTIONS OF THE PLAT SHEETS.

THOMAS E. LAKE
PROPERTY LINE SURV. CO.
HAUGH, WALLS AND LAKE, INC.
P.O. BOX "G"
EASTON, MARYLAND 21601

NOTES

OWNER OF THE PROPERTY, BEEN AND ASSIGNED ON THE FOLLOWING SHEETS BEING
SUBJECT SAID PROPERTY TO A MORTGAGEE RECORD ESTABLISHED IN CITY OF
SECTION 14, T. 30, S. OF THE REAL PROPERTY ACTS OF THE ANNOTATED CODE
OF MICHIGAN, THE EVIDENCE HEREIN, AND THE EVIDENCE OF THE
ANNUATED CODE, THE EVIDENCE OF THE ANNOTATED CODE OF
MICHIGAN, AND EVIDENCE HEREIN AS FAR AS THEY RELATE TO THE MAKING
OF THIS PLAN AND THE SETTING OF BURNING HAVE BEEN COMPILED WITH TO THE BEST
OF THE KNOWLEDGE

MARK A. KEGELHOLTZ

Handwritten signature
 DEIRON HEATH

WILLIAM C. HILL

GENERAL : 5015

- 1. THE "STANDARD" TEST RESULTS ARE "PUT" IN THESE COLUMNS WHEN PREPARED BY A FIELDWORKER (USUALLY THE ANALYST AND SOMETIMES THE SUPERVISOR) BY WHICH THE TESTS WERE CONDUCTED.
- 2. USUAL NUMBER OF CONSECUTIVE TESTS ARE THREE CONSECUTIVE TESTS.
- 3. FIELDWORKER WITH GOOD PROVED EXPERIENCE ARE THE INSTRUMENTS TO AN APPROPRIATE "STANDARD" AND SHOULD NOT TRY TO IDENTIFY THE VALIDITY OF A TEST, BUT ADEQUATELY REPORT IT.
- 4. COLUMNS ARE NUMBERED FROM 100 TO 1000000.
- 5. TESTS ARE NOT TO BE USED FOR DETERMINING OF QUALITY OF ANALYSIS. THE ANALYST SHOULD ANALYZE THE CAUSE OF THE STRUCTURAL OR OTHER DEFECTS OF THE BUILDING OR STRUCTURE.
- 6. THE ANALYST SHOULD BE ABLE TO OBTAIN REASONABLE CONCLUSIONS THAT THE BUILDING IS NOT IN A STATE OF COLLAPSE OR NEAR THE POINT WHERE COLLAPSE IS IMMINENT.

Rauch, Walls and Lane, Inc.

For more information, contact: David.Brown@usda.gov

EASTON • CENTREVILLE
MARYLAND

THE PLAY AND GENERAL NOTES

"A CONDOMINIUM REGIME"

IN THE TOWN OF EASON
ALBOL COUNTY, MARYLAND

SHEET NO 1042

FILE NO 1020

MSA 35U 1254-1440-1



Real Property Data Search ()
Search Result for TALBOT COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 01 Account Number - 080490

Owner Information

Owner Name: EASTERN SHORE SENIOR MARKETING LLC Use: COMMERCIAL CONDOMINIUM
Principal Residence: NO
Mailing Address: 7215 FIR ST Deed Reference: /03043/ 00402
EASTON MD 21601-

Location & Structure Information

Premises Address: 611B DUTCHMANS LN Legal Description: LOT 100X200
EASTON 21601-1000 UNIT B
UNIT B N/S DUTCHMAN'S LANE
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0107 0000 2477 14000 21 0000 2022 Plat Ref: 3/ 46F
Town: EASTON

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1976 1,779 SF 000000

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
OFFICE CONDOMINIUM /

Value Information

	Base Value	Value As of 01/01/2022	Phase-In Assessments As of 07/01/2023	As of 07/01/2024
Land:	66,500	66,500		
Improvements	123,500	123,500		
Total:	190,000	190,000	190,000	190,000
Preferential Land:	0	0		

Transfer Information

Seller: ZODIAC PROPERTIES INC	Date: 04/17/2023	Price: \$213,000
Type: ARMS LENGTH IMPROVED	Deed1: /03043/ 00402	Deed2:
Seller: MENTAL HEALTH ASSOCIATION	Date: 12/28/2018	Price: \$190,000
Type: ARMS LENGTH IMPROVED	Deed1: /02584/ 00362	Deed2:
Seller: HEATON J FREDRICK	Date: 07/25/2003	Price: \$187,000
Type: ARMS LENGTH IMPROVED	Deed1: /01171/ 00726	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Google Maps 610 Dutchmans Ln

Easton, Maryland

Google Street View

Jul 2023 See more dates

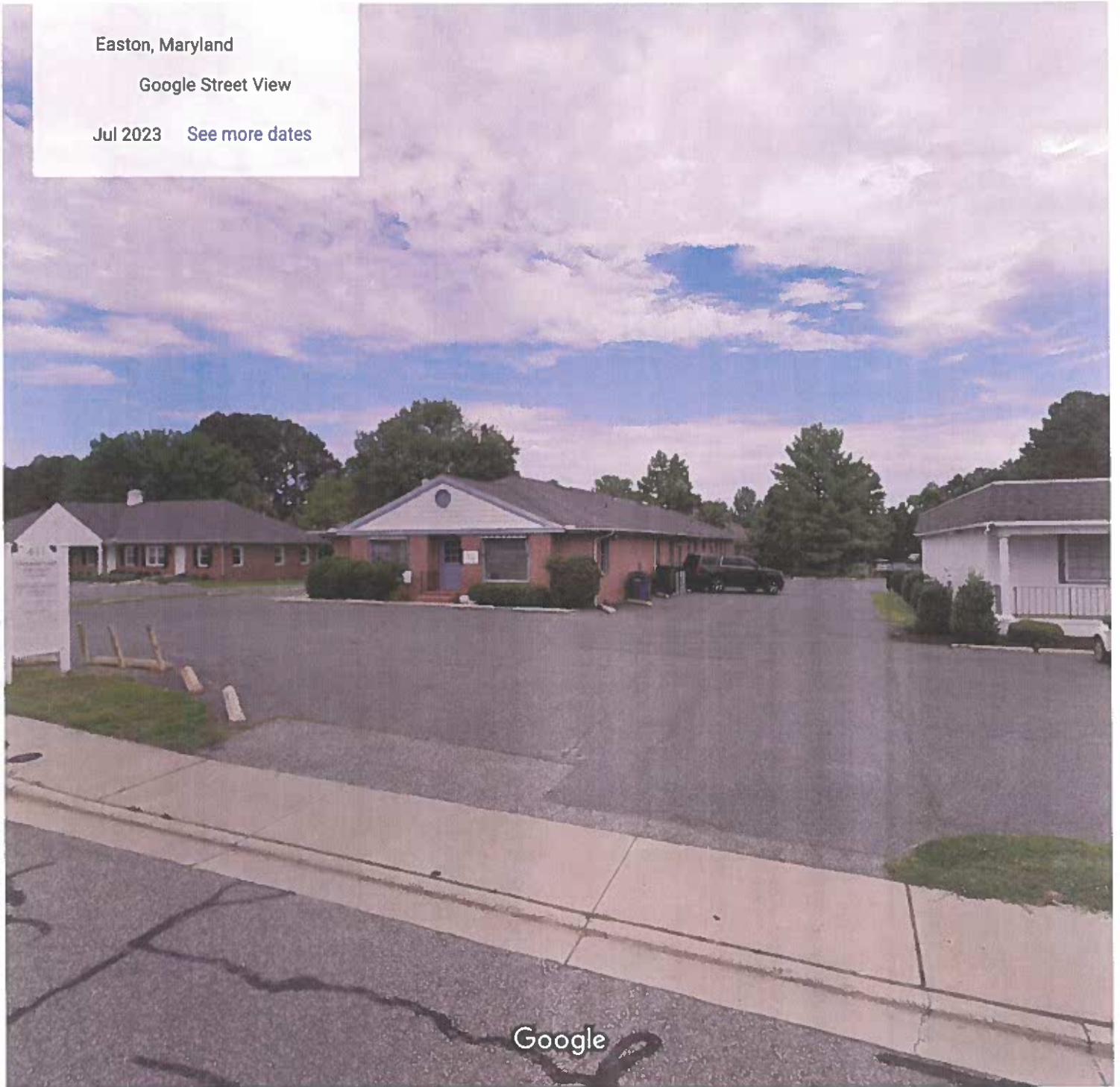
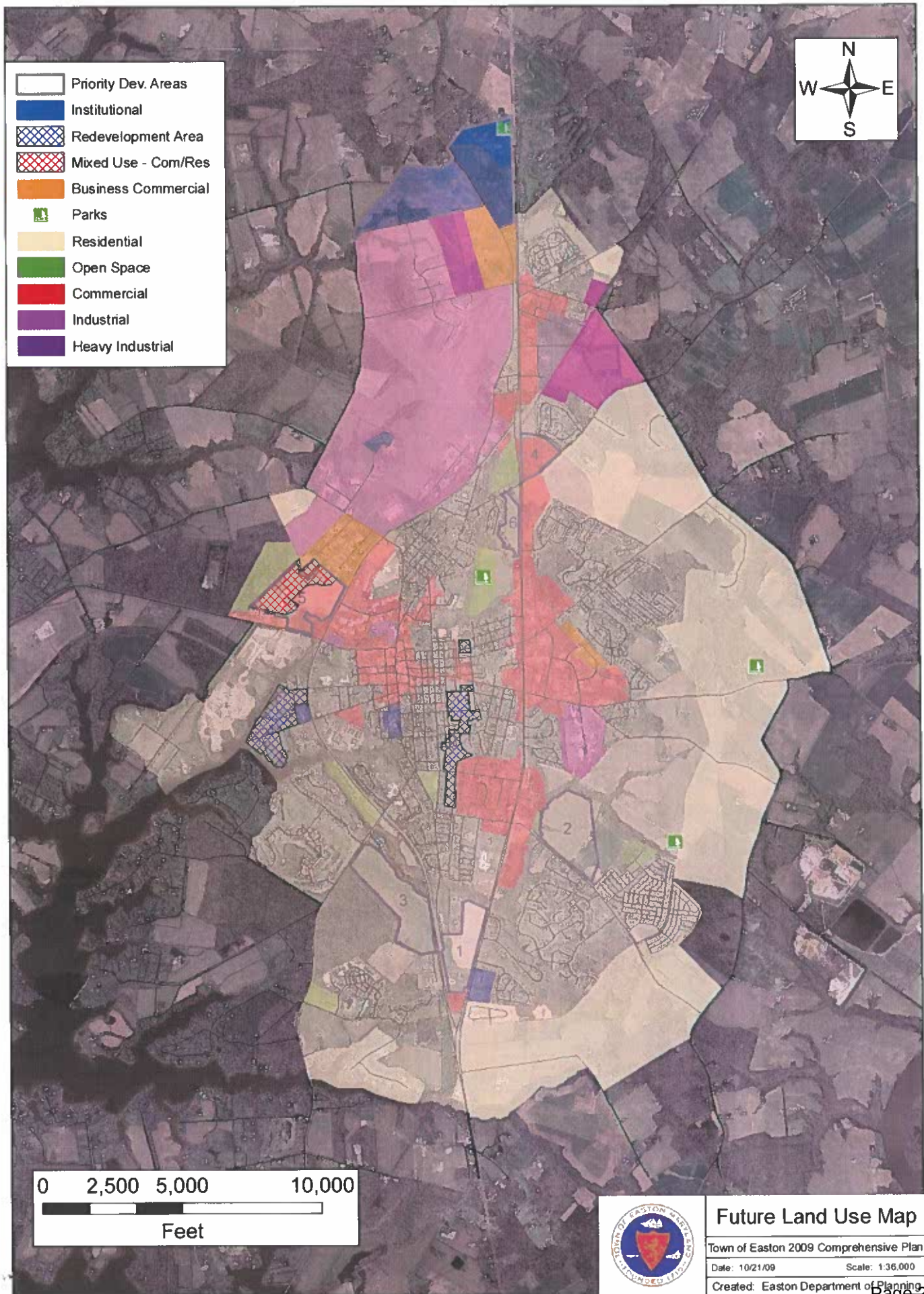


Image capture: Jul 2023 © 2024 Google





Future Land Use Map



0 2,500 5,000 10,000
Feet



Future Land Use Map

Town of Easton 2009 Comprehensive Plan

Date: 10/21/09

Scale: 1:36,000

Created: Easton Department of Planning

June 13th 2024

Owner:

Mary Kramer
7215 Fir Street
Easton MD
21601

Applicant:

Kate Withowski
Sunny Side Reproductive Innovations, LLC
216 South Lane
Easton, MD 21601

Subject: Permission to File Special Exception

I, Mary Kramer, the landlord of the property located at 611 Dutchmans Lane Unit B, hereby grant Kate Withowski permission to file for a special exception related to the said property. You have my authorization to proceed with the required applications and processes.

Please feel free to contact me for any future information or assistance.

Thank you,

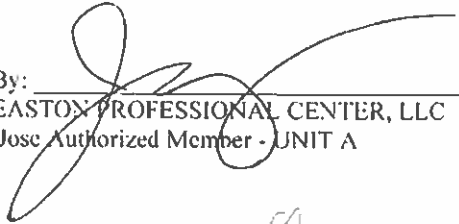


DUTCHMAN'S LANE PROFESSIONAL CENTER

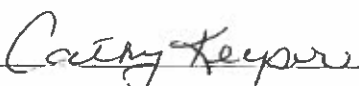
The below listed three owners of 611A, 611B, and 611C Dutchmans Lane, Easton, Maryland, pursuant to the Declaration of Condominium of Dutchman's Land Profession Center, recorded in the Land Records for Talbot County, Maryland at Liber 791, folio 140 and By-Laws of Dutchman's Lane Profession Center, Condominium Regime, recorded in the Land Records of Talbot County, Maryland at Liber 791, folio 150 hereby consent to the Special Exception Application by Sunny Side Reproductive Innovations, LLC for the operation of a veterinarian practice specializing in reproduction, which shall be no more than two dogs at any time and no overnight boarding

Statement description of practice:

Sunny Side Reproductive Innovations is a limited-use veterinary clinic providing reproductive services (theriogenology), a niche specialty of veterinary medicine. No surgery is to be performed, and no general practice will be provided. There will be limited appointment availability at specific allotted appointment times during typical business hours with an average of 1-2 clients and patients at a time. There will be no boarding or overnight accommodations for patient care. We want to emphasize that all OSHA safety measures will be strictly adhered to, ensuring the utmost safety and security for our clients and patients. Katie Withowski is the owner and is a board-certified veterinary theriogenologist, has been practicing veterinary medicine for 7 years and has lived on the Eastern Shore for 4 years.

By: 
EASTON PROFESSIONAL CENTER, LLC
Jose Authorized Member - UNIT A

By: 
Eastern Shore Senior Marketing, LLC
Mary A. Kramer, Sole Member - UNIT B

By: 
611A Dutchmans Lane, LLC
Cathy Keyser, Authorized Member - UNIT C

BY-LAWS

OF

DUTCHMAN'S LANE PROFESSIONAL CENTER, A CONDOMINIUM REGIME

Article I
Plan of Unit Ownership

Section 1. Definitions. The terms used herein which are defined in the Declaration of Condominium for the Dutchman's Lane Professional Center Condominium are used herein as therein defined.

Section 2. Unit Ownership. The property described in the Plat, hereinafter called "Condominium", has been submitted to the provisions of the Real Property Article, Title 11 of the Annotated Code of Maryland, by Declaration recorded in the Land Records of Talbot County, Maryland, simultaneously herewith.

Section 3. Applicability of By-Laws. The provisions of these By-Laws are applicable to the Condominium and to the use and occupancy thereof. The term "condominium property" as used herein shall mean the "Property" as defined in the Declaration.

Section 4. Application. All present and future owners, mortgagees, lessees and occupants of Units and their employees, and any other persons who may use the facilities of the Condominium in any manner are subject to these By-Laws, the Declaration and Rules and Regulations pertaining to the use and operation of the Condominium Property. The acceptance of a deed of conveyance, or the entering into a lease, or the act of occupancy of any Unit shall constitute an acceptance of the provisions of this instrument and an agreement to comply therewith.

Section 5. Administration of the Condominium. The administration of the Condominium shall be by an unincorporated Council of Unit Owners ("Council").

Section 6. Office. The office of the Condominium and the Council shall be located at the Condominium in Easton, Maryland. The mailing address of the Council is 611 A Dutchman's Lane, Easton, Md. 21601

Section 7. Name. The name of the unincorporated entity to manage the Condominium shall be "The Dutchman's Lane Professional Center Council of Unit Owners."

LIBERO 791 FOLIO 150

ASTEN SHORE TITLE CO.
P.O. BOX 607
EASTON, MD 21601

11-14-80
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FEB 23 1981
LIBRARY
TALBOT COUNTY
CLERK

Section 8. Membership of Council. The affairs of the Condominium shall be governed by the Council, which shall consist of each Unit Owner and subcondominium unit owner.

Section 9. Powers and Duties. The Council shall have the powers and duties necessary for the administration of the affairs of the Condominium, except such powers and duties as by law may not be delegated to the Council by the Unit Owners. The powers and duties to be exercised by the Council shall include, but shall not be limited to, the following:

(a) Operation, care, upkeep and maintenance of the Common Elements;

(b) Determination of the amounts required for operation, maintenance and other affairs of the Condominium;

(c) Collection of the common charges from the Unit Owners;

(d) Employment and dismissal of the personnel, as necessary for the efficient maintenance and operation of the Condominium;

(e) Adoption and amendment of rules and regulations covering the details of the operation and use of the Condominium Property;

(f) Opening of bank accounts on behalf of the Condominium and designating the signatories required therefor;

(g) Obtaining insurance for the Condominium Property; and

(h) Making repairs, additions and improvements to, or alterations of, the Common Elements.

Section 10. Manager. The Council may employ for the Condominium a manager at a compensation established by the Council to perform such duties and services as the Council shall authorize.

Section 11. Regular Meetings. Regular meetings of the Council may be held at such time and place as shall be determined from time to time by a majority of the members of the Council, but at least two (2) such meetings shall be held during each fiscal year. Notice of regular meetings shall be given to each member of the Council by mail or telegraph, at least three (3) business days prior to the day named for such meeting.

Section 12. Special Meetings. Special meetings of the Council may be called by the President on three (3) business days notice to each member, given by mail or telegraph, which notice shall state the time, place and purpose of the meeting. Special meetings shall be called by the President in like manner and on like notice on the written request of any member.

Section 13. Waiver of Notice. Any member of the Council may, at any time, waive notice of any meeting in writing, and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a member at any meeting of the Council shall constitute a waiver of notice to him of the time and place thereof.

Section 14. Quorum and Voting. At all meetings of the Council, the presence of Unit Owners holding fifty-one percent (51%) shall be required for the transaction of business, and the affirmative vote of at fifty-one percent (51%) shall constitute the decision of the Council on all matters and business addressed by the Council, unless some other majority vote is specified herein. Each member of the Council shall have the number of votes which is equal to that Unit Owner's Common Element Interest. Unit Owners whose Units have been subdivided pursuant to this Declaration shall share the original number of votes assigned to the original Unit with the Owners of the subdivided unit in accordance with the Declaration of Subcondominium recorded in connection with the creation of the subcondominium. The total of all votes capable of being cast by all Unit Owners and subcondominium unit owners shall be one hundred (100) votes. In case of failure to agree, the holders of the two (2) units shall agree on a third person, not financially interested in either unit, or the businesses conducted therein who will cast the deciding vote. Such third person shall be paid, on a pre-agreed basis, by the Council, for his or her time.

Section 15. Conduct of Meetings. The President shall preside over all meetings of the Council and the Secretary shall keep a minute book of the Council recording therein all resolutions adopted by the Council and a record of all transactions and proceedings occurring at such meetings.

Section 16. Action with Meeting. Any action by the Council required or permitted to be taken at any meeting may be taken without a meeting if all of the Unit Owners shall consent in writing to such action. Any such written consent shall be filed with the minutes of the proceedings of the Council.

Section 17. Compensation. No member of the Council shall receive any compensation from the Condominium for acting as such.

Section 11. Liability of the Council Members. The members of the Council shall not be liable to the Unit Owners for any mistake of judgment, negligence or otherwise, except for their own individual willful misconduct or bad faith. The Unit Owners shall indemnify and hold harmless each member of the Council against all contractual liability to others arising out of contracts made by the Council on behalf of the Condominium unless any such contract shall have been made in bad faith or contrary to the provisions of the Declaration or of these By-Laws. It is intended that the members of the Council shall have no personal liability with respect to any contract made by them on behalf of the Council. It is also intended that the liability of any Unit Owner arising out of any contract made by the Council or out of the indemnity in favor of the members of the Council shall be limited to such proportion of the total liability thereunder as his Common Elements Interest bears to the interests of all the Unit Owners in the Common Elements. Every agreement made by the Council or by the manager on behalf of the Council shall provide that the members of the Council or the manager, as the case may be, are acting only as agents for the Unit Owners and shall have no personal liability thereunder (except as Unit Owners), and that each Unit Owner's liability thereunder shall be in such proportion as his or her Common Elements Interest bears to the interest of all Unit Owners in the Common Elements.

Article II
Unit Owners

Section 1. Meetings, etc. The Unit Owners shall have no meetings as such and all actions to be taken on behalf of the Condominium shall be taken by them in their capacity as the Council, each Unit Owner being a member of the Council.

Section 2. Voting. In all votes taken by the Council, each Unit Owner shall be entitled to the number of votes which equals such Unit Owner's Common Element Interest.

Article III
Officers

Section 1. Designation. The principal officers of the Council shall be the President, the Vice President, the Secretary, and the Treasurer, all of whom shall be elected by the simple majority of the members of the Council. The Council may appoint an Assistant Treasurer, an Assistant Secretary, and such other officers as in its judgment may be necessary. The President and Vice President must be members of the Council. The Secretary and Treasurer may be the same person but the same person may not be both President and Secretary or Treasurer.

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Section 2. Removal of Officers. Upon the affirmative vote of a simple majority of the members of the Council, any officer may be removed, either with or without cause, and his or her successor may be elected at any regular meeting of the Council, or at any special meeting of the Council called for such purpose.

Section 3. President. The President shall be the chief executive officer of the Council. He shall preside at all meetings. He shall have all of the general powers and duties which are incident to the office of president of a corporation organized under the Corporation Law of the State of Maryland. The President shall also have the power and authority to conduct the routine business of the Council, which does not involve the creation of an obligation or potential liability of more than One Thousand Dollars (\$ 1,000.00) and does not create a contractual relationship which will last longer than Twelve months (12) months.

Section 4. Vice President. The Vice President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Council shall appoint some other member of the Council to act in the place of the President on an interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed upon him by the Council.

Section 5. Treasurer. The Treasurer shall have the responsibility for Council funds and securities and shall be responsible for keeping full and accurate financial records and books of account showing all receipts and disbursements, and for the preparation of all required financial statements. He shall be responsible for the deposit of all moneys and other valuable effects in the name of the Council in such depositories as may from time to time be designated by the Council and he shall, in general, perform all the duties incident to the office of treasurer of a corporation organized under the Corporation Law of the State of Maryland.

Section 6. Secretary. The Secretary shall keep the minutes of all meetings of the Council; keep the minute books for recording resolutions of the Council; and shall count the votes at all meetings.

Section 7. Agreements, Contracts, Deeds, Checks, etc. All agreements, contracts, deeds, leases, checks and other instruments of the Council shall be executed by such person or persons as may be designated by the Council.

Section 8. Compensation of Officers. No officer shall receive any compensation for acting as such.

Article IV
Operation of the Property

Section 1. (a) Determination of Common Expenses and Common Charges. The Council shall, from time to time, and at least annually, prepare a budget for the operation of the Condominium, determine the amount of the common charges required to meet the common expenses, and allocate and assess such common charges against the Unit Owners according to their respective Common Element Interests. The common expenses shall include, among other things, the cost of all insurance premiums on all policies of insurance required to be or which have been obtained by the Council pursuant to the provisions of these By-Laws. The common expenses may also include such amounts as the Council may deem proper for the operation and maintenance of the Common Elements of the Condominium, including, without limitation, an amount for working capital, for a general operating reserve, for a reserve fund for replacements, and to make up any deficit in the common expenses for any prior year. The Council shall advise each Unit Owner in writing of the amount of common charges payable by him, and shall furnish copies of each budget on which such common charges are based to all Unit Owners. The assessment shall be on an annual basis, payable monthly.

(b) Effect of Failure to Prepare or Adopt Budget. The failure or delay of the Council to prepare or adopt a budget for any fiscal year shall not constitute a waiver or release in any manner of a Unit Owner's obligation to pay his allocable share of the common expenses whenever the same shall be determined and, in the absence of any annual budget or adjusted budget, each Unit Owner shall continue to pay each monthly installment at the monthly rate established for the previous fiscal year until notified of the new monthly payment.

Section 2. Insurance. The Council shall be required to obtain and maintain, to the extent obtainable, comprehensive general liability insurance, including medical payments insurance in such limits as the Council may from time to time determine, covering each member of the council, the manager and each Unit Owner. Such public liability coverage shall also cover cross liability claims of one insured against another. The Council shall review such limits once each year.

Unit Owners shall carry fire and extended coverage insurance, liability insurance and other insurance as they shall determine necessary to cover loss or damage to their Unit and to cover their liability to third parties. With respect to all policies of insurance carried by the Unit Owners, all the other Unit Owners and the Council shall be

included as additional insureds, as their interest may appear, provided that all policies shall contain waivers of subrogation and further provided that the liability of the carriers issuing insurance obtained by the Council shall not be affected or diminished by reason of any such additional insurance carried by any Unit Owner.

Section 3. Payment of Common Charges. All Unit Owners shall be obligated to pay the common charges assessed by the Council at such time or times as the Council shall determine. The Council, in the case of delinquency, shall have a right to demand the remaining annual assessment as provided in Section 11-110(a)3 of the Act. The right to and effect of liens are controlled by Section 11-110 of the Act.

Section 4. Collection of Assessments. The Council shall take prompt action to collect from a Unit Owner any common charge due which remains unpaid by him for more than thirty (30) days from the date for its payment.

Section 5. Default in Payment of Common Charges. In the event of default by any Unit Owner in paying the assessed common charges, such Unit Owner shall be obligated to pay interest at twelve percent (12%) per annum on such common charges from the due date thereof, together with all expenses, including attorneys' fees, incurred by the Council in any proceeding brought to collect such unpaid common charges. The Council shall have the right and duty to attempt to recover such expenses of the proceeding, including attorneys' fees, in an action brought against such Unit Owner, or by foreclosure of the lien on such Unit created by and in accordance with Maryland Real Property Code Article, Section 14-201 et. seq., the creation and enforcement of which lien is consented to by each Unit Owner upon acquiring title to his Unit.

Section 6. Subordination and Mortgage Protection. Notwithstanding any other provisions hereof to the contrary, the lien of any assessment levied pursuant to these By-Laws upon any Unit (and any penalties, interest on assessments, late charges or the like) shall be subordinate to, and shall in no way affect the rights of, the holder of a mortgage made in good faith for value received; provided, however, that such subordination shall apply only to assessments which have become due and payable prior to a sale or transfer of such Unit pursuant to foreclosure, or any proceeding in lieu of foreclosure. Such sale or transfer shall not relieve the purchaser of the Unit at such sale from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment, which lien shall have the same effect and be enforced in the same manner as provided herein.

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use of units

Section 7. Statement of Common Charges. The Council shall promptly provide to any Unit Owner, who makes a request in writing, a written statement of his unpaid common charges.

Section 8. Abatement and Enjoining of Violations. The violation of any rule or regulation adopted by the Council or the breach of any by-law contained herein, or the breach of any provision of the Declaration, shall give the Council the right, in addition to any other rights set forth in these By-Laws; to enjoin, abate or remedy such thing or condition by appropriate legal proceedings.

Section 9. Use of Units. In order to provide for congenial occupancy of the Condominium Property and for the protection of the values of the Units, the use of the Condominium Property shall be subject to the following limitations:

(a) The Units shall be used for offices only unless another use is approved by the owners of all Units.

(b) Nothing shall be done or kept in any Unit or in the Common Elements which will increase the rate of insurance for the Property, or any part thereof, without the prior written consent of the Council. No Unit Owner shall permit anything to be done or kept in a Unit or in the Common Elements which will result in the cancellation of insurance on the Property, or any part thereof, or which could be in violation of any law, regulation or administrative ruling. No waste will be committed on the Common Elements.

(c) The Common Elements shall be used only of uses for which they are reasonably suited and which are incidental to the use and occupancy of Units.

(d) No nuisances shall be allowed on the Condominium Property nor shall any use or practice be allowed which is a source of annoyance to its occupants or which interferes with the peaceful possession or proper use of the Condominium Property by its lawful occupants.

(e) No immoral, improper, offensive or unlawful use shall be made of the Condominium Property, or any part thereof, and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction thereof shall be complied with. Such compliance shall be accomplished at the sole expense of the Unit Owners or the Council, whichever shall have the obligation to maintain or repair such portion of the Condominium Property.

Section 10. Right of Access. The Council and its duly appointed agents or manager shall have a right of access to each Unit to correct any condition originating in such

Unit and threatening another Unit or a Common Element. The Council shall have the right to install, alter or repair mechanical or electrical services or other Common Elements in such Unit in order to correct a threatening condition. Requests for such entry shall be made in advance and such entry shall be scheduled for a time reasonably convenient to the Unit Owner. However, in case of any emergency, such right of entry shall be immediate, whether the Unit Owner is present at the time or not.

Section 11. Rules of Conduct. Each Unit and the Common Elements shall be occupied and used in compliance with the Rules and Regulations which may be promulgated and changed by the Council. The methods and procedures adopted by the council to promulgate and change the Rules and Regulation shall be in accordance with provisions of Section 11-111 of the Act, except that, notwithstanding the provisions of Section 11-111, a quorum shall consist of the presence of Unit Owners holding at least seventy-five (75) votes. Adoption of Rules and Regulations and amendments shall be only upon the affirmative casting of at least seventy-five (75) votes.

Section 12. Water Charges and Sewer Rents. If water shall be supplied to all of the Units and the Common Elements through one meter, the Council shall pay, as a common expense, all charges for water consumed on the Condominium Property, together with all related sewer rents arising therefrom. In the event of a proposed sale of a Unit by the owner thereof, the Council, on request of the selling Unit Owner, shall execute and deliver to the purchaser of such Unit or to the purchaser's title insurance company, a letter under which the Council agrees to pay all charges for water and sewer affecting the Property as of the date of closing of title to such Unit.

Section 13. Gas and Oil. Natural and propane gas and heating and fuel oil, if any, shall be paid by each Unit Owner.

Section 14. Electricity. Electricity shall be supplied by the public utility company serving the area directly to each Unit through a separate meter and each Unit Owner shall be required to pay his separate bill for electricity supplied to his Unit. Electric service supplied to the Common Elements shall be separately metered, and the Council shall pay all bills for electricity supplied to the Common elements, as a common expense.

Article V
Mortgages

Section 1. Mortgage of Units. A Unit Owner may mortgage his Unit to any lender.

Section 2. Notice to Council. A Unit Owner who mortgages his Unit shall notify the Council of the name and address of his mortgagee and shall file a conformed copy of the note and mortgage with the Council. The Council shall maintain such information in a book entitled "Mortgages of Units".

Section 3. Notice of Unpaid Common Charges. The Council, whenever so requested in writing by a mortgagee of any Unit, shall promptly report any unpaid common charges or default by the owner of the mortgaged Unit.

Section 4. Notice of Default. The Council, when giving notice to a Unit Owner of default in paying common charges or other default, shall send a copy of such notice to each holder of a mortgage covering such Unit whose name and address has theretofore been furnished to the Council.

Section 5. Examination of Books. Each Unit Owner and each mortgagee of a Unit shall be permitted to examine the books of account of the Condominium at reasonable times, on business days, but not more often than once a month.

Article VI
Condemnation

Section 1. Condemnation. In the event of a taking in condemnation or by eminent domain of part or all of the common Elements, the award made for such taking shall be payable to the Council. Upon the affirmative vote of at least seventy-five percent (75%) cast by the members of the Council, the Council shall arrange for the repair and restoration of such Common Elements, and the Council shall disburse the proceeds of such award to the contractors engaged in such repair and restoration in appropriate progress payments. In the event that the members of the Council do not duly and promptly approve the repair and restoration of the Common Elements, the Council shall disburse the net proceeds of such award to the Unit Owners in accordance with their Common Element Interests.

Article VII
Records

Section 1. Records and Audits. The Council shall keep records of its actions and financial records and accounts of the Condominium, including a chronological

listing of receipts and expenditures, as well as a separate account for each Unit, the date when due, the amounts paid thereof, and the balance remaining unpaid. A written report summarizing all receipts and expenditures of the Condominium shall be rendered by the Council to all Unit Owners at least annually. In addition, an annual report of the receipts and expenditures of the Condominium shall be rendered by the Council to all Unit Owners promptly after the end of each fiscal year.

Article VIII

Registration with Department of Assessments and Taxation

Section 1. Registration with Department of Assessments and Taxation. Following the first annual meeting of the Condominium, the Council shall register with the Department of Assessments and Taxation, providing the Department with the names and mailing addresses of the Condominium's officers and directors, if any; and thereafter on the 15th day of April of each year, the Council shall file an updated list of the same information pursuant to Section 11-119 of the Act.

Article IX

Miscellaneous

Section 1. Notices. All notices to the Council shall be sent by registered or certified mail, in care of the President at the office of the Council or to such other address as the Council may designate from time to time. All notices to any Unit Owner shall be hand-delivered or sent by registered or certified mail to his Unit or to such other address as may be designated by him from time to time, in writing, to the Council. All notices to mortgagees of Units, shall be sent by registered or certified mail to their respective addresses, as designated by them from time to time, in writing, to the Council. All notices shall be deemed to have been given when hand-delivered or when mailed, except notices of change of address which shall be deemed to have been given when received.

Section 2. Invalidity. The invalidity of any part of these By-Laws shall not impair or affect in any manner the validity, enforceability or effect of the balance of these By-Laws.

Section 3. Captions. The captions herein are inserted only as a matter of convenience and for reference, and in no way define, limit or describe the scope of these By-Laws, or intent of any portion thereof.

Section 4. Gender. The use of the masculine gender in these By-Laws shall be deemed to include the feminine

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gender and the use of the singular shall be deemed to include the plural, whenever the context so requires.

Section 5. Waiver. No restriction, condition, obligation or provision contained in these By-Laws shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches thereof which may occur.

Section 6. Fiscal year. All of the books of the condominium shall be kept on a calendar year basis.

Article X
Amendments to By-Laws

Section 1. Amendments. These By-Laws may be modified or amended upon the affirmative casting of at least seventy-five (75%) by the members of the Council. All amendments to these By-Laws shall be prepared and recorded by the Secretary.



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

LR - Deed (w Taxes)
Recording Fee no RT
20.00
Name: Zodiac
Properties LLC/Eastern
Shore Mark
Ref:
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 1,065.00
LR - County Transfer
Tax - linked 2,130.00
LR - NR Tax - 1kd 0.00
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SubTotal:	3,255.00
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Total:	3,315.00
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04/17/2023 04:05
CC20-MG
#17153986 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

	(A) POLICY LIMIT / FACTOR	(B) REVISED POLICY LIMIT / FACTOR	(C) REVISED ITEM LIMIT / FACTOR (1) NUMBER (5)
PART I D			
14. A Outdoor Property			
Limit	\$ 1,000	\$	\$
Per Item Limit	\$ 250	\$	\$
B. Outdoor Signs	\$ 1,000	\$	\$
15. Personal Property			
B. Personal Effects	\$ 3,000	\$	\$
C. Property of Others	\$ 3,000	\$	\$
D. Valuable Papers / Records	\$ 3,000	\$	\$
16. Pollution Clean Up Cost	\$ 10,000	-	-
17. Precious Metals	\$ 3,000	\$	\$
PART I D PROPERTY LIMITATIONS			
2. Coverages B / C			
A. Furs	\$ 5,000	\$	\$
B. Jewelry Type Property			
Limit	\$ 5,000	-	-
Per Item Limit	\$ 100	-	-
PART I G SPECIAL PART I CONDITIONS			
2. Replacement Threshold (C.1.)	\$ 3,000	-	-
2. Special Condition (E / F)			
Limit	\$ 10,000	-	-
Factor	0.05	-	-

NOTES:

- With the exception of Supplemental Coverages 6 (Item 2), 8 and 16, the limits and factored amounts of insurance are aggregate limits per occurrence. With regard to Supplemental Coverages 6 (Item 2), 8 and 16 the limits are aggregate limits per policy year for all covered occurrences.
 - Column A shows Basic Policy Limits / Factors; ("—" means not applicable).
 - Columns B and C show the Revised Limits / Factors, which replace those shown in Column A; ("—" means no change permitted).
 - The Revised Limits / Factors, shown in Column C apply only with regard to the specified numbered Item or Building / Location.
- (1) Or see MCP 012, if listed as applicable to this policy.
- (2) Coverage may be deleted by showing zero dollars (\$0) in Column B.
- (3) When Option MCP 505 applies, this coverage and limit is replaced by MCP 505.
- (4) When shown, the theft sub-limit applies to such losses in lieu of the MCP 505 limit otherwise applicable.
- (5) Item No. or Location / Building Nos. Shown in the Declarations.

EASTERN SHORE TITLE COMPANY

114 N. West Street
 Easton, Maryland 21601
 Telephone: 410-820-4426 Fax: 410-820-4429
 Website: www.easternshoretitle.com
 Email: info@easternshoretitle.com

This Deed, made this 17th day of April, 2023, by and between Zodiac Properties, Inc., an Ohio corporation qualified to conduct business in the State of Maryland, Grantor; and Eastern Shore Senior Marketing, LLC, a Maryland limited liability company, Grantee.

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of **TWO HUNDRED THIRTEEN THOUSAND AND 00/100 DOLLARS (\$213,000.00)** and other good, valuable and sufficient consideration, in hand paid, the receipt of which is hereby acknowledged, the said **Zodiac Properties, Inc., an Ohio corporation qualified to conduct business in the State of Maryland** does hereby grant and convey unto the said **Eastern Shore Senior Marketing, LLC, a Maryland limited liability company**, its successors and assigns, forever, in fee simple, all the hereinafter described property:

ALL that property situate in the Town of Easton, Talbot County, Maryland designated and shown as UNIT B in "DUTCHMAN'S LANE PROFESSIONAL CENTER", a condominium regime, as established pursuant to a certain DECLARATION OF CONDOMINIUM OF DUTCHMAN'S LANE PROFESSIONAL CENTER AN OFFICE CONDOMINIUM, dated November 22, 1994 and recorded among the Land Records of Talbot County, Maryland in Liber No. 791, folio 140 and By-Laws recorded among the Land Records of Talbot County, Maryland in Liber No. 791, folio 150 as shown on a Plat entitled: "SITE PLAN AND GENERAL NOTES DUTCHMAN'S LANE PROFESSIONAL CENTER 'A CONDOMINIUM REGIME' IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", made by Rauch, Walls and Lane, Inc., dated February, 1994 and recorded among the Plat Records of Talbot County, Maryland in Plat Liber No. 3, folio 46FF; reference to said Plat and the recording thereof is hereby made for a more particular description of said unit.

The Grantor grants and conveys unto the Grantee an undivided interest in the general common elements and limited common elements as shown on the aforesaid Plat and as set forth in the Declaration of Condominium; said common elements being designated in the Declaration and shown on the aforesaid Plats.

AND ESPECIALLY TOGETHER with the rights in common with others in the

11/01/2023 10:10:10 AM TALBOT COUNTY FINANCE OFFICE

RECORDATION TAX
 AMT: \$2,556.00
 DATE: 4/17/2023
 INITIALS: [Signature]
 Prop ID: 01-080490

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

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **Eastern Shore Senior Marketing, LLC, a Maryland limited liability company**, its successors and assigns, forever, in fee simple; AND SUBJECT to all rights, easements, restrictions, covenants and reservations contained in the By-Laws and Declaration of Condominium as if such provisions were recited at length herein, and the Grantee, by acceptance of this Deed, hereby expressly assumes and agrees to be bound by the covenant and provision of the aforesaid documents as if the same had been fully set forth herein, including, but not limited to, the obligations to make payment of the assessments as prescribed in the aforesaid By-Laws and Declaration of Condominium of Dutchman's Lane Professional Center.

And the said Grantor does hereby covenant that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby conveyed; and that it will execute such other and further assurances of the same, as may be requisite.

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

Zodiac Properties, Inc., an Ohio corporation qualified to conduct business in the State of Maryland



Robert Lee Rauzi {Seal}
BY: Robert L. Rauzi, President

STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I hereby certify that on this 12th day of **April, 2023** before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Robert L. Rauzi**, who acknowledged himself to be (i) the President of Zodiac Properties, Inc., an Ohio corporation qualified to conduct business in the State of Maryland, (the Company), (ii) as such President, being authorized to do so, executed the same for and on behalf of the Company in the capacity therein stated and for the purposes therein contained, and (iii) said instrument is the act of the Company, giving oath under penalties of perjury that the consideration recited herein is correct.

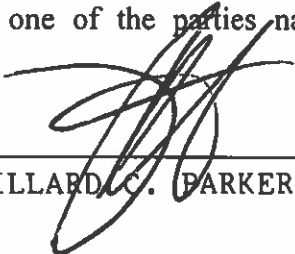
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

My commission expires: 05/30/2023

This document was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland, or by one of the parties named in the within instrument.



WILLARD C. PARKER, II, ESQUIRE

AFTER RECORDING, PLEASE RETURN TO:
EASTERN SHORE TITLE COMPANY
114 N. West Street
Easton, Maryland 21601
File No: EST-28151-AD

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Talbot

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only - All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1	Type(s) of Instruments	(☐ Check Box if addendum Intake Form is Attached.)						
	☒ Deed	☐ Mortgage	☐ Other _____					
	☒ Deed of Trust	☐ Lease	☐ Other _____					
2	Conveyance Type Check Box	☒ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms-Length Sale [9]			
3	Tax Exemptions (if applicable)	☐ Recordation ☐ State Transfer ☐ County Transfer						
Cite or Explain Authority								
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only				
				Transfer and Recordation Tax Consideration				
		Purchase Price/Consideration	\$ 213,000.00	Transfer Tax Consideration	\$			
		Any New Mortgage	\$ 200,000.00	X () % =	\$			
		Balance of Existing Mortgage	\$	Less Exemption Amount	\$			
		Other:	\$	Total Transfer Tax	\$			
		Other:	\$	Recordation Tax Consideration	\$			
	Full Cash Value:	\$	X () per \$500 =	\$				
			TOTAL DUE	\$				
5	Fees	Amount of Fees		Doc. 1	Doc. 2			
		Recording Charge	\$ 60.00	\$ 60.00	Agent:			
		Surcharge	\$	\$	Tax Bill:			
		State Recordation Tax	\$ 2,556.00	\$	C.B. Credit:			
		State Transfer Tax	\$ 1,065.00	\$	Ag. Tax/Other:			
		County Transfer Tax	\$ 2,130.00	\$				
		Other	\$	\$				
		Other	\$	\$				
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
			01-080490	2584 , 362	0107	2477	☐ (5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)						
		611 Dutchmans Lane, Unit B, Easton, MD 21601						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential ☒ Or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: \$ _____						
		Partial Conveyance ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred:						
		If Partial Conveyance, List Improvements						
7	Transferred From	Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)			
		Zodiac Properties, Inc., an Ohio corporation qualified to conduct business in the State of Maryland			Eastern Shore Senior Marketing, LLC, a Maryland limited liability company			
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 - Grantee(s) Name(s)			Doc. 2 - Grantee(s) Name(s)			
		Eastern Shore Senior Marketing, LLC, a Maryland limited liability company			Zodiac Properties, Inc.			
		New Owner's (Grantee) Mailing Address						
		7215 Fir Street, Easton, MD 21601						
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person					☒ Return to Contact Person	
		Name: Ashlie Dyott					☐ Hold for Pickup	
		Firm: Eastern Shore Title Company					☐ Return Address Provided	
		Address: 114 N. West Street						
		Easton, MD 21601 Phone: (410) 820-4426						
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER							
Assessment Information	☐ Yes ☒ No	Will the property being conveyed be the grantee's principal residence?						
	☐ Yes ☒ No	Does the transfer include personal property? If yes, identify: _____						



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

June 28, 2024

Sunny Side Reproductive Innovations
% Katie Withowski
402 Punkin Court
Salisbury, Maryland 21804

Re: BOZA Application SE - 1235 / SE 24- 07
611 Dutchmans Lane Unit B
Tax Map 0107, Grid 0000, Parcel 2477
Easton, Maryland 21601

Ms. Withowski,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, July 16, 2024 at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton

Ms. Katie Withowski
June 28, 2024
Page 2

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary to uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

July 1, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, July 16, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application SE-1235 / SE 24-07 has been filed on behalf of Sunny Side Reproductive Innovations, pursuant to Section 28-1303.5.B of the Zoning Ordinance (Ordinance) of the Town of Easton, to obtain a Special Exception for an Animal Hospital or Veterinary Clinic*, use (2) 232 in Table 2.1 of Section 28-201 in the Commercial General (CG) zoning district. This veterinary hospital provides a specialty in veterinary medicine known as theriogenology that is focused on assisted animal reproduction. The applicant is seeking to relocate their niche veterinary services to this facility. The property is located at 611 Dutchmans Lane Unit B, Easton, Maryland, also known as Tax Map 0107, Grid 0000, Parcel 2477, and is situated in the CG – Commercial General District. The property is owned by Eastern Shore Senior Marketing, LLC.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

NOTICE

Notice is hereby given that Application SE-1235 / SE 24-07 has been filed on behalf of Sunny Side Reproductive Innovations, pursuant to Section 28-1303.5.B of the Zoning Ordinance (Ordinance) of the Town of Easton, to obtain a Special Exception for an Animal Hospital or Veterinary Clinic*, use (2) 232 in Table 2.1 of Section 28-201 in the Commercial General (CG) zoning district. This veterinary hospital provides a specialty in veterinary medicine known as theriogenology that is focused on assisted animal reproduction. The applicant is seeking to relocate their niche veterinary services to this facility.

The property is located at 611 Dutchmans Lane Unit B, Easton, Maryland, also known as Tax Map 0107, Grid 0000, Parcel 2477, and is situated in the CG – Commercial General District. The property is owned by Eastern Shore Senior Marketing, LLC. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, July 16, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

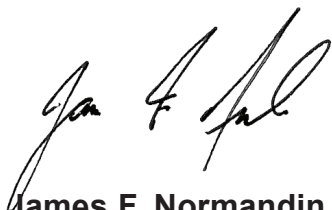
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to the date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application SE-1235 / SE 24-07..." was published in the:

The Star Democrat 06/30/24



**James F. Normandin
President & Publisher**

NOTICE

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EASTON BOARD OF ZONING APPEALS

3057310 SD

6/30/2024



***Subject property posting pursuant to
Section 28-901.2.H.2 of the Town of
Easton Zoning Code - June 26, 2024.***



RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1235	6/17/2024
PROJECT ID	
SE 24 - 07	

TO:

Sunny Side Reproductive Innovations
c/o Katie Withowski
402 Punkin Court
Salisbury, Maryland 21804

RE: Application 2024 - 1235 / SE 24 - 07

611 Dutchmans Lane Unit B
Tax Map 0107, Grid 0000, Parcel 2477
Easton, Maryland 21601

Date	Description	Transaction	Amount
06/14/2024	BOZA - SPECIAL EXCEPTION	Check # 243	700.00
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$700.00

Paid in full. Thank you!

If you have any questions about this invoice, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov

Exhibit F