

2011 APR 15 PM 2 48

AGREEMENT AND EASEMENT

FOR

EXISTING

SEWAGE HOLDING TANK SYSTEM

THIS AGREEMENT is made this 15th day of April 2011, between Michael R. Lawrence and among the Maryland Department of the Environment and the Kent County Health Department, Environmental Health Division (hereinafter referred to collectively as the "Owner" and "the Department").

WHEREAS, Owners are seized and possessed of a tract of land located in the Seventh Election District of Kent County, Maryland, the deed to same being recorded among the Land Records of Kent County, Maryland, in Liber MLM, No. 191, Folio 176 (Parcel 225, Tax Map 52, Lot 3).

WHEREAS, Owner's land is unsuitable for the installation of a conventional or an innovative/alternative on-site sewage disposal system and Owners desire the Department's approval to install a holding tank system of sewage disposal.

WHEREAS, this land qualifies as a site for a sewage holding tank under the provisions of the Code of Maryland Regulations, Title 26, Subtitle 04, Chapter 02.

NOW, THEREFORE, the parties hereto agree as follows:

RECORDING FEE	20.00
TOTAL	20.00
REC'D KENT	APR 15 2011
REC'D DEPT	APR 15 2011

A. Owners hereby grant the right to the Department to enter upon the property at any reasonable time for access to the system to make periodic inspections, as well as to provide any information and data requested and needed by the Department to develop accurate and thorough records.

B. Owners agree that there shall be no liability on the part of the Department if this holding tank system malfunctions and that the Department does not warrant or guarantee that the system will adequately or properly function.

C. Owners acknowledge and agree that neither the Department nor any of its agents or employees, either officially or individually, underwrites the operation of any system approved by them.

D. The Owners will devote such care and effort to the maintenance of the system so that a system malfunction does not occur.

CLERK'S OFFICE
RETURNED TO:
1110
5040
Chester town, MD 21620

E. The Owners agree that, should the system be determined by the Department to pose a threat to the public health, safety or comfort, and should the Department therefore, order any necessary changes or corrections, the Owners agree to pay for all such changes or corrections. System modifications may include requirements for additional tanks and/or more frequent pumping of the holding tank(s).

F. The Owners shall contact the *Kent County Health Department, Environmental Health Division*, at least 24 hours prior to system modification so that the Department may inspect the system in the field with the installer. The Owners further agree that this system will be installed according to plans and specifications approved by the Department and any changes determined to be necessary by the Department as a result of reviewing the field conditions.

G. This agreement shall run with the land and binds the Owners, their heirs, successors or assigns. Owners further agree that they shall inform any purchaser or lessee of the property that the system will require regular maintenance or other attention. The Owners agree to record this Agreement in the land records of Kent County and will forward a copy of the recorded agreement to the Department.

H. This Agreement shall not be construed to limit any authority of the Department to protect the public health, safety or comfort or to issue any other orders or take any other action, which is now or may hereafter be within its authority.

I. Owners certify that they have obtained a cost estimate and are financially capable of having the sewage removed from the holding tank by a permitted sewage waste hauler on a regular basis so that the holding tank never overflows. The Owners further agree to enter into and maintain a written service contract which will be renewed annually with any permitted scavenger and will forward a copy to the Department prior to the approval of the permit for the holding tank installation and annually thereafter.

J. If the Owners install any plumbing, they shall install only water conserving fixtures (e.g., toilets installed will use no more than 1-1/2 gallons of water per flush).

K. The Owners shall not perform any renovations or remodeling which enlarges the living space of the residence. Room additions necessary to provide bathroom facilities to accommodate installation of indoor plumbing are not prohibited.

L. The approval of a holding tank system provided for in this agreement is only for an interim period until public sewerage facilities become available, at which time the Owners shall connect the structure to the public facilities and shall properly abandon and backfill the holding tank.

WITNESS, the hand and seal of the parties hereto:

DATE: 4-15-11

OWNERS: Michael R Lawrence

DATE: 4/15/11

John C Beskid
John C. Beskid
Kent County Health Department
Director of Environmental Health

4/15/11 THE FOREGOING Agreement FILED
FOR RECORD AND IS ACCORDINGLY RECORDED AMONG
THE LAND RECORDS OF KENT COUNTY, MARYLAND, IN
LIBER MLM NO. 678 FOLIOS 410-412
Mark L. Mansfield, CLERK

APPLICATION TO CONSTRUCT AN ON-SITE SEWAGE SYSTEM

Owner's Name: MICHAEL LAWRENCE
 Address: 1710 FAIRMONT AVE PHILA-PA 19130
 Phone: 215-765-1300
 Septic Installer: MILLER HUMBURG & BACKER
 Address: 3116 CLEVELAND BLVD PHILA
 Phone: 410-928-5292
 Notes: 1500 gal HOLDING TANK

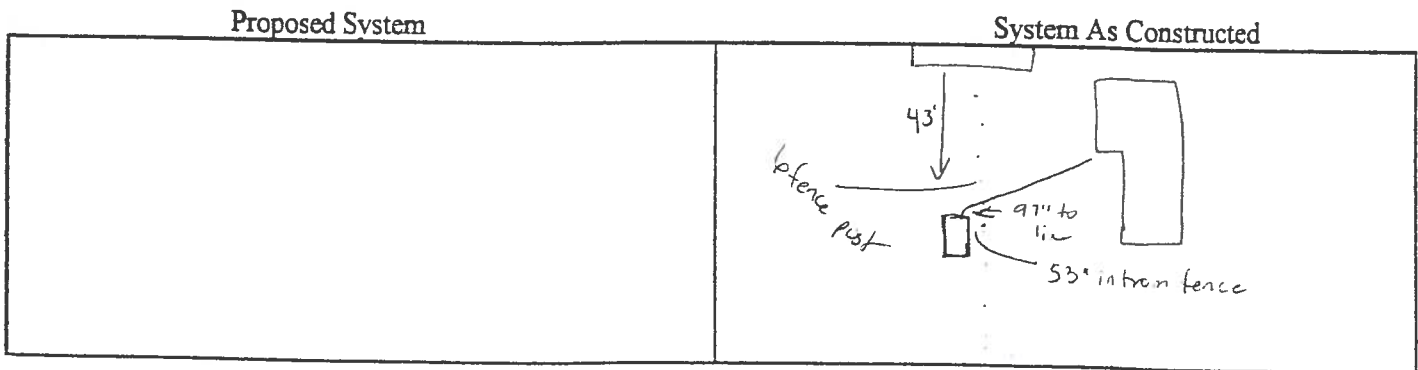
tax map/parcel:	52/250
Date Issued:	12-14-00
Date Expires:	12-14-01
Approved By:	N. Howell
Date Inspected:	12-15-00
Inspected By:	N. Howell
Permit#:	KS-142-00

Bedrooms _____ Basement? (Y/N) _____ Enter Either: A. New System
 B. Repair

Type of System: A. Trench System Use: A. Single Fam D. Commercial
 B. Mound B. Mult. Fam E. Industrial
 C. Other C. Institution

Pump Needed: Yes _____ No X

Tank Capacity: 1500 Drain Field: Length: _____ Width: _____ Depth: _____



PLEASE NOTE: SYSTEM DEPTHS MAY VARY DEPENDING ON SOIL CONSISTENCY. IN ACCORDANCE WITH COMAR 26.04.02 YOU ARE REQUIRED TO INSTALL THE SYSTEM INTO TWO (2) FEET OF PERMEABLE SOILS.

I, [Signature], hereby agree to contact the Kent County Health Department 48 hours prior to starting construction of system and will comply with all other Health Department Regulations.

Application Date: 12-14-00 Received By: _____ Fee Paid: 50.00

not to be mailed.