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June 2, 2005

Ms. Betty A. Stemley  
27 Overbrook Road  
Catonsville, Maryland 21228

Re: Collins, et al. v. Senez  
Circuit Court for Baltimore County  
Case No. 03-C-04-010227 OC

Dear Ms. Stemley:

I represent Linda Ann Senez in defense of the above-referenced matter, which arises out of a dispute between adjoining neighbors. Please allow the following to serve as my client's confidential mediation statement.

Linda Ann Senez ("Ms. Senez") owns the property located at 341 Worton Road, in the eastern portion of Baltimore County. The Plaintiffs own the property known as 339 Worton Road, immediately next door and to the left of Ms. Senez's property (as you face the water). At the outset, the parties were friends. Indeed, they had keys to each other's home. The relationship has deteriorated to the point where the Plaintiffs have filed a multi-count Complaint in the Circuit Court for Baltimore County, alleging all manner of things which, according to my client, have no basis in fact or in law. Indeed, it is painfully clear that the Plaintiffs are simply unhappy with the fact that, in their estimation, their view of the water has been limited by improvements made to the Senez property. It is evident that the Plaintiffs' main gripe is that Ms. Senez's property is improved with a covered boathouse. The boathouse has been present for decades and is entirely "legal." The Plaintiffs want the boathouse destroyed and have made clear, in no uncertain terms, that they will dismiss their lawsuit and all of its petty allegations if Ms. Senez agrees to remove the boathouse. My client has absolutely no interest in doing so. The boathouse conforms with all State and County regulations, adds value to the Senez property, and is used on a daily basis. To put it bluntly, when

the Plaintiffs purchased their property in August, 2000 and began construction of their home, the boathouse was present. If the existence of the boathouse was a significant issue for the Plaintiffs, they should have taken its location into account when planning their construction.

Unable to require Ms. Senez to destroy the boathouse, the Plaintiffs have searched for other ways to extract compromises from Ms. Senez. For instance, they now claim that a boat ramp constructed by Art Meyers (the prior owner of the Senez property) is jointly owned. The Plaintiffs seek access to and use of Ms. Senez's private boat ramp. It is Ms. Senez's contention that, to the extent any portion of the boat ramp is actually located on the Collins' property, my client now owns that land and the boat ramp via adverse possession.

I have spoken at length with Art Meyers. He confirmed that he built the boat ramp and bulk head in approximately 1981. The work was done at Mr. Meyers' request and expense by a pile driver from Ocean City, Maryland. George Cook, who owned the Plaintiffs' property at the time, did not contribute financially or in any other fashion to the construction and/or maintenance of the ramp. Moreover, according to Mr. Meyers, the Cook family did not use the ramp. That said, Mr. Meyers occasionally allowed neighbors to launch their boats from his private ramp. That only occurred with Mr. Meyers' specific permission. Any suggestion by the Plaintiffs to the contrary is incorrect.

Similarly, there is a concrete wall dividing the property owned by Ms. Senez and that owned by the Plaintiffs. According to a recently provided survey, the concrete wall does not follow exactly the property boundary line. The parties, however, essentially have accepted the concrete wall as the boundary between their properties. According to Mr. Meyers, the wall was built some time in the 1930s.

Ms. Senez recently constructed a small fence which she put up along the concrete wall. Portions of that fence appear to be on property originally owned by Mr. Cook. As with the boat ramp, that property now belongs to Ms. Senez via adverse possession.

Moving on, it is the Plaintiffs' contention that improvements made to the Senez home now block their view of the water. Ms. Senez's home was severely damaged as a result of Hurricane Isabelle. \_\_\_\_\_ railroad ties which had at one time served as a retaining wall became dangerous. Ms. Senez replaced the railroad ties with a high quality, attractive, stone wall. This particular repair did nothing to change the Plaintiffs' view of the water. In addition, while the Plaintiffs complain bitterly about the railing, it is essential for safety reasons and meets code specifications.

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With respect to other matters, the Plaintiffs claim that Ms. Senez's sump pump drains on to their property. I recently visited the site; there is no indication that the Plaintiffs' claim is in any way accurate. Similarly, the Plaintiffs' claims regarding flood lights and security cameras are ridiculous.

In our estimation, it is difficult to conceive of a scenario in which the Plaintiffs will prevail on any claim asserted in their Complaint. The majority of their allegations are baseless. In addition, have spoken with Mr. Meyers, I am confident that Ms. Senez's claim for adverse possession has merit. That said, there is an issue with respect to a "deck" constructed by Ms. Senez. She has requested a variance, to which the Plaintiffs have objected. The matter is stayed pending resolution of the current lawsuit. At most, the Plaintiffs may succeed in having Ms. Senez take down a small wooden "out cropping," overlooking the water. Contrary to their wishes, the Plaintiffs can not prohibit Ms. Senez from planting trees on her property and potentially obstructing their view.

Ms. Senez realizes that litigation is expensive. She would certainly prefer to resolve her differences with her neighbors but has not found them to be at all reasonable. If their number one concern is their view, the Plaintiffs can not obtain the protection they desire by proceeding with the instant lawsuit.

I trust that this information will prove helpful to you in mediating this case. Should you have any questions or require any additional information, please do not hesitate to ask.

Most sincerely,

COPY

Judith C. Ensor

JCE:sl

cc: Ms. Linda A. Senez

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