

**COUNTY COUNCIL
OF
TALBOT COUNTY**

2017 Legislative Session, Legislative Day No.: January 24, 2017

Resolution No.: 242

Introduced by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, Ms. Williams

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF GLEBE ROAD AND ALL OF ELLIOTT ROAD TO THE TOWN OF EASTON AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO EFFECT THE TRANSFER

By the Council: January 24, 2017

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, February 28, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order:



Susan W. Moran, Secretary

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF GLEBE ROAD AND ALL OF ELLIOTT ROAD TO THE TOWN OF EASTON AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO EFFECT THE TRANSFER

WHEREAS, Talbot County, Maryland (the “County”) has agreed to transfer to the Town of Easton, Maryland (the “Town”) a certain portion of Glebe Road, and all of Elliott Road, roads or portions thereof which the County owns that are located in the Town, further described as follows:

That portion of Glebe Road beginning at Md. Rt. 322 (Easton Parkway) proceeding in a northwesterly direction to and including the northwesterly side of the intersection of Glebe Road with and beyond Mistletoe Drive, as shown on Exhibit “A” attached; and

All of Elliott Road (save and except the intersections owned by the State), a public road lying within the Town of Easton between Md. Rt. 329 (Denton Road) and Md. Rt. 331 (Preston Road), shown on Exhibit “B” attached.

WHEREAS, Local Government Article (“LG”) § 10-312, Md. Code Ann., provides that the County “may provide for . . . the disposal of any real or leasehold county property provided that “before the county makes any disposition, grant, or lease of county property, the county shall publish notice of the disposition, grant, or lease once a week for 3 successive weeks in at least one newspaper of general circulation in the county and shall include the terms of compensation to be received and give opportunity for objections.”; and,

WHEREAS, transfer of the roads from the County to the Town will not eliminate their continued availability and use as public thoroughfares, ways, and streets for pedestrian and vehicular travel. Following the transfer the roads will continue in use for the benefit of the general public, but shall be owned by and subject to the jurisdiction and control of the Town rather than the County.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Talbot County, Maryland that:

1. The recitals above are hereby incorporated as if fully set forth herein.
2. The County Council finds that:
 - (a) The County has duly advertised the proposed transfer and given opportunity for public comment pursuant to Local Government Article § 10-312, Md. Ann. Code;
 - (b) The requirements of Local Government Article § 10-312, Md. Ann. Code, have been fulfilled.
 - (c) Following their transfer, the above described roads will continue in use as public thoroughfares, ways, and streets for pedestrian and vehicular travel for the benefit of

the general public, subject to the ownership, jurisdiction, and control of the Town rather than the County.

(d) To the extent the County is required to find that the roads are no longer needed by the County for the County's public use, such a finding is hereby made, recognizing that said roads shall continue to be used for a public use upon being transferred to the Town, as stated in the preceding paragraph.

(e) The County is lawfully authorized to transfer the subject roads to the Town.

3. The County Council hereby authorizes the Council President to transfer to the Town of Easton the above described roads by quitclaim deed substantially in the form attached hereto as Exhibit "C".

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. _____ having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Courthouse, 11 North Washington Street, Easton, Maryland.

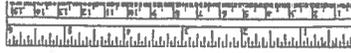
BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Susan W. Moran, Secretary

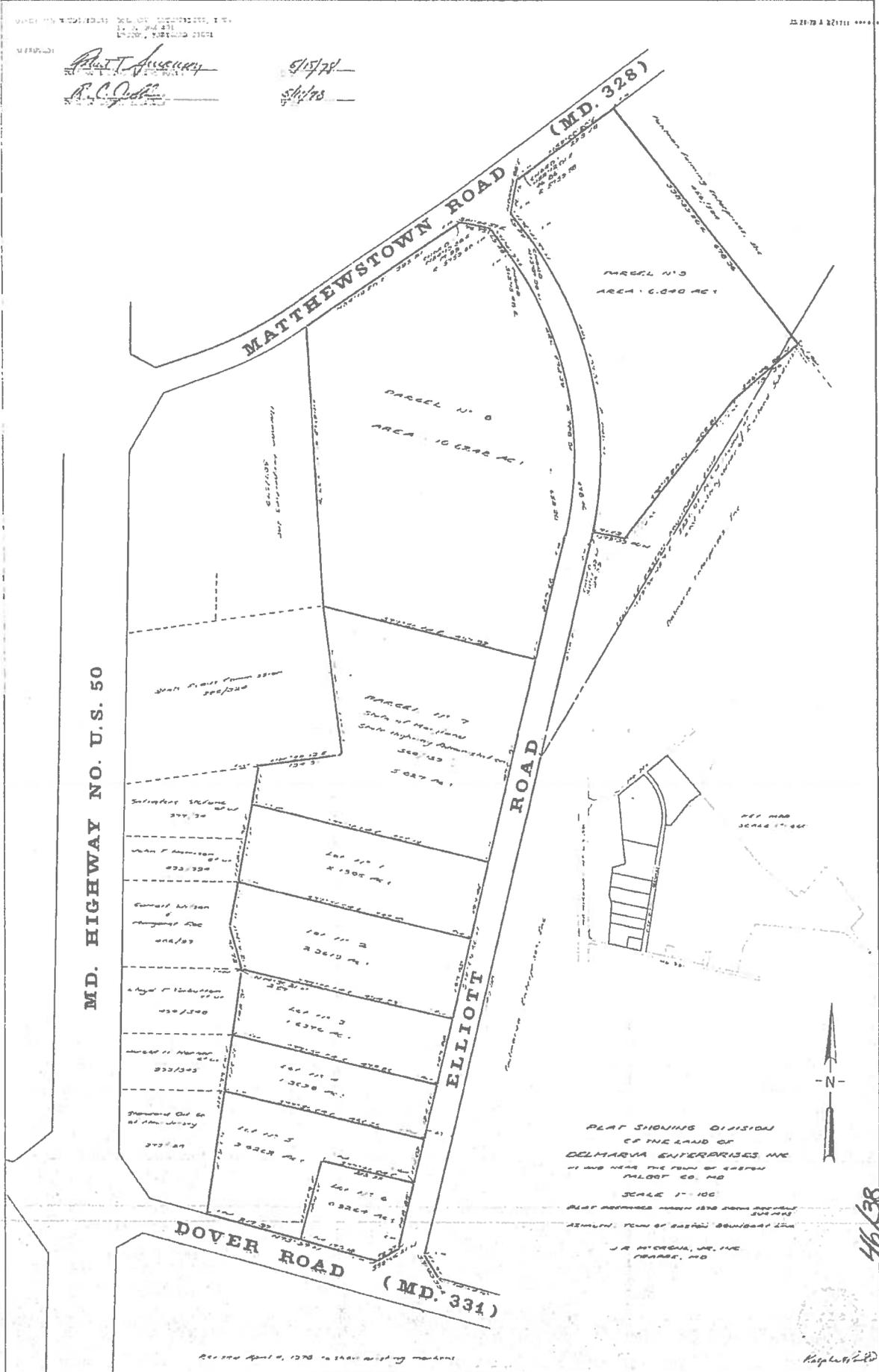
Williams -
Price -
Bartlett -
Pack -
Callahan -



UNIVERSITY OF MARYLAND COLLEGE PARK, MARYLAND
PLANNING DEPARTMENT

PL 20-70 A 2-11-11 11-11-11

APPROVED: Paul T. Anderson 5/15/78
R. C. O'Neil 5/15/78



MD. HIGHWAY NO. U.S. 50

MATTHEWSTOWN ROAD (MD. 328)

ELLIOTT ROAD

DOVER ROAD (MD. 331)

PARCEL N° 3
AREA - 6.040 AC.

PARCEL N° 6
AREA - 10.022 AC.

PARCEL N° 7
AREA - 5.027 AC.

LOT N° 1
2,130 AC.

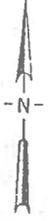
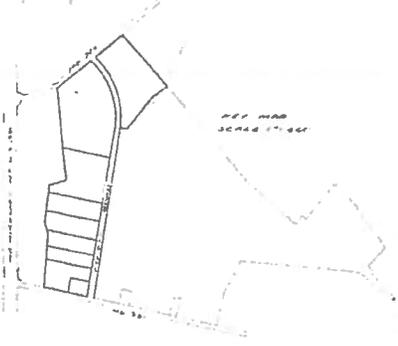
LOT N° 2
2,067 AC.

LOT N° 3
1,636 AC.

LOT N° 4
1,328 AC.

LOT N° 5
2,022 AC.

LOT N° 6
0.326 AC.



PLAT SHOWING DIVISION
OF THE LAND OF
DELMARVA ENTERPRISES INC
AS NEAR THE TOWN OF EASTON
BALTOE CO. MD
SCALE 1" = 100'
PLAT DISTANCE MARKED 1576 NORTH APPROXIMATE
300' MARK
AZIMUTH: TOWN OF EASTON BOUNDARY LINE
J. A. MICHON, JR., L.S.
FRANK, MD

46/38

Raymond E. ...

Recorded April 9, 1978 in the office of the Registrar

QUITCLAIM DEED

THIS QUITCLAIM DEED, dated the _____ of _____ 2017, from TALBOT COUNTY, MARYLAND, a political subdivision of the State of Maryland, ("Grantor"), to THE TOWN OF EASTON, MARYLAND, a political subdivision of the State of Maryland, ("Grantee").

WHEREAS, Grantor has agreed to transfer to Grantee a certain portion of Glebe Road and all of Elliott Road in "as is" condition, which Grantor owns but are located in the Town;

WHEREAS, Grantor and Grantee have duly approved this transfer by taking all necessary and appropriate steps required by law and the Road Transfer Agreement between the Parties, including without limitation adopting resolutions, receiving public comment, and executing any and all appropriate instruments; and,

WHEREAS, the Parties desire to effectuate the transfer of the roads in question by this Quitclaim Deed.

NOW, THEREFORE, WITNESSETH, Grantor, for good and valuable consideration, including One Hundred Thousand Dollars (\$100,000), the receipt and sufficiency of which are hereby acknowledged, grants, conveys, releases, assigns and quitclaims to the Grantee and its successors and assigns, all of the Grantor's right, title, interest and estate in the following County-owned roads or portions thereof:

ALL that portion of Glebe Road beginning at Md. Rt. 322 (Easton Parkway) proceeding in a northwesterly direction to and including the northwesterly side of the intersection of Glebe Road with and beyond Mistletoe Drive, as shown on Exhibit "A" attached; and,

ALL of Elliott Road (save and except the intersections owned by the State), a public road lying within the Town of Easton between Md. Rt. 329 (Denton Road) and Md. Rt. 331 (Preston Road), shown on Exhibit "B" attached.

TOGETHER with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto. Subject to, however, any rights of access of adjoining property owners over any of said alleys or ways.

WITNESS the hand and seal of the Grantor.

[SIGNATURES ON FOLLOWING PAGE]

ATTEST:

Talbot County, Maryland

Susan Moran, Secretary

By: _____
Jennifer L. Williams
President, Talbot County Council

STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, That on this ____ day of _____, 2017, before me, the subscriber, a Notary Public of the State of Maryland, County of Talbot, personally appeared JENNIFER L. WILLIAMS, who acknowledged herself to be the President of the Talbot County Council of Talbot County, Maryland, a Maryland political subdivision, and that she as such President, being authorized so to do, acknowledged that she executed the foregoing instrument for the purposes therein contained, by signing the name of Talbot County by herself as President of the Talbot County Council, and further made oath, under the penalties of perjury, that the consideration as recited herein is true and correct, and further certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor.

AS WITNESS my hand and Notarial seal.

My commission expires:

Notary Public

CERTIFICATION

This is to certify that the within instrument was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Michael L. Pullen, County Attorney