

COUNTY COUNCIL

OF

TALBOT COUNTY

2021 Legislative Session, Legislative Day No.: December 14, 2021

Resolution No.: 314

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, Ms. Price

A RESOLUTION AUTHORIZING THE TRANSFER OF ANY INTEREST TALBOT COUNTY, MARYLAND HOLDS IN A PORTION OF BROOKS LANE TO THE COMMISSIONERS OF ST. MICHAELS AND THE EXECUTION OF A QUITCLAIM DEED TO EFFECTUATE THE SAME

By the Council: December 14, 2021

Introduced, read the first time, ordered posted and public hearing scheduled on Tuesday, January 11, 2022 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 ANY INTEREST TALBOT COUNTY, MARYLAND HOLDS IN A PORTION OF BROOKS LANE TO THE COMMISSIONERS OF ST. MICHAELS AND THE EXECUTION OF A QUITCLAIM DEED TO EFFECTUATE THE SAME

WHEREAS, Talbot County, Maryland (the “County”) owns and maintains a public road right-of-way known as Brooks Lane in the Town of St. Michaels, Maryland, the corporate name of which is “The Commissioners of St. Michaels” (the “Town”); and

WHEREAS, pursuant to an Annexation Resolution adopted by the Commissioners of St. Michaels on December 13, 2017 and effective January 29, 2018 (the “Annexation Resolution”), certain lands adjacent to Brooks Lane were annexed into the Town; and

WHEREAS, pursuant to the Annexation Resolution, the Commissioners agreed to accept Brooks Lane as a Town road provided that it was upgraded to the Town’s road specifications and widened to a minimum width of 20 feet; and

WHEREAS, Brooks Lane has been upgraded to the Town’s road specifications and widened to a minimum width of 20 feet as set forth in the Annexation Resolution; and

WHEREAS, in consideration of the foregoing, the County Council is desirous of conveying to the Town all that portion of Brooks Lane as shown on the plat entitled “Special Purpose Plat Showing a Portion of Brooks Lane in the Town of St. Michaels Second Election District, Talbot County MD” dated March 2020 and prepared by Rauch, Inc. (the “Demised Land”), which plat is attached hereto and incorporated herein by reference as Exhibit A and as described in the description prepared by Rauch, Inc. attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, pursuant to Md. Code Ann., Local Government Article (“LG”) § 10-312, the County may provide for the disposal of any real or leasehold County property that is no longer needed for public use; provided, however, that the County shall first publish notice of such disposition at least once a week for three successive weeks in at least one newspaper of general circulation in the County, which notice shall include the terms and the compensation to be received, and provide an opportunity for objections; and

WHEREAS, transferring the Demised Land to the Town will not eliminate its continued availability and use as a public thoroughfare, as it will continue in use for the benefit of the general public following its transfer, but it shall be owned by and subject to the jurisdiction and control of the Town rather than the County; and

WHEREAS, the County Council, having determined that the Demised Land is no longer needed for any County use, is desirous of adopting this Resolution to authorize the transfer of any interest the County holds therein and the execution of a quitclaim deed to effectuate the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that:

1. The foregoing recitals are not merely prefatory but are a substantive part of this Resolution and are incorporated by reference herein as if fully set forth.

2. The County Council finds that:

a. The County has duly advertised the proposed transfer and provided an opportunity for public comment pursuant to LG § 10-312;

b. The pertinent requirements of LG § 10-312 have been otherwise fulfilled;

c. The Demised Land will continue in use as a public thoroughfare for the benefit of the general public, subject to the ownership, jurisdiction, and control of the Town rather than of the County; and

d. The Demised Land is no longer needed for any public (i.e., County) use; provided, however, that said public road right-of-way shall continue to be used for a public use upon being transferred to the Town as stated in the preceding subsection; and

e. The County is lawfully authorized to transfer any interest it holds in the Demised Land.

3. The County Council hereby authorizes the Council President to transfer any interest the County holds in the Demised Land to the Town by quitclaim deed in a form and manner approved by the County Office of Law, for no monetary consideration.

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

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Resolution No. 314 having been published, a public hearing was held on Tuesday, January 11, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.



Susan W. Moran, Secretary

BY THE COUNCIL

Read the second time:

Adopted: **January 11, 2022**

By Order: 
Susan W. Moran, Secretary

Callahan	-	Aye
Divilio	-	Aye
Leshner	-	Aye
Price	-	Aye
Pack	-	Aye

Effective Date: **January 11, 2022**

EXHIBIT A

Special Purpose Plat Showing a Portion of Brooks Lane in the Town of St. Michaels
Second Election District, Talbot County MD dated March 2020 and prepared by Rauch,
Inc.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS PREPARED BY RAUCH INC. AT WHICH TIME THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR WAS PRESENT AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS FOR SURVEYS IN COMPLIANCE WITH THE REGULATIONS STATED IN COMAR 08.13.04.12 OF THE ANNOTATED CODES FOR SURVEYS.

WILLIAM M. EWALD, REGISTERED PROFESSIONAL LAND SURVEYOR #21544 (EXPIRATION DATE 1/23/2021)

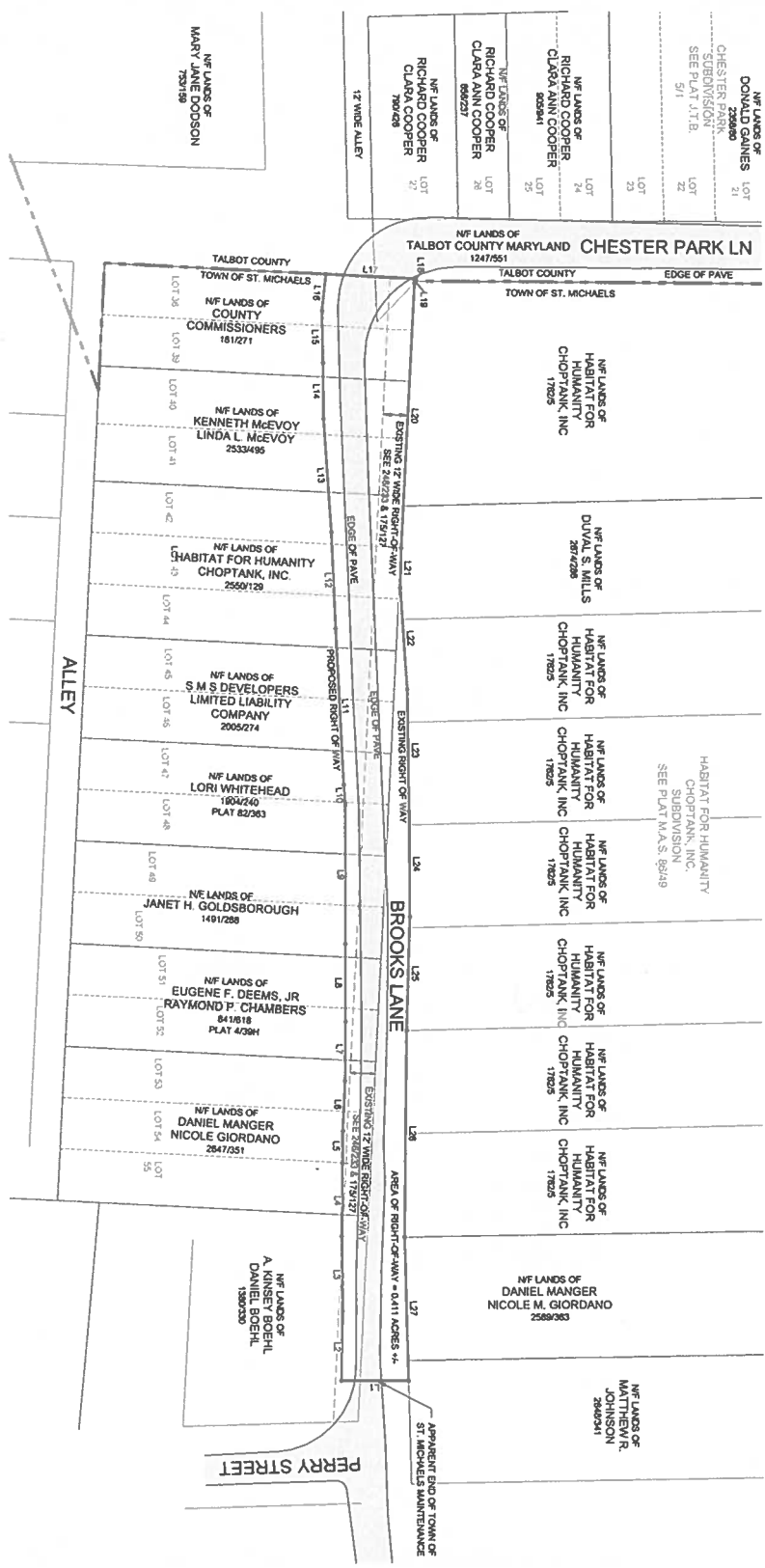
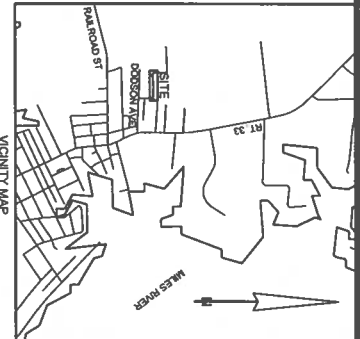
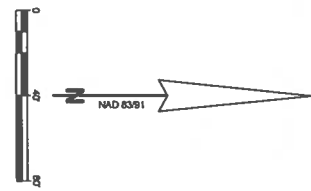
DATE

NOTES

1. THE PURPOSE OF THIS PLAT IS TO DEFINE THE PORTION OF BROOKS LANE TO BE SUBDIVIDED INTO LOTS BY TALBOT COUNTY COMMISSIONERS FOR THE TOWN OF ST. MICHAELS.
2. AREA OF RIGHT-OF-WAY IS 17.212 ACRES +/- (0.411 ACRES +/-)

COURSES AND DISTANCES OF BROOKS ROAD RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L1	N 89° 00' 00" E	52.95
L2	N 89° 40' 00" W	33.86
L3	S 89° 25' 42" W	30.26
L4	N 89° 18' 12" W	26.99
L5	N 89° 10' 00" W	23.44
L6	N 89° 02' 30" W	20.00
L7	N 89° 13' 30" W	26.66
L8	S 89° 40' 00" W	31.76
L9	S 89° 30' 00" W	27.47
L10	S 89° 15' 00" W	24.01
L11	S 89° 07' 15" W	20.49
L12	S 89° 01' 15" W	16.99
L13	S 89° 05' 45" W	13.49
L14	S 89° 25' 31" W	22.17
L15	S 89° 01' 15" W	23.99
L16	N 89° 07' 15" E	20.49
L17	N 89° 15' 12" E	16.99
L18	N 89° 25' 31" E	22.17
L19	S 89° 42' 00" E	31.76
L20	S 89° 30' 00" E	27.47
L21	S 89° 15' 00" E	24.01
L22	S 89° 07' 15" E	20.49
L23	N 89° 13' 31" E	26.66
L24	N 89° 02' 30" E	20.00
L25	S 89° 18' 12" E	26.99
L26	S 89° 10' 00" E	23.44
L27	N 89° 00' 00" E	52.95



SPECIAL PURPOSE PLAT
 SHOWING A PORTION OF
BROOKS LANE
 IN THE TOWN OF ST. MICHAELS
 SECOND ELECTION DISTRICT, TALBOT COUNTY MD
 PREPARED FOR TALBOT COUNTY PUBLIC WORKS

RAUCH inc.
 engineering design & development services
 office: 410.770.9081 | fax: 410.770.3687
 email: design@raucheng.com | web: www.raucheng.com
 address: 108 N. Harrison St - Easton, MD 21801



DESIGNED BY	EWALD
DATE	MARCH 2020
APPROVED BY	
DATE	REVISION

SHEET NO	1 OF 1
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EXHIBIT B

Brooks Lane Legal Description



March 26, 2020

**DESCRIPTION OF 17,911 SQUARE FEET OF LAND MORE OR LESS,
A PORTION OF BROOKS LANE RIGHT-OF-WAY
IN THE TOWN OF ST. MICHAELS
SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND**

BEGINNING for the same at a point located along the northern right-of way of Brooks Lane at the intersection with the apparent end of the Town of St. Michaels maintenance line; said beginning point being further located at the northeasternmost corner of the herein described lands as shown on a plat entitled " SPECIAL PURPOSE PLAT SHOWING A PORTION OF BROOKS LANE" prepared by RAUCH, inc. in March, 2020;

THESE leaving said beginning point so fixed and binding on the aforesaid apparent end of of the Town of St. Michaels maintenance line and the outline of the herein described lands;

1. South 00°00'00" East 32.58 feet to a point located on the proposed southern right-of-way line of Brooks Lane; said point falls within the lands now or formerly of A. Kinsey & Daniel Boehl (see deed 1380/330);

THENCE leaving the apparent end of the Town of St. Michaels maintenance line and binding on the aforesaid proposed southern right-of-way line of Brooks Lane over a portion of the lands of Boehl, the lands now or formerly of Nainel Mangor & Nicole Giordano (see deed 2647/351), the lands now or formerly of Eugene F. Deems, Jr. & Raymond P. Chambers (see deed 841/618), the lands now or formerly of Janet H. Goldsborough (see deed 1491/268); The lands now or formerly of Lori Whitehead (see deed 1904/240), the lands now or formerly of SMS Developers, LLC (see 2005/274), the lands now or formerly of Habitat For Humanity Choptank, Inc. (see deed 2550/129), the lands now or formerly of Kenneth & Linda McEvoy (see deed 2533/495), the lands now or formerly of County Commissioners (see deed 181/271) the following fifteen (15) courses and distances;

2. North 88°46'03" West 33.88 feet to a point;
3. South 89°25'42" West 36.26 feet to a point;
4. North 89°16'12" West 35.59 feet to a point;
5. North 88°56'58" West 15.49 feet to a point;
6. North 87°32'57" West 24.44 feet to a point;
7. North 89°13'37" West 28.66 feet to a point;
8. South 89°56'38" West 37.78 feet to a point;
9. North 89°59'02" West 67.47 feet to a point;
10. South 86°01'15" West 9.87 feet to a point;
11. South 87°05'24" West 76.01 feet to a point;
12. South 87°30'18" West 46.89 feet to a point;



13. South 86°06'54" West 55.29 feet to a point;
14. South 89°25'51" West 27.17 feet to a point;
15. South 89°04'14" West 25.39 feet to a point;
16. North 84°04'28" West 17.84 feet to a point along the Town of St. Michaels Corporate Boundary line;

THENCE leaving the leaving the proposed southern right-of-way line of Brooks Lane and binding on the aforesaid Town of St. Michaels Corporate Boundary line;

17. North 02°54'07" East 43.12 feet to a point located along the aforementioned northern right-of-way line of Brooks Lane;

THENCE leaving the Town of St. Michaels Corporate Boundary line and binding on the aforesaid northern right-of-way line of Brooks Lane the following eight courses and distances;

18. South 87°05'53" East 131.17 feet to a point;
19. South 88°45'30" East 19.38 feet to a point;
20. North 86°09'09" East 49.36 feet to a point;
21. North 89°14'31" East 59.40 feet to a point;
22. North 89°38'26" East 51.18 feet to a point;
23. South 88°16'12" East 55.15 feet to a point;
24. South 89°15'30" East 100.37 feet to a point;
25. North 88°32'40" East 69.76 feet to a point to the place of beginning.

CONTAINING in all 17,911 square feet more or less, 0.411 acres more or less.

THE legal description contained herein was prepared by RAUCH, inc. at which time I, the undersigned registered surveyor was in responsible charge and to the best of my professional knowledge, information and belief its preparation and the surveying work reflected therein is in compliance with the requirements stated in Regulation 09.13.06.12 of the Maryland Minimum Standards for Surveyors.

William M. Ewald, Sr.
Professional Land Surveyor #21544 (expiration date 12-22-2021)

Date