

COUNTY COUNCIL

OF

TALBOT COUNTY

2024 Legislative Session, Legislative Day No.: May 28, 2024

Resolution No.: 358

Introduced by: Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, Mr. Stepp

A RESOLUTION TO FORMALLY CLOSE SEGARS CORNER ROAD AS A COUNTY ROAD AND AUTHORIZE THE CONVEYANCE THEREOF TO THE UNDERLYING FEE SIMPLE OWNERS

By the Council: May 28, 2024

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, June 25, 2024, at 5:30 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 TO FORMALLY CLOSE SEGARS CORNER ROAD AS A COUNTY ROAD AND AUTHORIZE THE CONVEYANCE THEREOF TO THE UNDERLYING FEE SIMPLE OWNERS

WHEREAS, pursuant to Md. Code Ann, Local Gov't § 12-512(d), the governing body of a county may open, alter, or close any county road on its own initiative if at least 30 days' notice is given by publication once a week for three consecutive weeks in a newspaper of general circulation in the county and a hearing is held to consider any objection or counter petition; and

WHEREAS, pursuant to Chapter 134 (Roads and Bridges), § 134-4.2(B) of the Code of Talbot County Maryland (the "County Code"), Talbot County, Maryland (the "County") may not dispose of a County roadway, bridge, or other property held for public use without a public hearing under Md. Code Ann., Local Gov't § 10-312 and a finding that such property is no longer needed for public use; and

WHEREAS, pursuant to § 134-4.2(B)(1) of the County Code, all property owners abutting any County roadway proposed for disposition shall be notified, in writing, of the proposed disposition and the date, time, and place of the public hearing at least three weeks in advance; and

WHEREAS, the County is the fee simple owner of all that real property situate, lying, and being in the Fourth Election District of Talbot County, Maryland and known as Segars Corner Road, which is situated astride two parcels of real property, as follows: 1) Tax Map 12, Grid 9, Parcel 33, located at 32088 Coveys Landing Road, Cordova, Maryland, owned by Paul Thomas Swann, Jr. pursuant to a deed recorded among the Land Records of Talbot County, Maryland at Liber K.M.D. No. 2791, folio 50 (the "Swann Property"); and 2) Tax Map 12, Grid 9, Parcel 89, located on Lewistown Road, Cordova, Maryland, owned by Ethel Ann Milby pursuant to a deed recorded among the Land Records of Talbot County, Maryland at Liber M.A.S. No. 1630, folio 542 (the "Milby Property"); and

WHEREAS, Segars Corner Road is included in the County's Road Inventory, and the Talbot County Roads Department has continuously maintained the same for over 40 years; and

WHEREAS, Segars Corner Road is a short roadway, approximately 0.20 miles long, that serves as an alternate connector between Lewistown Road and Coveys Landing Road, which intersect one another; and

WHEREAS, Segars Corner Road is in poor condition and would require a significant amount of money to properly upgrade and maintain it as a public County road; and

WHEREAS, the Superintendent of the County Roads and Facilities Maintenance Department does not believe that maintaining Segars Corner Road is necessary to the inventory of public roads in the County, and closing the same will result in a cost savings to the County; and

WHEREAS, the County Council, having determined that Segars Corner Road is no longer needed for any County use, and having held a duly advertised public hearing as required pursuant to Md. Code Ann., Local Gov't §§ 10-312 and 12-512(d) and § 134-4.2(B)(1) of the

County Code, is desirous of adopting this Resolution to close the same and authorize the transfer of the County's interest therein to the owners of the Swann Property and the Milby Property via quitclaim deed, for no consideration.

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 Md. Code Ann., Local Gov't §§ 10-312 and 12-512 and § 134-4.2 of the County Code;

b. The pertinent requirements of the foregoing authorities have been otherwise fulfilled;

c. Segars Corner Road is no longer needed for any public (i.e., County) use;
and

d. The County is lawfully authorized to transfer any interest it holds in Segars Corner Road.

3. The County Council hereby authorizes the Council President to transfer the County's interest in Segars Corner Road to the owners of the Swann Property and the Milby Property by quitclaim deed in a form and manner approved by the County Office of Law, for no monetary consideration.

4. Upon execution and delivery of the aforesaid quitclaim deeds to the owners of the Swann Property and the Milby Property, Segars Corner Road shall be deemed formally closed as a public County road.

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

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 358 having been published, a public hearing was held on Tuesday, June 25, 2024, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: **June 25, 2024**

By Order: 
Susan W. Moran, Secretary

Callahan - Aye

Stepp - Aye (via absentee ballot)

Leshar - Aye

Mielke - Aye

Haythe - Aye

Effective: **June 25, 2024**