

COUNTY COUNCIL

OF

TALBOT COUNTY

2025 Legislative Session, Legislative Day No.: January 28, 2025

Resolution No.: 369

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

**A RESOLUTION TO FORMALLY DECLINE TO ACCEPT THE OFFER OF DEDICATION FOR THE PAPER STREET PORTION OF RUDE AVENUE AS SHOWN ON A SUBDIVISION PLAT ENTITLED "MAP SHOWING 'HARRISONIA' PROPERTY OF S.T. AND GEORGE J. HARRISON, TILGHMAN ISLAND, TALBOT COUNTY, MARYLAND" DATED NOVEMBER 1927 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND AT LIBER C.B.L. 212, FOLIO 394, AND TO AUTHORIZE THE EXECUTION OF A QUITCLAIM DEED TO CONVEY A 6,000 SQUARE FOOT PORTION OF SUCH PAPER STREET ADJACENT TO 5419 RUDE AVENUE, TILGHMAN, MARYLAND, BEING ALL THAT PORTION OF RUDE AVENUE BETWEEN PARCEL 1 AND PARCEL 9 OF TALBOT COUNTY TAX MAP 44, TO THE OWNERS OF SUCH PROPERTY, JORGE A. RAMIREZ AND CHRISTINA E. RILKE, FOR NO MONETARY CONSIDERATION**

By the Council: January 28, 2025

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, February 25, 2025, 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  
Susan W. Moran, Secretary

**A RESOLUTION TO FORMALLY DECLINE TO ACCEPT THE OFFER OF DEDICATION FOR THE PAPER STREET PORTION OF RUDE AVENUE AS SHOWN ON A SUBDIVISION PLAT ENTITLED “MAP SHOWING ‘HARRISONIA’ PROPERTY OF S.T. AND GEORGE J. HARRISON, TILGHMAN ISLAND, TALBOT COUNTY, MARYLAND” DATED NOVEMBER 1927 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND AT LIBER C.B.L. 212, FOLIO 394, AND TO AUTHORIZE THE EXECUTION OF A QUITCLAIM DEED TO CONVEY A 6,000 SQUARE FOOT PORTION OF SUCH PAPER STREET ADJACENT TO 5419 RUDE AVENUE, TILGHMAN, MARYLAND, BEING ALL THAT PORTION OF RUDE AVENUE BETWEEN PARCEL 1 AND PARCEL 9 OF TALBOT COUNTY TAX MAP 44, TO THE OWNERS OF SUCH PROPERTY, JORGE A. RAMIREZ AND CHRISTINA E. RILKE, FOR NO MONETARY CONSIDERATION**

**WHEREAS**, as more fully depicted in a plat entitled “Map Showing ‘Harrisonia’ Property of S.T. and George J. Harrison, Tilghman Island, Talbot County, Maryland” dated November 1927, and recorded among the Land Records of Talbot County, Maryland at Liber C.B.L. 212, folio 394 (the “Original Plat”), the streets and roadways shown thereupon and known as Rude Avenue and Eastern Avenue were expressly or impliedly offered to be dedicated to public use; and

**WHEREAS**, the portion of Rude Avenue south of its intersection with Eastern Avenue, as delineated in blue outline and described as “Area for Which Talbot County is Declining Offer of Dedication,” on Exhibit A attached hereto and incorporated herein by reference as if fully set forth (the “Paper Street”), is a paper street that has never been cut out and opened, nor does the County have any intention of opening the same as a County road; and

**WHEREAS**, Jorge A. Ramirez and Christina E. Rilke (collectively, “Owner”) are the current owners of 5419 Rude Avenue, Tilghman, Maryland, further described as Tax Map 44, Grid 16, Parcel 9, Lots 14-19, consisting of 1.256± acres (“Parcel 9”), and an adjacent lot or parcel of land described as Tax Map 44, Grid 16, Parcel 1, consisting of 1.339± acres (“Parcel 1”), pursuant to a deed dated September 1, 2023, and recorded among the Land Records of Talbot County, Maryland at Liber K.M.D. 3071, folio 297; and

**WHEREAS**, Parcel 1 and Parcel 9 (the “Parcels”) are further shown and depicted as “Tax Map 44, Parcel 1, Area = 1.339 AC+/-“ and “Tax Map 44, Parcel 9, Area = 1.256 AC+/-“ on a plat entitled “Planimetric Survey on the Lands of William J. Roe, Jr.”, prepared by Lane Engineering, LLC, dated August 3, 2023, and recorded among the Plat Records of Talbot County, Maryland at Plat Book K.M.D. 91, folio 106 (the “Survey”); and

**WHEREAS**, the Parcels are separated by the Paper Street, which is identified on the Survey as “Rude Avenue, 20’ Wide Right-of-Way”; and

**WHEREAS**, Owner has requested the County to formally decline to accept the offer to dedicate the Paper Street to public use and to quitclaim whatever interest the County may have in a 6,000 square foot part of the Paper Street located on, over, or adjacent to the Parcels, as more fully described in a legal description attached hereto as Exhibit B and incorporated herein by reference as if fully set forth; and

**WHEREAS**, the Talbot County Department of Public Works and the Talbot County Roads Department have conducted an investigation of existing adjacent public and private roads and existing drainage and utility easements and have submitted written recommendations to the County Council.

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Talbot County, Maryland as follows:

**Section 1.** Upon introduction of this Resolution, a public hearing shall be scheduled, and the date, time, place, and purpose of the public hearing shall be advertised once a week for three successive weeks in a newspaper of general circulation in the County in accordance with the requirements of Md. Code Ann., Local Gov't § 10-312(f)(1), at which time this request will be open for receipt and consideration of public comment. The advertisement shall state the terms of any proposed disposition, the compensation, if any, to be received therefor, and shall give the public an opportunity to be heard and to make any objections thereto.

**Section 2.** The County finds that there would be no public purpose served by accepting, opening, constructing, operating, or maintaining the Paper Street, including the portion thereof for which the Owner seeks a quitclaim deed, as a public County road, right-of-way, or other means of public access, and hereby declines to accept the offer of dedication of the same.

**Section 3.** Upon satisfaction of the conditions set forth in Section 4 below, the President of the County Council is authorized to execute the Quitclaim Deed in substantially the form attached hereto as Exhibit C. The Secretary shall attach a certified copy of this Resolution to the above-referenced Quitclaim Deed, to be recorded at the Owner's expense among the Land Records of Talbot County, Maryland.

**Section 4.** The execution of the Quitclaim Deed disposition is contingent upon the following conditions:

- A. There are no existing drainage easements, facilities, or public utilities currently located in, upon, under, or through the Paper Street, and if there are any, they shall continue in place;
- B. The Owner has granted a perpetual easement to the County, in content and form acceptable to the County, for drainage and utility easements adjacent to all public roads

and roadways abutting the Parcels, and in, upon, under, or through the Parcels as necessary to serve the Parcels or other properties in the area;

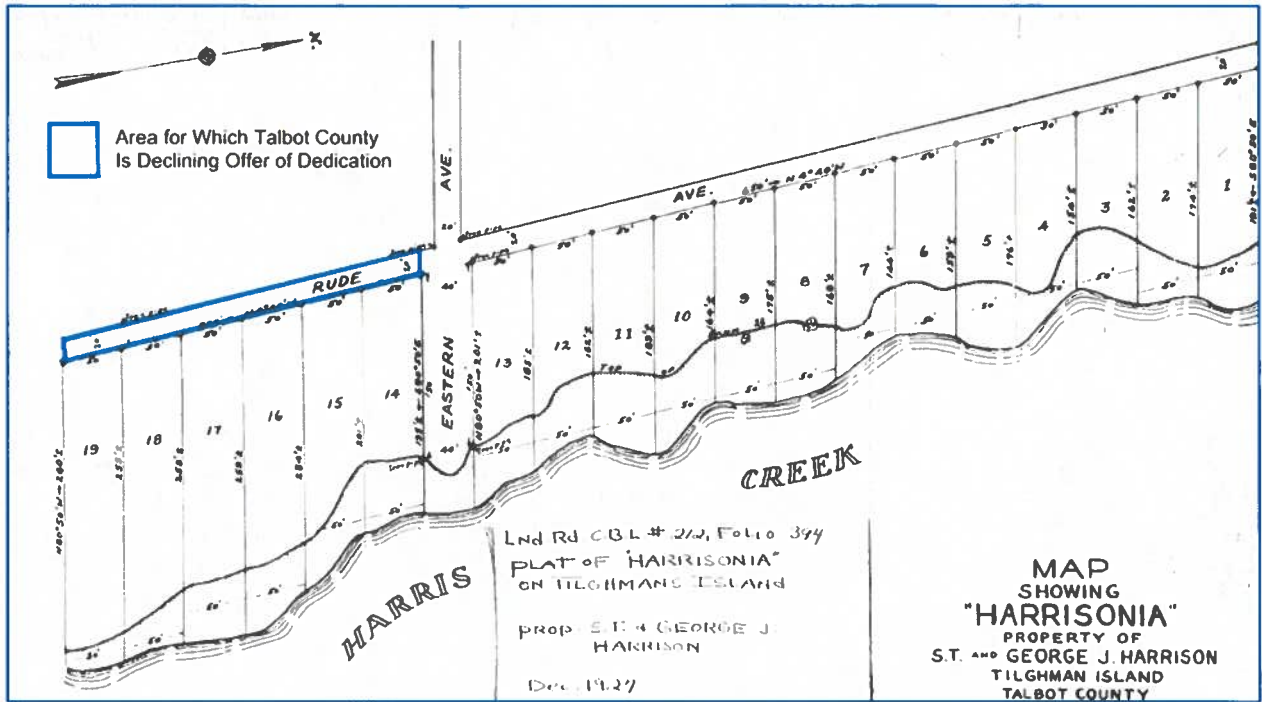
- C. The Owner has, or will, prepare all deeds, surveys, plats, or other documents in a form satisfactory to the County, and pay the cost thereof for the recording, duplication, and other costs associated with all instruments authorized and prepared pursuant to this Resolution;
- D. The Owner shall pay all advertising costs for the public hearing; and
- E. The Owner shall execute the “*Release, Waiver, and Indemnification Agreement*” attached hereto as Exhibit D.

**Section 5.** Nothing in this Resolution shall be deemed to be an acceptance or rejection by, or manifestation of the intent or belief of, the County Council with respect to the remainder of any paper streets and alleys shown on the Plat or the Survey which were offered to be dedicated to public use.

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

EXHIBIT "A"

Paper Street Portion of Rude Avenue



## **EXHIBIT "B"**

### **Legal Description of Quitclaim Area**

All that parcel of land situate, lying, and being in the Fifth Election District of Talbot County, Maryland, and further described as follows:

BEING all that portion of Rude Avenue between Parcel 1 and Parcel 9 identified as "Rude Avenue, 20' Wide Right-of-Way" on a Plat entitled: "Planimetric Survey on the Lands of William J. Roe, Jr.", prepared by Lane Engineering, LLC, dated August 3, 2023, and recorded among the Plat Records of Talbot County, Maryland at Liber K.M.D. 91, folio 106.

ALSO BEING all that portion of Rude Avenue fronting lots 14-19 on a plat entitled: "MAP SHOWING 'HARRISONIA' PROPERTY OF S.T. AND GEORGE J. HARRISON, TILGHMAN ISLAND, TALBOT COUNTY, MARYLAND", dated November 1927, and recorded among the Land Records of Talbot County, Maryland at Liber C.B.L. 212, folio 394.

Consisting in the aggregate of 6,000 square feet of land, more or less.

**EXHIBIT "C"**

**QUITCLAIM DEED**

THIS QUITCLAIM DEED, dated the \_\_\_\_ of \_\_\_\_\_, 2025, from Talbot County, Maryland, a charter County and political subdivision of the State of Maryland, Grantor, to Jorge A. Ramirez and Christina E. Rilke, husband and wife, as tenants by the entirety, Grantees.

The Grantor, for no monetary consideration, grants, conveys, releases, assigns, and quitclaims to the Grantees, their personal representatives, heirs, and assigns, all of the Grantor's right, title, interest, and estate in a certain lot of ground described as follows:

All that parcel of land situate, lying, and being in the Fifth Election District of Talbot County, Maryland, and further described as follows:

BEING all that portion of Rude Avenue between Parcel 1 and Parcel 9 identified as "Rude Avenue, 20' Wide Right-of-Way" on a Plat entitled: "Planimetric Survey on the Lands of William J. Roe, Jr.", prepared by Lane Engineering, LLC, dated August 3, 2023, and recorded among the Plat Records of Talbot County, Maryland at Liber K.M.D. 91, folio 106.

ALSO BEING all that portion of Rude Avenue fronting lots 14-19 on a plat entitled: "MAP SHOWING 'HARRISONIA' PROPERTY OF S.T. AND GEORGE J. HARRISON, TILGHMAN ISLAND, TALBOT COUNTY, MARYLAND", dated November 1927, and recorded among the Land Records of Talbot County, Maryland at Liber C.B.L. 212, folio 394.

Consisting in the aggregate of 6,000 square feet of land, more or less.

Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances, and advantages belonging to or appertaining thereto.

WITNESS the hand and seal of the Grantor.

ATTEST:

Talbot County, Maryland

\_\_\_\_\_  
Susan Moran, Secretary

By: \_\_\_\_\_  
Chuck F. Callahan, III, President  
County Council of Talbot County, Maryland

STATE OF MARYLAND, COUNTY OF \_\_\_\_\_, TO WIT:

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared CHUCK F. CALLAHAN, III, who acknowledged himself to be the President of the County Council of Talbot County, Maryland, a Maryland political subdivision, and that he as such President, being authorized so to do, acknowledged that he executed the foregoing instrument for the purposes therein contained, by signing the name of Talbot County by himself as President of the County Council of Talbot County, Maryland, 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 hands and Notarial seal.

\_\_\_\_\_  
Notary Public

My commission expires:

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 Supreme Court of Maryland.

\_\_\_\_\_  
Brendan S. Mullaney, Esq.



**EXHIBIT "D"**

**RELEASE, WAIVER, AND INDEMNIFICATION AGREEMENT**

Jorge A. Ramirez and Christina E. Rilke, husband and wife (collectively, "Owner"), on behalf of themselves, their personal representatives, heirs, successors, and assigns, hereby agree to indemnify, defend, and hold Talbot County, Maryland harmless from and against any and all claims, actions, demands, damages, liabilities, losses, expenses, suits, costs, or judgments of every kind, nature, or description whatsoever arising from or related to the quitclaim deed for the 6,000 square foot part of the paper street portion of Rude Avenue authorized pursuant to Resolution No. \_\_\_\_\_. As more fully set forth therein, the County Council of Talbot County declined to accept an offer to dedicate to public use an unimproved portion of Rude Avenue south of the intersection of Rude Avenue and Eastern Avenue, as more fully depicted in a plat entitled "Map Showing 'Harrisonia' Property of S.T. and George J. Harrison, Tilghman Island, Talbot County, Maryland", dated November 1927, and recorded among the Land Records of Talbot County, Maryland at Liber C.B.L. 212, folio 394, abutting the Owner's lots or parcels of land located at 5419 Rude Avenue, Tilghman, Maryland, being Tax Map 44, Grid 16, Parcel 1 and Parcel 9.

Owner's obligation to indemnify and defend shall include Talbot County, Maryland, its elected and appointed officials, officers, boards, commissions, agencies, department heads, employees, servants, and agents and shall run with and bind the Property, and shall be binding upon the Owner, their personal representatives, heirs, successors, and assigns in perpetuity.

IN WITNESS WHEREOF, we hereunto affix our hands and seals this \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ 2025.

Witness:

Owner:

\_\_\_\_\_

\_\_\_\_\_(SEAL)

Jorge A. Ramirez

\_\_\_\_\_

\_\_\_\_\_(SEAL)

Christina E. Rilke

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_, to wit:

I HEREBY CERTIFY, on this \_\_\_\_ day of \_\_\_\_\_ 2025 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared JORGE A. RAMIREZ, known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself/herself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_, to wit:

I HEREBY CERTIFY, on this \_\_\_\_ day of \_\_\_\_\_ 2025 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared CHRISTINA E. RILKE, known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself/herself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires:

**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 \_\_\_\_\_, 2025, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland.

**BY THE COUNCIL**

Read the second time:

Adopted:

By Order: \_\_\_\_\_  
Susan W. Moran, Secretary

Callahan -

Stepp -

Leshner -

Mielke -

Haythe -

Effective: