



Resolution

22-09

A RESOLUTION of the County Commissioners of Queen Anne's County, Maryland (the "County Commissioners" or "County"), providing for the acceptance by the County Commissioners of an offer of common-law dedication. By this Resolution, the County Commissioners accept the dedication of two roadway street beds shown as Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street on a plat entitled "A Composite Map of Kentmorr Air Park," dated July, 1954 and recorded among the Land Records of Queen Anne's County at Liber T.S.P. 17, folio 225 Plat Book TSP 1, folio 26 (the "1954 Plat"). The offer of dedication was made by the filing of the 1954 Plat among the Land Records of the County, and the acceptance of this dedication at this time is necessary to provide public sewer and water service to certain existing and platted residential lots sold in reference to the 1954 Plat.

RECITALS AND FINDINGS

WHEREAS, Nathan Morris and Lillian Morris, the owners of certain real property on Kent Island in the 4th Election District of Queen Anne's County, Maryland known as the Kentmorr Air Park, caused to be filed among the Land Records of Queen Anne's County at Liber T.S.P. No. 17, folio 225, Plat Book TSP 1, folio 26, a plat entitled "A Composite Map of Kentmorr Air Park," dated July 1954, which plat was prepared by Walter E. Woodford, Jr. and Wirt D. Bartlett, registered surveyors;

WHEREAS, a copy of the 1954 Plat is attached to this Resolution as Exhibit 1;

WHEREAS, the 1954 Plat subdivided lots and demarcated streets, including among others, Kent Avenue, Chesapeake Avenue, Orchid Street and Azalea Street;

WHEREAS, after the recordation of the 1954 Plat, the following lots shown on the 1954 Plat, among others, have been sold or transferred with reference to the 1954 Plat:

- Block W: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.
- Block X: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.
- Block Z: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16.
- Block 1-C: Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27.
- Block 1-A: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16.

WHEREAS, residential homes have been constructed on some lots abutting Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street which were sold with reference to the 1954 Plat;

WHEREAS, by Deed dated May 15, 1984 and recorded among the Land Records of Queen Anne's County at Liber 213, page 101, Kentmorr Marina, Inc. (a successor in interest to Nathan Morris and Lillian Morris who recorded the 1954 Plat), conveyed to Queen Anne's Research and Development Corporation with reference to the 1954 Plat, among other things, the roadways, street beds and right-of-ways in the Kentmorr Air Park, including the roadways and street beds designated on the 1954 Plat as Kent Avenue, Chesapeake Avenue, Orchid Street and Azalea Street;

WHEREAS, to address public health issues related to failing septic systems, and to otherwise comply with Maryland law, the County Commissioners have decided to extend public sewer service to numerous lots of South Kent Island, including lots which abut Kent Avenue or Chesapeake Avenue from Orchid Street to Azalea Street as shown on the 1954 Plat;

WHEREAS, the recordation by Nathan Morris and Lillian Morris (a predecessor in interest of Queen Anne Research and Development Corporation) of the 1954 Plat constituted an offer to make a common-law dedication to the County of the roadways and street beds shown on the 1954 Plat, including Kent Avenue,

Chesapeake Avenue, Orchid Street and Azalea Street which offer may be accepted under Maryland law by a written and recorded instrument;

WHEREAS, under Maryland law, when a county government acquires a roadway or street bed by common-law dedication, the county acquires not only the right to grade and improve the street for public transportation purposes, but also the right to lay drains, sewer and water pipes in the street bed;

WHEREAS, as a result of a public project conducted by Queen Anne’s County to extend public sewer service to lots on South Kent Island, including certain lots abutting Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street shown on the 1954 Plat, it is necessary for the County Commissioners to accept the offer of dedication made by Nathan Morris and Lillian Morris (Queen Anne Research and Development Corporation’s predecessors) by the filing of the 1954 Plat. The acceptance of the offer of dedication relates only to (1) the street beds of Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street, and (2) the installation, operation, repair and replacement of public sewer and water lines.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY:

Section 1. That the Recitals and Findings are incorporated in this Resolution as if fully set forth herein; and

Section 2. That the County Commissioners hereby accept the offer of dedication of Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street shown on the 1954 Plat, which offer of dedication was made by the filing of the 1954 Plat, and the acceptance of the dedication shall include only the use of these roadbeds for public sewer and water lines; and

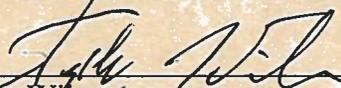
Section 3. That, as of the adoption of this Resolution, the County may, without interference from any person, install, operate, maintain, repair and replace public water and sewer lines in the street beds of Kent Avenue and Chesapeake Avenue from Orchid Street to Azalea Street as shown on the 1954 Plat; and

Section 4. That this Resolution shall be recorded among the Land Records of Queen Anne’s County, Maryland.

ADOPTED by the County Commissioners of Queen Anne’s County, Maryland, this 28th day of June, 2022.

ATTEST:

THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY



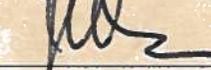
Stephen Wilson



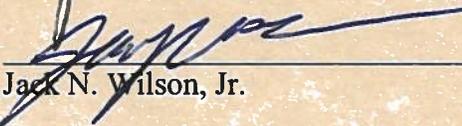
Christopher M. Corchiarino

Absent

Philip L. Dumenil



James J. Moran



Jack N. Wilson, Jr.

Executed by the County Commissioners this 28th day of June, 2022

Clerk to the County Commissioners Margie A. Houch