

**A RESOLUTION REGARDING THE CONVEYANCE OF COUNTY OWNED LAND
AT MD 524 AND MD 2/4, HUNTINGTOWN, MD TO THE STATE HIGHWAY
ADMINISTRATION FOR HIGHWAY IMPROVEMENTS**

RESOLUTION

WHEREAS, *Article 25*, Section 9B(e)(1) of the Annotated Code of Maryland authorizes the Board of County Commissioners of Calvert County, Maryland to convey any interest in real property to the United States of America, the State, or any other political subdivision or public instrumentality without consideration if the property will be used for a public purpose, public notice and public hearing requirements; and

WHEREAS, the Maryland State Highway Administration has advised of its intent to perform, or to have performed by others, improvements at the southern-most intersection of MD 524 (Old Town Road) and MD 2/4 (Solomons Island Road) in Huntingtown, Maryland; and

WHEREAS, the Board of County Commissioners has been advised by the Department of Public Works that the intersection improvements planned for the southern-most intersection of MD 524 (Old Town Road) and MD 2/4 (Solomons Island Road) in Huntingtown will improve conditions and benefit the public generally; and

WHEREAS, to perform the necessary intersection improvements, the Maryland State Highway Administration has advised that it requires 7,132 square feet of county land as depicted upon SHA Plat number 57767 (hereinafter, the "Property"); and,

WHEREAS, by the authority of the Board of County Commissioners of Calvert County, notice of a public hearing was published in The Recorder, a newspaper of general circulation in Calvert County, on June 5, 2013 and June 12, 2013 in accordance with the statutory provisions of Section 9B(e)(3)(ii) of *Article 25* of the Maryland Annotated Code; and

WHEREAS, the Board of County Commissioners for Calvert County held a public hearing, as advertised and in accordance with applicable statutory provisions on June 18, 2013; and,

WHEREAS, upon consideration of all testimony, the Board of County Commissioners has determined that the Property shall be conveyed to the State Highway Administration for no monetary consideration, but is a donation to accomplish the improvements at the southern-most intersection of MD 524 (Old Town Road) and MD 2/4 (Solomons Island Road) in Huntingtown, Maryland by the State Highway Administration of Maryland.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the Commissioner President, is hereby authorized to execute such documents necessary to convey the Property to the State Highway Administration or its designee for Zero Dollars consideration and upon the provision that, the instrument of conveyance shall include a provision that, if the Property, or any portion of the Property, ever ceases to be used for a public purpose, the Property, or that relevant portion of the Property, shall

revert to the County, as set forth in Section 9B(e)(2) of Article 25 of the Maryland Annotated Code; and

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Resolution or Deed is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of this Resolution and Deed shall be enforceable and valid; and

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation.

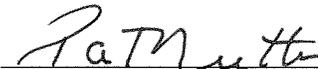
DONE, this 16th day of July, 2013 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5
Nay: 0
Absent/Abstain: 0

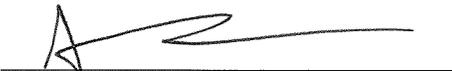
ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

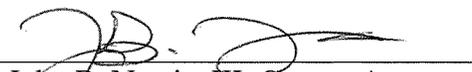

Maureen Frederick, Clerk

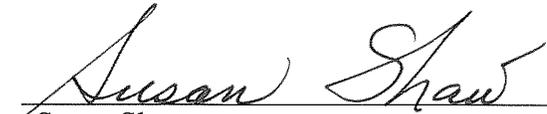

Pat Nutter, President

Approved for form and legal sufficiency on June 12, 2013 by:


Steven R. Weems, Vice-President


Gerald Clark


John B. Norris, III, County Attorney


Susan Shaw

Received for Record July 17 2013
at 9:50 o'clock A M. Same day
recorded in Liber KPS No. 43
Page 16 COUNTY COMMISSIONERS
FINANCES AND RESOLUTION.


Evan K. Slaughenhoupt, Jr.

