

LIBERO 007 FOLIO 393

**COUNTY COUNCIL
OF
DORCHESTER COUNTY, MARYLAND**

2019 Legislative Session,
Legislative Day No. 2

Introduced By: County Council

BILL NO. 2019-7

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND
PURSUANT TO SECTION 40-20 OF CHAPTER 40 OF THE DORCHESTER COUNTY CODE
CLOSING AND ABANDONING A PORTION OF COUNTY PUBLIC ROAD KNOWN AS
“HOOPER NECK ROAD” SITUATE IN THE FOURTH ELECTION DISTRICT OF
DORCHESTER COUNTY, MARYLAND.

Introduced, read first time, ordered posted on the official bulletin board of County, County
Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two (2) successive weeks, and public hearing
scheduled on Tuesday, December 3, 2019, County Office Building, 501 Court Lane, Cambridge,
Maryland at 6:10 p.m.

By order: _____



Keith Adkins, County Manager

BILL NO. 2019-7

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 40-20 OF CHAPTER 40 OF THE DORCHESTER COUNTY CODE CLOSING AND ABANDONING A PORTION OF COUNTY PUBLIC ROAD KNOWN AS "HOOPER NECK ROAD" SITUATE IN THE FOURTH ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND.

WHEREAS, Hooper Neck Road, shown on the survey exhibit attached hereto as Exhibit A, binds on and is adjacent to parcels of land owned by Donald G. Eckrod, Jr., which are identified as Lot 4 and Residue Parcel "A" of Parcel 8, Dorchester County Tax Map 49 (the "Eckrod Property") and a parcel of land owned by Ridgeton Farms Inc., which is identified as Parcel 3 of Tax Map 49 (the "Ridgeton Farm Property"); and,

WHEREAS, Donald G. Eckrod, Jr. requested the abandonment by the County of a portion of Hooper Neck Road that binds on and is adjacent to the Eckrod Property and Ridgeton Farm Property, such area of Hooper Neck Road running from the driveway entrance to Residue Parcel A and Lot 6 of the Eckrod Property south then east to the end of the road, which is more particularly depicted as "Portion to be Abandoned 'A', Area = 1.760 acres±" and "Portion to be Abandoned 'B', Area = 7,880 sq.ft.±" by the exhibit entitled "Exhibit 'A' Showing Portions of Hooper Neck Road to be Abandoned" prepared by Fink, Whitten & Associates, LLC. and attached hereto as Exhibit A; and,

WHEREAS, the owners of all land adjoining the portion of Hooper Neck Road as depicted on Exhibit A are Donald G. Eckrod, Jr. and Ridgeton Farms, Inc.; and,

WHEREAS, the portion of Hooper Neck Road of which Mr. Eckrod now seeks abandonment is used almost exclusively for the benefit of Donald G. Eckrod, Jr., his agents, and invitees; and,

by Fink, Whitten & Associates, LLC, dated August 16, 2017 and attached hereto as Exhibit B, which exhibit is incorporated herein by reference; and


- (2) All that portion of Hooper Neck Road consisting of 0.181 acres, more or less, more particularly described by a legal description entitled "Portion of Hooper Neck Road to be Abandoned and Conveyed to Ridgeton Farms, Inc." prepared by Fink, Whitten & Associates, LLC, dated August 16, 2017 and attached hereto as Exhibit C, which exhibit is incorporated herein by reference;

SECTION TWO: The President of the County Council is hereby authorized and empowered on behalf of Dorchester County, Maryland to execute any requested quitclaim deeds, without warranty of title, to the underlying and/or abutting property owners, Donald G. Eckrod, Jr. as to the land described by Exhibit B and Ridgeton Farms, Inc. as to the land described by Exhibit C, upon request by and all at the expense of such property owner(s), and the County Manager is hereby authorized to attest and seal the President's execution of any quitclaim deed(s) relating to the closing of the portion of the bed of Hooper Neck Road and termination of the public ingress, egress, access and utility easements as described in Section One, subject only to reciprocal private easements for access benefitting the lands of Donald G. Eckrod, Jr. and Ridgeton Farms, Inc. along the portion of Hooper Neck Road hereby closed that adjoins the lands of Ridgeton Farms, Inc.

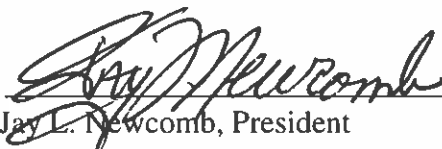
SECTION THREE: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that this Bill shall be known as Bill No. 2019-7 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 3rd day of December, 2019.

ATTEST:

By: 
 Keith Adkins, County Manager

COUNTY COUNCIL OF DORCHESTER
 COUNTY, MARYLAND

By: 
 Jay L. Newcomb, President

WHEREAS, the County Council has the authority, pursuant to Sections 10-312 and 10-319 of the Local Government Article of the Annotated Code of Maryland (the "Acts"), to open, alter, or close any public road or roads in Dorchester County, Maryland; and,

WHEREAS, the County Council has the authority, pursuant to the Annotated Code of Maryland, to sell or otherwise transfer real property when in their discretion it is no longer needed for public use, and to authorize the execution and acknowledgement of any and all deeds and/or other instruments necessary to effect and complete such a sale or transfer of real property; and,

WHEREAS, the County Manager and the County Council find that the portion of Hooper Neck Road as depicted on Exhibit A is no longer needed for public use; and,

WHEREAS, the County Manager and the County Council believe that it is in the best interest of the County to abandon the portion of Hooper Neck Road as depicted on Exhibit A as more particularly described below.

NOW, THEREFORE, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland as follows:

SECTION ONE: Acting under authority established by the Local Government Article of the Annotated Code of Maryland, the following described portion of Hooper Neck Road and any and all public ingress, egress, access or utility easements encumbering such land area are hereby CLOSED AND ABANDONED:

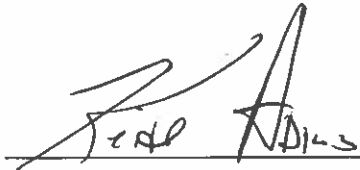
Such portions of Hooper Neck Road identified by Exhibit A hereto, which area is more particularly described as follows:

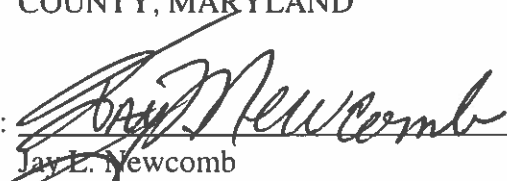
- (1) All that portion of Hooper Neck Road consisting of 1.760 acres, more or less, more particularly described by a legal description entitled "Portion of Hooper Neck Road to be Abandoned and Conveyed to Donald G. Eckrod, Jr." prepared

APPROVED this 3 day of December, 2019.

ATTEST:

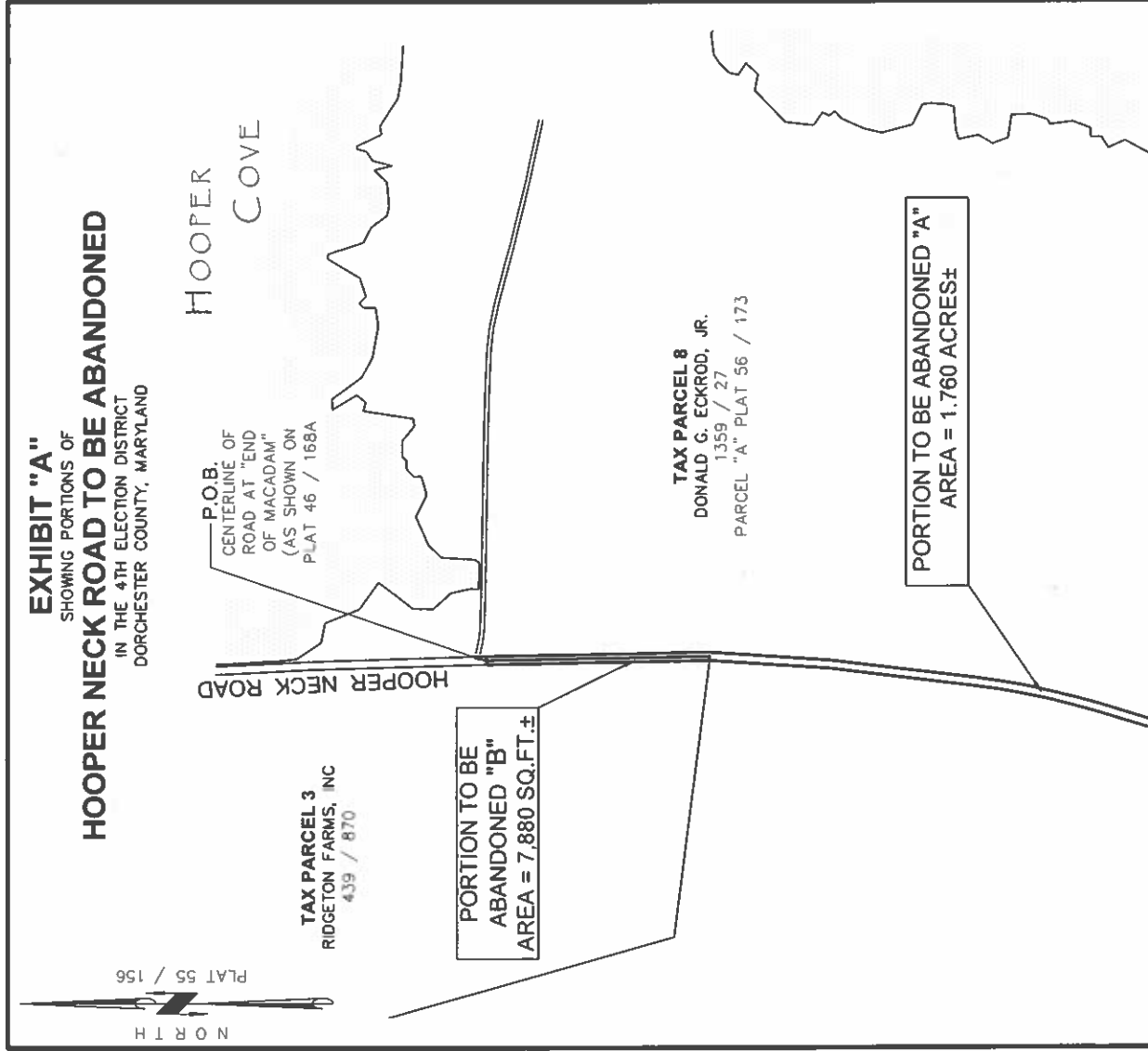
COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

By: 
Keith Adkins
County Manager

By: 
Jay L. Newcomb
President

Newcomb - *aye*
Nagel - *aye*
Nichols - *absent*
Pfeffer - *aye*
Travers - *aye*

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EXHIBIT B



FINK, WHITTEN & ASSOCIATES, LLC

Land Surveying • Land Planning • Environmental Consulting • Permitting
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410-228-8845 fax

113 E. Dover Street
Unit C, 1st Floor
Easton, MD 21601
410-822-8484 phone

August 16, 2017

**PORTION OF HOOPER NECK ROAD TO BE ABANDONED AND CONVEYED
TO DONALD G. EKROD, JR.**

Beginning at a point in the center of pavement of Hooper Neck Road, a 24' wide county maintained right of way at "the end of macadam" as shown on a Plat recorded in the Land Records of Dorchester County, Maryland in Platbook 46, folio 168A; thence in the datum of a Plat recorded in said Land Records in Platbook 55, folio 156 (1) N 88°40'54" E a distance of 12.00' to a point on the easterly right of way line of the said Hooper Neck Road; thence with the easterly and northerly right of way lines of the said Hooper Neck Road the following nine courses and distances (2) S 00°55'01" E a distance of 236.34', to a point; thence (3) S 01°04'13" E a distance of 421.21', to a point; thence (4) S 03°57'18" W a distance of 354.43', to a point; thence (5) S 07°01'45" W a distance of 424.90', to a point; thence (6) with a curve turning to the right with a radius of 2261.22', an arc length of 391.32', a chord bearing of S 11°59'13" W, and a chord length of 390.83', to a point; thence (7) S 16°56'21" W a distance of 268.79', to a point; thence (8) with a curve turning to the left with a radius of 106.00', an arc length of 166.10', a chord bearing of S 27°57'01" E, and a chord length of 149.62'; thence (9) S 72°50'23" E a distance of 113.89', to a point; thence (10) S 69°38'17" E a distance of 581.11', to a point; thence (11) S 69°27'21" E a distance of 546.33' to the approximate mean high water line of Slaughter Creek; thence with the said mean high water line of Slaughter Creek (12) S 00°19'40" W a distance of 25.58', to a point on the southerly right of way line of the said Hooper Neck Road; thence with the southerly and westerly right of way lines of the said Hooper Neck Road the following eight courses and distances (13) N 69°27'21" W a distance of 555.13', to a point; thence (14) N 69°38'17" W a distance of 580.40', to a point; thence (15) N 72°50'23" W a distance of 113.22', to a point; thence (16) with a curve turning to the right with a radius of 130.00', an arc length of 203.70', a chord bearing of N 27°57'01" W, and a chord length of 183.49'; thence (17) N 16°56'21" E a distance of 268.79', to a point; thence (18) with a curve turning to the left with a radius of 2237.22', an arc length

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EXHIBIT C

August 16, 2017

PORTION OF HOOPER NECK ROAD TO BE ABANDONED AND CONVEYED TO RIDGETON FARMS, INC.

Beginning at a point in the center of pavement of Hooper Neck Road, a 24' wide county maintained right of way at "the end of macadam" as shown on a Plat recorded in the Land Records of Dorchester County, Maryland in Platbook 46, folio 168A; thence with the said centerline of pavement in the datum of a Plat recorded in said Land Records in Platbook 55, folio 156 the following two courses and distances (1) S 00°55'01" E a distance of 236.27', to a point; thence (2) S 01°04'13" E a distance of 420.70', to a point; thence (3) N 88°33'18" W a distance of 12.01' to the southeasterly corner of the land of Ridgeton Farms, Inc., as conveyed by deed recorded in Land Records in Deed Liber 439, folio 870 and the westerly right of way line of the said Hooper Neck Road; thence with the said westerly right of way line the following two courses and distances (4) N 01°04'13" W a distance of 420.19', to a point; thence (5) N 00°55'01" W a distance of 236.20', to a point; thence (6) N 88°40'54" E a distance of 12.00' to the point of beginning, containing an area of 7880 square feet, or 0.181 acres±, shown as Portion to be abandoned "B" on Exhibit "A" attached hereto.

Prepared under my direct supervision in accordance with 09.13.06.08 of the Annotated Code of Maryland

Steven W. Whitten
Professional Land Surveyor MD. 21326
Current License Expires/Renews 1/8/2019