

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

BILL NO. 2023 -7

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO § 12-512(D) OF THE LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CHAPTER 40, § 40-20 OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF CLOSING AND ABANDONING MOWBRAY CREEK ROAD, A PUBLIC COUNTY ROAD SITUATE IN THE FIRST ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND.

SECTION ONE: Mowbray Creek Road was dedicated to the County Commissioners of Dorchester County, now known as the County Council of Dorchester County, Maryland, for public use as a public county road pursuant to a deed dated May 27, 1919 and recorded among the Land Records of Dorchester County, Maryland at Liber W.H.M. No. 6, folio 332, referred to therein as a “30’ Wide Right-of-Way.”

SECTION TWO: Acting pursuant to Md. Code Ann., Local Gov’t § 12-512(d) and Chapter 40, § 40-20 of the Dorchester County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Mowbray Creek Road, a public county road situate in the First Election District of Dorchester County, Maryland, as described in that certain legal description prepared by Fink, Whitten & Associates, LLC entitled “**LEGAL DESCRIPTION OF THE CENTERLINE OF MOWBRAY CREEK ROAD A 30’ WIDE COUNTY ROAD RIGHT OF WAY TO BE ABANDONED**” attached hereto as Exhibit A and incorporated herein by reference as if fully set forth, be closed and abandoned. The public county road closed and abandoned hereunder is intended to be all that paved road shown as a 30-foot wide right-of-way on a plat entitled “Abandonment Plat Showing Mowbray Creek Road Located in the First Election District Dorchester County, Maryland,” dated January 9, 2023, prepared by Fink, Whitten & Associates, LLC, and attached hereto as Exhibit B and incorporated herein by reference as if fully set forth.

**RESERVING, HOWEVER, AND EXPRESSLY GRANTING** to each property owner that abuts the above public county road and to each property owner that uses the above public county road for ingress and egress to their respective lands, a perpetual right-of-way easement over, upon and across the above road for all lawful purposes.

SECTION THREE: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that the President of the County Council be and he is hereby authorized and empowered on behalf of Dorchester County, Maryland to execute any requested quitclaim deeds, without a warranty of title, to any abutting property owner, all at the expense of the abutting property owner, and the Interim County Manager is hereby authorized to attest and

seal the President's execution of any such quitclaim deeds relating to the closing of the road described above, further provided that any such quitclaim deed shall preserve and protect the reserved and granted right-of-way easement for all properties which abut on the road or use the road for access to their respective lands.

SECTION FOUR: And be it further ENACTED and ORDAINED pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the Interim County Manager or his designee shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

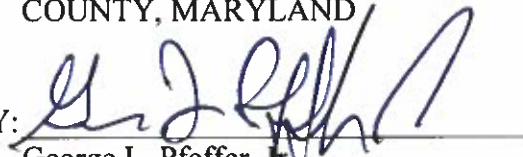
SECTION FIVE: And be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that this Bill shall be known as Bill No. 2023-7 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.




PASSED this 20<sup>th</sup> day of June, 2023.

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY:   
Jeff Powell  
Interim County Manager

BY:   
George L. Pfeffer, Jr.  
President

Pfeffer -   
Detmer -   
Kramer - 

Nichols - Absent

Travers - 



# FINK, WHITTEN & ASSOCIATES, LLC

Land Surveying • Land Planning • Environmental Consulting • Permitting  
www.finkwhitten.com

504 Maryland Avenue  
Cambridge, MD 21613  
410-228-8885 phone  
410-228-8845 fax

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

April 4, 2023

## LEGAL DESCRIPTION OF THE CENTERLINE OF MOWBRAY CREEK ROAD A 30' WIDE COUNTY ROAD RIGHT OF WAY TO BE ABANDONED

BEGINNING AT A POINT, SAID POINT BEING LOCATED AT THE INTERSECTION OF THE CENTERLINE OF MOWBRAY CREEK ROAD AND THE NORTHERLY RIGHT OF WAY LINE OF NORTH TARA ROAD, A 40' WIDE COUNTY MAINTAINED RIGHT OF WAY, SAID POINT BEING DISTANT 111.17' IN A S 03°48'39" E DIRECTION FROM A CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE LAND NOW OR FORMERLY OF THE DEPARTMENT OF NATURAL RESOURCES (DEED REF. LIBER 445, FOLIO 36), SAID POINT HAVING A COORDINATE VALUE IN THE MARYLAND COORDINATE SYSTEM DATUM (NAD'83/2011) OF N:364159.9776, E:1661896.5396; THENCE WITH THE SAID CENTERLINE OF MOWBRAY CREEK ROAD IN THE SAID MARYLAND COORDINATE SYSTEM DATUM AND THROUGH THE LAND OF SAMUEL L. DILWORTH (DEED REF. LIBER 357, FOLIO 698)

(1) N 14°23'04" E A DISTANCE OF 62.36' TO A POINT; THENCE CONTINUING THROUGH THE LAND OF SAMUEL L. DILWORTH AND ALSO THE LAND NOW OR FORMERLY OF STE-JON PROPERTIES, LLC. (DEED REF. LIBER 237, FOLIO 504)

(2) N 10°47'41" E A DISTANCE OF 98.35' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF STE-JON PROPERTIES LLC THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

(3) N 15°02'52" E A DISTANCE OF 125.07' TO A POINT; THENCE

(4) N 13°56'43" E A DISTANCE OF 79.48' TO A POINT; THENCE

(5) N 11°52'20" E A DISTANCE OF 85.61' TO A POINT; THENCE

(6) N 13°38'06" E A DISTANCE OF 99.12' TO A POINT; THENCE

(7) WITH A CURVE TURNING TO THE LEFT HAVING A RADIUS OF 4,620.00', AN ARC LENGTH OF 330.00', A CHORD BEARING OF N 11°35'20" E, AND A CHORD LENGTH OF 329.93' TO A POINT; THENCE

(8) N 09°32'33" E A DISTANCE OF 125.42' TO A POINT; THENCE

(9) N 10°33'40" E A DISTANCE OF 129.92' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF STE-JON PROPERTIES, LLC AND THE LAND NOW OR FORMERLY OF ARTHUR

G. CRISFIELD, TRUSTEE (DEED REF. LIBER 407, FOLIO 683) THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(10) N 11°27'05" E A DISTANCE OF 818.00' TO A POINT; THENCE

(11) N 11°57'31" E A DISTANCE OF 830.02' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF STE-JON PROPERTIES, LLC, THE LAND OF ARTHUR G. CRISFIELD, TRUSTEE AND ALSO THE LAND OF MARSHYHOPE VENTURES, LLC. (DEED REF. LIBER 813, FOLIO 328) AND THE LAND OF MARSHYHOPE OPERATIONS LLC. (DEED REF. LIBER 1313, FOLIO 171)

(12) N 12°50'19" E A DISTANCE OF 146.15' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF MARSHYHOPE VENTURES, LLC. AND THE LAND OF MARSHYHOPE OPERATIONS LLC. THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

(13) N 12°22'23" E A DISTANCE OF 534.02' TO A POINT; THENCE

(14) N 09°57'59" E A DISTANCE OF 244.48' TO A POINT; THENCE

(15) N 12°49'26" E A DISTANCE OF 173.38' TO A POINT; THENCE

(16) N 11°21'06" E A DISTANCE OF 797.82' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF MARSHYHOPE VENTURES, LLC THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(17) N 09°29'19" E A DISTANCE OF 48.12' TO A POINT; THENCE

(18) N 05°44'51" E A DISTANCE OF 67.31' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF MARSHYHOPE VENTURES, LLC AND ALSO THROUGH THE SAID LAND NOW OR FORMERLY OF MARSHYHOPE OPERATIONS LLC. (DEED REF. LIBER 1313, FOLIO 171)

(19) N 01°19'47" W A DISTANCE OF 77.16' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF MARSHYHOPE OPERATIONS LLC. THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(20) N 02°21'23" E A DISTANCE OF 149.67' TO A POINT; THENCE

(21) N 02°40'39" W A DISTANCE OF 41.35' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF MARSHYHOPE OPERATIONS LLC. AND ALSO THE LAND OF HARIM MILLSBORO, LLC. (DEED REF. LIBER 1471, FOLIO 11)

(22) N 03°03'51" E A DISTANCE OF 278.78' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF HARIM MILLSBORO, LLC. THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(23) N 04°54'23" E A DISTANCE OF 241.48' TO A POINT; THENCE

(24) WITH A CURVE TURNING TO THE LEFT HAVING A RADIUS OF 107.00', AN ARC LENGTH OF 43.30', A CHORD BEARING OF N 06°41'16" W, AND A CHORD LENGTH OF 43.01' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF HARIM MILLSBORO, LLC. AND CROSSING THE DAVIS MILLPOND BRANCH

(25) N 18°16'55" W A DISTANCE OF 97.32' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF HARIM MILLSBORO, LLC. THE FOLLOWING THREE (3) COURSES AND DISTANCES:

(26) N 22°18'28" W A DISTANCE OF 25.41' TO A POINT; THENCE

(27) N 05°24'32" W A DISTANCE OF 129.96' TO A POINT; THENCE

(28) N 04°27'56" E A DISTANCE OF 40.72' TO A POINT; THENCE CONTINUING THROUGH THE LAND OF HARIM MILLSBORO, LLC. AND ALSO THE LAND NOW OR FORMERLY OF DANIEL L. RUEGG & DIANE L. RUEGG (DEED REF. LIBER 1170, FOLIO 415) THE FOLLOWING TWENTY (20) COURSES AND DISTANCES:

(29) N 14°45'54" E A DISTANCE OF 69.78' TO A POINT; THENCE

(30) N 13°50'21" E A DISTANCE OF 97.74' TO A POINT; THENCE

(31) N 15°32'45" E A DISTANCE OF 157.70' TO A POINT; THENCE

(32) N 25°45'12" E A DISTANCE OF 9.69' TO A POINT; THENCE

(33) N 17°30'07" E A DISTANCE OF 157.59' TO A POINT; THENCE

(34) N 16°43'58" E A DISTANCE OF 225.61' TO A POINT; THENCE

(35) N 16°46'35" E A DISTANCE OF 194.88' TO A POINT; THENCE

(36) N 12°32'39" E A DISTANCE OF 76.20' TO A POINT; THENCE

(37) N 15°45'26" E A DISTANCE OF 198.37' TO A POINT; THENCE

(38) N 18°43'32" E A DISTANCE OF 37.90' TO A POINT; THENCE

(39) N 13°40'41" E A DISTANCE OF 53.88' TO A POINT; THENCE

(40) N 18°52'10" E A DISTANCE OF 99.67' TO A POINT; THENCE

(41) N 16°11'06" E A DISTANCE OF 73.96' TO A POINT; THENCE

(42) N 08°13'10" E A DISTANCE OF 59.80' TO A POINT; THENCE

(43) N 15°17'47" E A DISTANCE OF 40.71' TO A POINT; THENCE

(44) N 12°32'55" E A DISTANCE OF 121.28' TO A POINT; THENCE

(45) N 14°23'16" E A DISTANCE OF 241.54' TO A POINT; THENCE

(46) N 04°28'23" E A DISTANCE OF 65.38' TO A POINT; THENCE

(47) N 18°56'10" E A DISTANCE OF 57.94' TO A POINT; THENCE

(48) N 23°00'19" E A DISTANCE OF 35.30' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF HARIM MILLSBORO, LLC., THE LAND DANIEL L. RUEGG & DIANE L. RUEGG AND ALSO THE LAND NOW OR FORMERLY OF SHERAZ A. CHAUDHRY (DEED REF. LIBER 1104, FOLIO 353)

(49) N 16°15'27" E A DISTANCE OF 88.00' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF SHERAZ A. CHAUDHRY THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

(50) N 14°11'14" E A DISTANCE OF 98.35' TO A POINT; THENCE

(51) N 15°48'01" E A DISTANCE OF 104.38' TO A POINT; THENCE

(52) N 13°43'33" E A DISTANCE OF 153.61' TO A POINT; THENCE

(53) N 11°18'04" E A DISTANCE OF 70.01' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF SHERAZ A. CHAUDHRY AND ALSO THE LAND NOW OR FORMERLY OF WILLIAM O. HENRY, et al. (DEED REF. LIBER 737, FOLIO 386)

(54) N 20°01'36" E A DISTANCE OF 51.23' TO A POINT; THENCE CONTINUING THROUGH THE SAID LAND OF WILLIAM O. HENRY, et al.

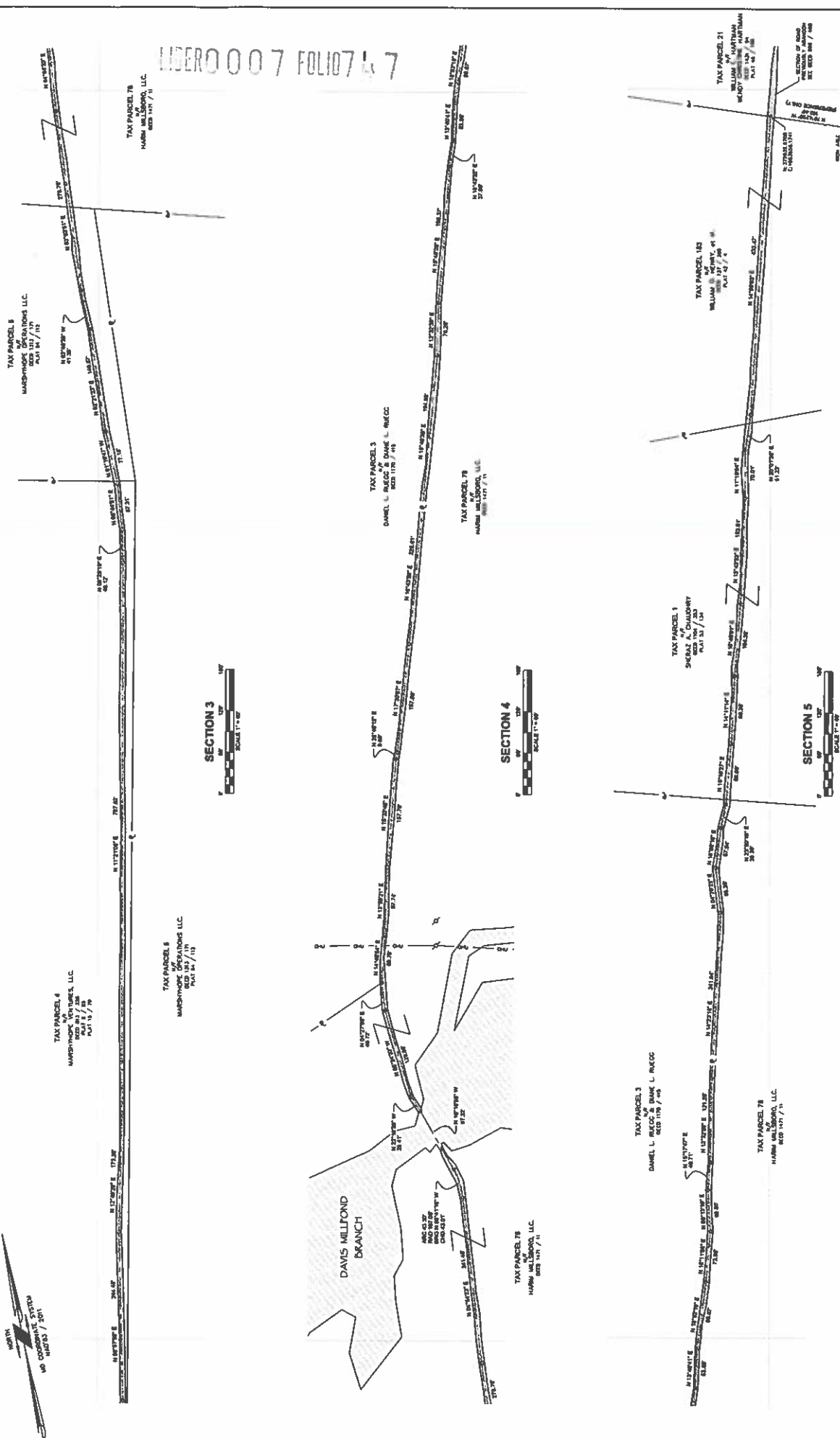
(55) N 14°59'03" E A DISTANCE OF 433.47' TO THE POINT OF TERMINUS OF THE CENTERLINE OF THE SAID MOWBRAY CREEK ROAD TO BE ABANDONED, SAID TERMINUS POINT BEING WHERE THE SAID CENTERLINE INTERSECTS THE LAND NOW OR FORMERLY OF WILLIAM E. HARTMAN & WENDY CHRISTINE HARTMAN (DEED REF. LIBER 1431, FOLIO 94), SAID TERMINUS POINT HAVING A COORDINATE IN THE SAID MARYLAND COORDINATE SYSTEM DATUM (NAD '83/2011) OF N:372932.6708, E:1663656.1741



Steven W. Whitten  
Professional Land Surveyor MD. 21326  
Current License Expires 1/8/2025



LIBERO 007 FOLIO 7 & 7



TAX MAP	DATE	RECORD
01/07/2013	AS SHOWN	01/07/2013
ABANDONMENT PLAT SHOWING MOWBRAY CREEK ROAD IN THE FIRST ELECTION DISTRICT DORCHESTER COUNTY, MARYLAND		

LIBERO 007 FOLIO 7 & 7



- LEGEND**
- PAVED SURFACE
  - GRAVEL SURFACE
  - LANDING SURFACE
  - UTILITY POLE

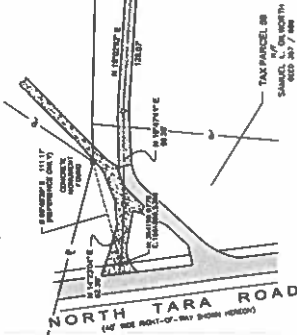


PLAN VIEW OF ENTIRE SITE

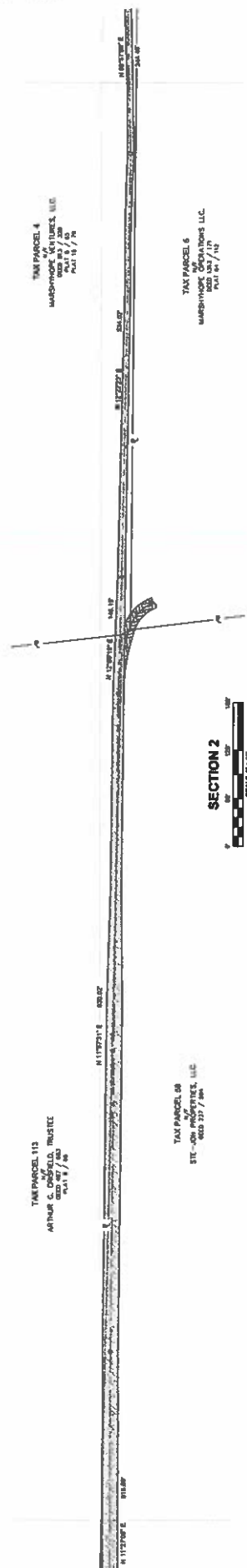


THE DEPARTMENT OF NATURAL RESOURCES  
 400 COORDINATE CENTER  
 HANOVER, MD 21076

TAX PARCEL 14  
 THE DEPARTMENT OF NATURAL RESOURCES  
 400 COORDINATE CENTER  
 HANOVER, MD 21076



SECTION 1



SECTION 2



**PURPOSE STATEMENT:**  
 THE PURPOSE OF THIS SURVEY IS TO ABANDON THE COUNTY ROAD NUMBER 15, MARSHWORTHS OPERATIONS, LLC, AND TO RECONSTRUCT THE ROAD TO A 20' WIDE, GRAVEL SURFACE, 10' WIDE AS A 20' WIDE, GRAVEL SURFACE.

**ABANDONMENT PLAT**  
 SHOWING  
**MOWBRAY CREEK ROAD**  
 LOCATED IN  
 THE FIRST ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND

DATE	REVISION

**FINK, WRITTEN & ASSOCIATES, LLC**  
 LAND SURVEYING  
 ENVIRONMENTAL CONSULTING  
 CONSULTING CAMBRIDGE  
 EASTON  
 410-822-9484  
 410-258-8888  
 Fink, Written & Associates, LLC  
 www.finkwritten.com



**DRAFT**

THIS DRAFT SURVEY MAP IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF FINK, WRITTEN & ASSOCIATES, LLC. ANY REVISIONS TO THIS DRAFT SURVEY MAP MUST BE APPROVED BY FINK, WRITTEN & ASSOCIATES, LLC. THIS DRAFT SURVEY MAP IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF FINK, WRITTEN & ASSOCIATES, LLC.

DATE: 11/17/2011  
 TIME: 11:00 AM  
 DRAWN BY: J. W. FINK  
 CHECKED BY: J. W. FINK  
 SCALE: 1" = 1000'