

ORDINANCE NO. 712

INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DENTON EXPRESSLY REJECTING THE OFFER TO DEDICATE CERTAIN PAPER RIGHTS-OF-WAY SHOWN AS A 50 FOOT WIDE PORTION OF SEVENTH STREET AND A 15 FOOT WIDE ALLEY BETWEEN SUNNYSIDE AVENUE AND CHOPTANK AVENUE ON A PLAT RECORDED AMONG THE LAND RECORDS OF CAROLINE COUNTY, MARYLAND AT LIBER T.L.D. NO. 73, FOLIO 386 TO PUBLIC USE AND ABANDONING AND FOREVER CLOSING THE SAME

WHEREAS, a plat entitled “L.B. Tower’s Addition to Denton,” dated February 23, 1909, prepared by F.M. Latham, and recorded among the Land Records for Caroline County at Liber T.L.D. No. 73, folio 386 (the “Latham Plat”), attached hereto as Exhibit A, identifies several streets and alleys in the Town of Denton (the “Town”) which were offered to be dedicated to public use; and

WHEREAS, certain streets and alleys on the Latham Plat were never accepted by the Town, formally or informally, to be dedicated to public use and have remained undeveloped paper streets and alleys, including a fifty (50) foot wide portion of Seventh Street and a fifteen (15) foot wide alley between Sunnyside Avenue and Choptank Avenue (the “Paper Rights-of-Way”); and

WHEREAS, the County Commissioners of Caroline County (the “County”) is the owner of certain real property identified as Parcel No. 473 on Caroline County Tax Map No. 105, Grid 5, as more fully described in a deed dated August 16, 2011 and recorded among the Land Records for Caroline County, Maryland at Liber F.D.M. No. 972, folio 155 (the “County Property”) which is encumbered by the Paper Rights-of-Way, as shown on the Latham Plat and a plat entitled “Administrative Line Revision Plat on the Lands of the County Commissioners of Caroline County in the Town of Denton Caroline County, Maryland Tax Map 105, Grid 5, Parcel 473,” dated September 23, 2020, and prepared by Lane Engineering, LLC (the “County Plat”), which is attached hereto as Exhibit B; and

WHEREAS, the County has requested that the Denton Town Council expressly reject the offer of dedication of the Paper Rights-of-Way to public use and abandon and forever close the same, as the County is desirous of subdividing and conveying a portion of the County Property free and clear of any encumbrance caused by the Paper Rights-of-Way; and

WHEREAS, the Denton Town Council has determined that it is desirable and in the public interest to expressly reject the offer to dedicate the Paper Rights-of-Way to public use and abandon and forever close the same.

NOW, THEREFORE, BE IT ENACTED, the Denton Town Council hereby ordains as follows:

**SECTION 1:** The offer to dedicate the fifty (50) foot wide portion of Seventh Street and the fifteen (15) foot wide alley between Sunnyside Avenue and Choptank Avenue as shown on a plat entitled “L.B. Tower’s Addition to Denton,” dated February 23, 1909, prepared by F.M. Latham, and recorded among the Land Records for Caroline County at Liber T.L.D. No. 73, folio 386 to public use is hereby rejected, and such paper rights-of-way are hereby abandoned and forever closed.

**SECTION 2:** Nothing in this Ordinance shall be deemed to be an acceptance or rejection by, or manifestation of the intent or belief of, the Denton Town Council with respect to the remainder of those paper streets and alleys shown on the Latham Plat which were offered to be dedicated to public use.

**SECTION 3:** The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION 4:** All ordinances or parts of ordinances of the Town of Denton inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 5:** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Denton Town Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**SECTION 6:** The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION 7:** In accordance with § C3-12 of the Town Charter, this Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect seven (7) days from and after the date of its final passage and adoption.

ENACTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.

DENTON TOWN COUNCIL:

\_\_\_\_\_  
Abigail McNinch, Mayor

\_\_\_\_\_  
Dallas Lister, Councilperson

\_\_\_\_\_  
Lester L. Branson, Councilperson

\_\_\_\_\_  
Walter Keith Johnson, Councilperson

\_\_\_\_\_  
Doncella Wilson, Councilperson

ATTEST:

\_\_\_\_\_  
Karen L. Monteith, Clerk-Treasurer

Approved for legal sufficiency this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Christopher F. Drummond, Town Attorney

Date Introduced \_\_\_\_\_

Date Amendments Introduced \_\_\_\_\_

Date Passed \_\_\_\_\_

Effective Date \_\_\_\_\_

Text that is ~~stricken out~~ reflects language omitted from the Town Code

Text in **bold** reflects additions to the Town Code

CAROLINE COUNTY TO WIT: Be it remembered that on this sixth day of June in the year of our Lord nineteen hundred and ten, the following Plat was received to be recorded and was accordingly enrolled as follows, to wit:

413

CAROLINE COUNTY  
Land Bldg. T.L.D. # 73, Folio 366  
L. B. Tower's Addition to Denton,  
Fifth Ave. to Part of 11 1/2 St.  
Denton-Three Bridges to County Road  
June, 1910



# L. B. TOWER'S ADDITION TO DENTON

Magnetic Bearings - Scale 200'-1"  
88° 14' of True North - Transferred from Plat of  
F.M. Latham - Dated Feb. 23, 1909.

page

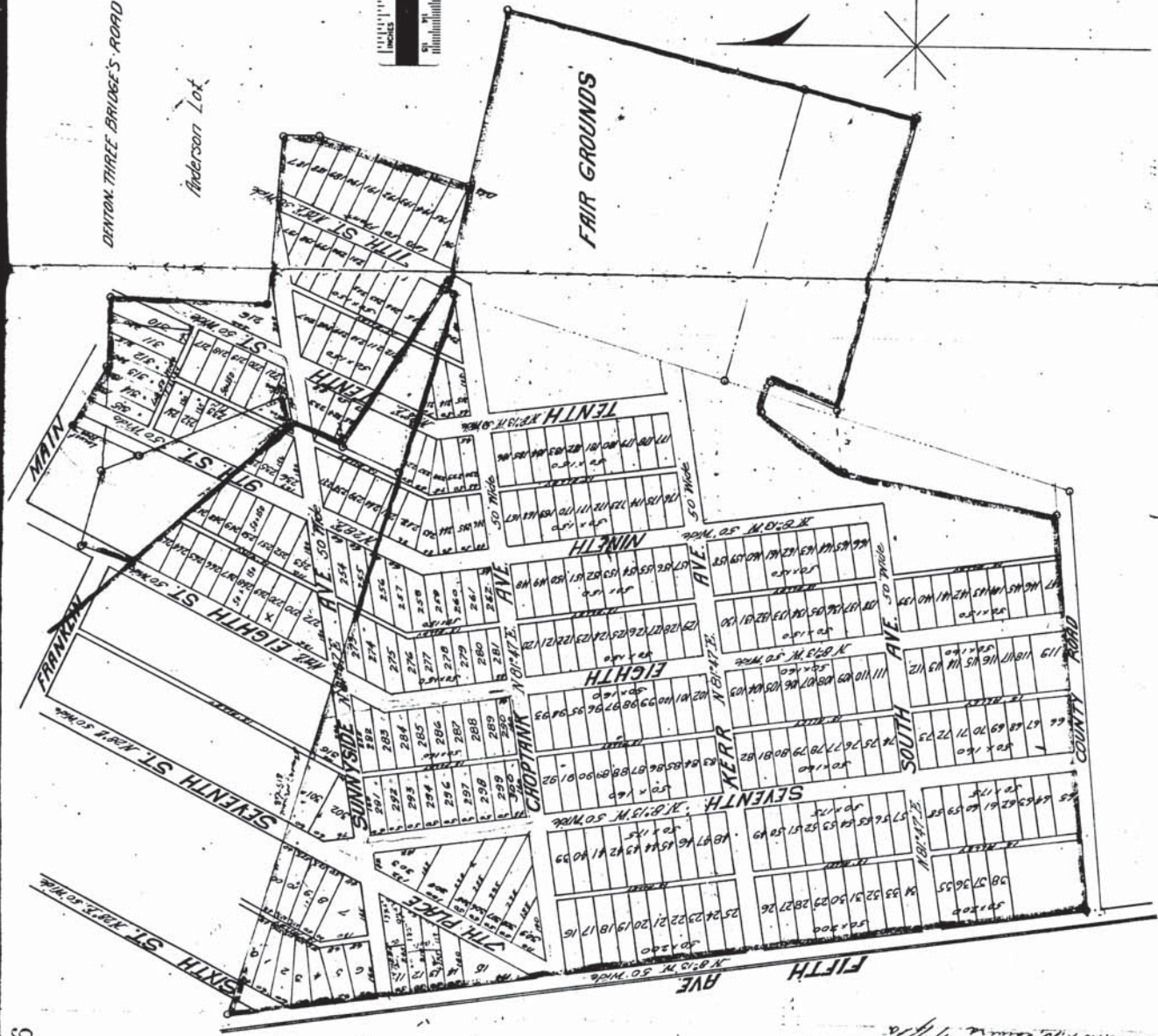
Test J. Kemp Stevens, Clerk.

(1-14)

DENTON-THREE BRIDGES ROAD

Abercrom Lot

FAIR GROUNDS





**PROPERTY STATISTICS**

TAX PARCEL 473  
THE COUNTY COMMISSIONERS OF CAROLINE COUNTY  
OWNER:  
DEED REFERENCE: 972/195  
PLAN: 73/286  
TAX ACCOUNT NO: 03-000036  
ZONING CLASSIFICATION: CM (COMMERCIAL, MEDICAL)  
BUILDING RESTRICTIONS: NON-RESIDENTIAL  
FRONT: 0' (10' FROM RESIDENTIAL ZONES)  
SIDE: 0' (10' FROM RESIDENTIAL ZONES)  
REAR: 0' (10' FROM RESIDENTIAL ZONES)

**PLAT PURPOSE**

THE PURPOSE OF THIS ADMINISTRATIVE LINE REVISION IS TO CREATE TWO NEW DIVISION LINES FOR PARCEL 473. PARCEL 473 IS LOCATED ON THE SOUTH SIDE OF CORDOBA AVENUE, 15' WIDE RIGHT-OF-WAY SHOWN ON PLAT 73/286 AND LOTS 282-300 AND LOTS 303-309 AS SHOWN ON PLAT 73/86.

**GENERAL NOTES**

THE IMPROVEMENTS SHOWN HEREON WERE TAKEN FROM 2019 CAROLINE COUNTY AERIALS.  
THE PROPERTY BOUNDARY SHOWN HEREON WAS SURVEYED BY LANE ENGINEERING, LLC ON 12-18-19.  
PUBLIC WATER AND SEWER SERVICES ARE PROVIDED BY THE TOWN OF DENTON.  
THE COORDINATES SHOWN HEREON ARE BASED ON THE MARYLAND COORDINATE SYSTEM MADB3 (2011), AS ESTABLISHED BY GPS METHODOLOGY TO CORS STATIONS INSERT TWO CLOSEST CORS STATIONS USED HERE.  
THE DISTANCES SHOWN HEREON ARE GROUND BASED.

**TIDAL AND/OR NON-TIDAL WETLANDS DELINEATION NOTE**

NO TIDAL OR NON-TIDAL WETLANDS HAVE BEEN DELINEATED OR LOCATED.

**FLOOD DATA**

THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. THE PROPERTY IS MAPPED IN THE "X" FLOOD ZONE AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 240104, MAP NO. 24011C01640 FOR THE TOWN OF DENTON, MARYLAND, THE 1% ANNUAL CHANCE OF BEING EQUALLED OR EXCEEDED BY THE BASE FLOOD IS THE SPECIAL FLOOD HAZARD AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE SFHA INCLUDES ZONES A, AE, AH, AO, AR, A99, V & VE. THE BASE FLOOD ELEVATION (BFE) IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD. FLOOD INSURANCE MAY BE REQUIRED FOR STRUCTURES LOCATED IN THE SPECIAL FLOOD HAZARD AREA.

**FLOOD ZONE LEGEND**

ZONE X - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD

THE FLOOD DATA SHOWN HEREON IS BASED ON AVAILABLE MAPPED AND/OR DIGITAL INFORMATION AND IS NOT GUARANTEED. THE PROPERTY OWNER IS ADVISED TO VERIFY THE FLOOD DATA THROUGH LOCAL AGENCIES, REGULATORY AND REGULATORY CHANGE AND SHOULD BE VERIFIED PRIOR TO FINALIZING DEVELOPMENT OR IMPROVEMENT PLANS FOR THE SUBJECT LANDS.

**CHESAPEAKE BAY CRITICAL AREA STATEMENT**

THE PROPERTY SHOWN HEREON LIES ENTIRELY OUTSIDE THE CHESAPEAKE BAY CRITICAL AREA.

**SEDIMENT & EROSION CONTROL STATEMENT**

ANY LAND CLEARING, GRADING, OR OTHER EARTH DISTURBANCE WITHIN THE UNINCORPORATED AREAS OF CAROLINE COUNTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN, APPROVED BY THE CAROLINE COUNTY ENGINEERING DEPARTMENT, PRIOR TO CONSTRUCTION. THE PLAN SHALL BE SUBJECT TO THE SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, COMAR 4-1-03 AND 26.09.01.05.

**LOT HISTORY STATEMENT**

THERE HAVE BEEN NO LOTS PREVIOUSLY SUBDIVIDED AND/OR CONVERTED FROM THE ORIGINAL TAX PARCEL 473 SHOWN HEREON AFTER FEBRUARY 23, 1909.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A REVISION OF THE LANDS SHOWN ON PLAT 73/286, DATED AUGUST 16, 2011 IN LIBER F.O.M. 972, FOLD 155, AND THAT THE REQUIREMENTS OF THE CAROLINE COUNTY SUBDIVISION REGULATIONS AND THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY ARTICLE SECTION 3-108 AS ENACTED OR AMENDED, SO FAR AS THEY MAY CONCERN THE MAKING OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

THIS PLAT HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND COMPLES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 08.13.02 OF THE MARYLAND MINIMUM STANDARDS WITH PROVISIONS 10.01.01 AND 10.01.02. I AM A LICENSED SURVEYOR IN THE STATE OF MARYLAND UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 363, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS AUGUST 3, 2021.

DATE

JEFFERSON E. HUBBARD  
REGISTERED PROPERTY LINE SURVEYOR  
LANE ENGINEERING, LLC  
117 BAY STREET  
EASTON, MARYLAND, 21601

**OWNER'S CERTIFICATE AND DEDICATION**

WE, THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, CONSENT TO AND ADOPT THIS PLAN OF LINE REVISION AND ESTABLISH THE MINIMUM BUILDING SETBACKS SHOWN HEREON, UNLESS OTHERWISE NOTED ON THIS PLAT. WE CERTIFY THAT THERE ARE NO SUITS, ACTIONS OF LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION, AND THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY ARTICLE SECTION 3-108 AS ENACTED OR AMENDED, SO FAR AS THEY MAY CONCERN THE MAKING OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF OUR KNOWLEDGE.

COUNTY COMMISSIONERS OF CAROLINE COUNTY

THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

NOTARY

CAROLINE COUNTY DEPARTMENT OF HEALTH

THIS LOT LINE REVISION SHOWN HEREON IS APPROVED AS BEING IN CONFORMANCE WITH THE CAROLINE COUNTY SUBDIVISION REGULATIONS AND THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY ARTICLE SECTION 3-108 AS ENACTED OR AMENDED, SO FAR AS THEY MAY CONCERN DISCONTINUE USE OF ANY INDIVIDUAL WELL/SEPTIC SYSTEMS WHEN THE COMMUNITY SYSTEM(S) BECOMES AVAILABLE.

APPROVED: CAROLINE COUNTY APPROVING AUTHORITY

DATE: \_\_\_\_\_

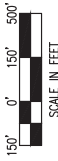
APPROVED: TOWN OF DENTON, DIRECTOR OF PLANNING AND CODES

DATE: \_\_\_\_\_



VICINITY MAP

SCALE: 1" = 500'



SCALE IN FEET

**Lane Engineering, LLC**

Established 1986  
Civil Engineers • Land Planning • Land Surveyors  
E-mail: [jeff@laneeng.com](mailto:jeff@laneeng.com) (410) 852-4803  
117 Bay Street, Easton, Maryland, MD 21601  
354 Pennsylvania Ave., Centerville, MD 21817 (410) 758-2895

SEAL



DATE

**ADMINISTRATIVE LINE REVISION PLAT**

ON THE LANDS OF THE COUNTY COMMISSIONERS OF CAROLINE COUNTY

IN THE TOWN OF DENTON  
CAROLINE COUNTY, MARYLAND  
TAX MAP 105, GRID 5, PARCEL 473

ISSUED FOR: SUBMITTED TO TOWN

DATE: 09-23-20  
BY: JEH

SHEET No. 1 OF 2

DATE: 09-23-20

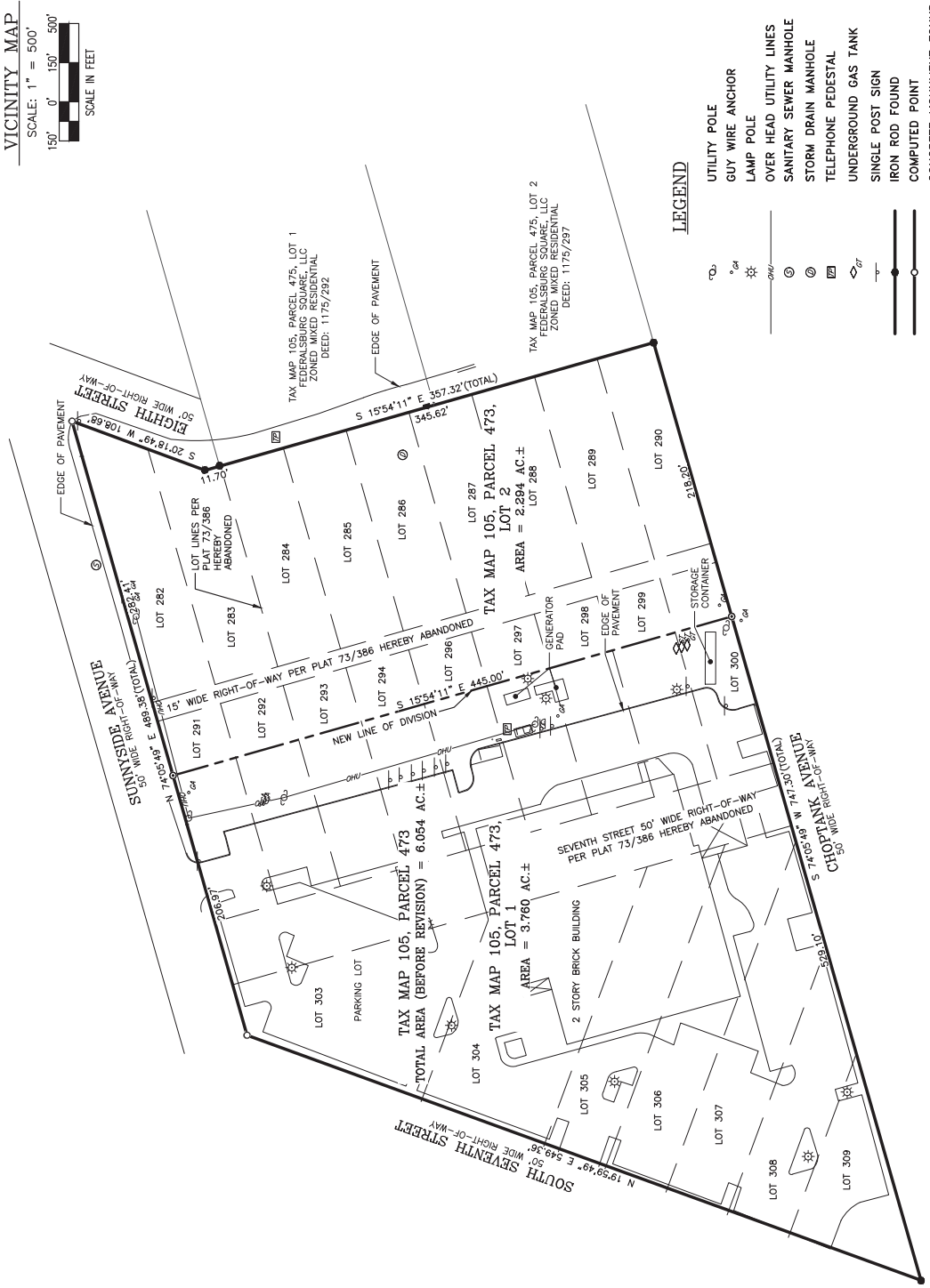
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JOB No. 190391

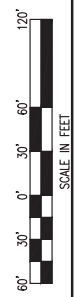
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VICINITY MAP  
 SCALE: 1" = 500'  
 150' 0' 150' 500'  
 SCALE IN FEET



- LEGEND**
- UTILITY POLE
  - GUY WIRE ANCHOR
  - LAMP POLE
  - OVER HEAD UTILITY LINES
  - SANITARY SEWER MANHOLE
  - STORM DRAIN MANHOLE
  - TELEPHONE PEDESTAL
  - UNDERGROUND GAS TANK
  - SINGLE POST SIGN
  - IRON ROD FOUND
  - COMPUTED POINT
  - CONCRETE MONUMENT FOUND

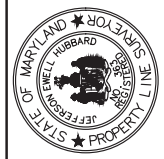


NAD 83 (2011)  
 MD COORDINATE SYSTEM

No.	DATE	REVISIONS	DESCRIPTION	BY

**Lane Engineering, LLC**  
 Established 1986  
 Civil Engineers • Land Planning • Land Surveyors

E-mail: [engineering@laneeng.com](mailto:engineering@laneeng.com)  
 117 B. C. E. Building  
 15 Washington St.,  
 Cambridge, MD 21613  
 354 Pennsylvania Ave.,  
 Centerville, MD 21817 (410) 758-2895



ADMINISTRATIVE LINE  
 REVISION PLAT

ON THE LANDS OF  
 THE COUNTY COMMISSIONERS  
 OF CAROLINE COUNTY

IN THE TOWN OF DENTON  
 CAROLINE COUNTY, MARYLAND  
 TAX MAP 105, GRID 5, PARCEL 473

ISSUED FOR: SUBMITTED TO TOWN  
 DATE: BY:  
 09-23-20 JEH

SHEET No. 2 OF 2  
 SCALE AS NOTED  
 DATE: 09-23-20  
 JOB No. 190391  
 FILE No. D256