

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO. 06-2023**

**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE RELEASING AND
EXTINGUISHING ITS RIGHT TO CONSTRUCT A PEDESTRIAN/BIKE PATH IN THE OPEN
SPACE OF THE PRESERVE OF CENTREVILLE HEIGHTS**

WHEREAS, the final subdivision plat for The Preserve of Centreville Heights, entitled “FINAL RESUBDIVISION PLAT OF THE PRESERVE (FORMERLY BLOCK “K” LOTS 1 THRU 22 AND BLOCK “M” LOTS 1 THRU 6) OF CENTREVILLE HEIGHTS IN THE TOWN OF CENTREVILLE THIRD ELECTION DISTRICT, QUEEN ANNE’S COUNTY, MARYLAND”, dated February 2001, prepared by McCrone and recorded among the Plat Records of Queen Anne’s County at Plat Book 30, page 77A-D (the “Plat”), contains three separate notes, all of which state that “The Town of Centreville has been granted permission to construct a pedestrian/bike path in the open space with the location subject to the approval of the homeowners association”;

WHEREAS, the homeowners association for The Preserve of Centreville Heights wishes to transfer its open space, including the stormwater management facility located thereon, to a local environmental group, but the note on the Plat is interfering with the potential transfer;

WHEREAS, the Town Council of Centreville has determined that the open space area for The Preserve of Centreville Heights is not a good location for a pedestrian/bike path, and that the public interest is better served by allowing the homeowners association to convey the open space to a local environmental group;

WHEREAS, Section 5-204(c)(3) of the Local Government Article of the Annotated Code of Maryland and Section 301(b)(46) of the Charter of the Town of Centreville permits the Town to convey real property that is no longer needed for a public use after 20 days’ notice;

WHEREAS, the Town Council of Centreville wishes to release and extinguish its right to construct a pedestrian/bike path in the open space of The Preserve of Centreville Heights.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance;

Section 2. The ability to construct a pedestrian/bike path in the open space of The Preserve of Centreville Heights is no longer needed for a public use, and the public interest is better served by the Town releasing and extinguishing its right to construct a pedestrian/bike path.

Section 3. The Town Council President is hereby authorized to execute a Release and Extinguishment and such other documents as are necessary to accomplish the release and extinguishment of the right to construct a pedestrian/bike path over the open space parcel of The Preserve of Centreville Heights.

Section 4. In accordance with Section 5-204(c)(3) of the Local Government Article of the Annotated Code of Maryland and Section 301(b)(46) of the Charter of the Town of Centreville, the Town Clerk is directed to publicly advertise the release and extinguishment at least twenty (20) days prior to the execution of the documents.

Section 5. This Ordinance shall become effective twenty days after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

Carolyn M. Brinkley
Town Clerk

Steven K. Kline, President

First Reading: _____
Second Reading: _____
Enacted: _____
Effective: _____
(21st calendar day after enactment)

Ashley H. Kaiser, Esq., Vice President

Eric B. Johnson, Jr., Member

Daniel B. Worth, Member

Jim A. Beauchamp, Member

