

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2017-17**

RESOLUTION NO. 46 - 2017

Title of Resolution: Approval- Abandonment and Sale - Hayes Lane

Synopsis: A Resolution to approve the abandonment of a "paper" road called Hayes Lane, which is located in the Fifth Election District, Cecil County, Maryland, and an agreement to sell Hayes Lane to Eric Polansky and Charmie Polansky, and to PLLH, LLC, for consideration totaling Ten Thousand Dollars (\$10,000.00).

Introduced by: County President on behalf of County Executive

Introduced and ordered posted on: September 5, 2017

Public hearing scheduled on: October 3, 2017 at: 7:00 p.m.

Consideration scheduled on: October 17, 2017

PUBLIC HEARING

Notice of time and place of public hearing and title of Resolution having been posted by _____ at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on_____, a public hearing was held on_____, and concluded on_____.

By: _____
Council Manager

EXPLANATION:

CAPITALS INDICATE LANGUAGE ADDED TO EXISTING RESOLUTION

~~Strike through~~ indicates language deleted from existing Resolution

Underlining indicates language added to Resolution by Amendment

~~Double Strike Through~~ indicates language stricken out of Resolution by Amendment.

1 **WHEREAS**, Section 12-405(b)(1) of the Local Government Article of the Annotated Code of
2 Maryland provides that the governing body of Cecil County may sell by public or private sale or
3 lease surplus county real property, and execute and acknowledge any instrument necessary to
4 transfer the property; and

5 **WHEREAS**, pursuant to Section 12-405(b)(2) of the Local Government Article of the
6 Annotated Code of Maryland provides that the governing body may contract to transfer an
7 interest in county real property after a public hearing has been held and advertised for two weeks
8 in a newspaper of general circulation in the county prior to the public hearing; and

9 **WHEREAS**, the County Executive proposes that Cecil County, Maryland declare Hayes Lane,
10 an unopened “paper” road, abandoned as it runs from Pulaski Highway adjacent to parcels 212,
11 217, 318, 319, and 671 as more fully set forth on Tax Map 26, a copy of which is attached hereto
12 as Exhibit A; and

13 **WHEREAS**, the County Executive proposes that Cecil County, Maryland, enter into
14 Agreements of Sale with Eric Polansky and Charmie Polansky, and PLLH, LLC, respectively, for the
15 conveyance of the said Hayes Lane as it runs adjacent to parcels 212, 217, 318, 319, and 671 on as
16 more fully set forth on Tax Map 26, reserving unto the County road widening and utility easements
17 adjoining Pulaski Highway as it runs adjacent to Hayes Lane; and

18 **WHEREAS**, the total consideration of purchase for the aforesaid Hayes Lane will be the sum
19 of Ten Thousand Dollars (\$10,000.00); and

20 **WHEREAS**, the County Executive has determined that this property is not needed for
21 government purposes and that the proposed use of Hayes Lane for stormwater management that
22 will serve three (3) adjacent parcels owned by Eric Polansky and Charmie Polansky, serves an
23 important environmental purpose; and

24 **WHEREAS**, the aforesaid Hayes Lane is a “paper road” that has not been opened or
25 developed by the County, and dead ends at lands occupied by rail lines of the Philadelphia,
26 Baltimore and Washington Railroad, and so cannot be feasibly utilized as a County throughway.

27 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
28 **MARYLAND**, that the County Executive, or his designee, is hereby authorized to execute, on behalf
29 of the County, the Agreements of Sale with Eric Polansky and Charmie Polansky, and PLLH, LLC,
30 respectively, for the conveyance of the said Hayes Lane as it runs adjacent to parcels 212, 217,

31 318, 319, and 671 on as more fully set forth on Tax Map 26, reserving unto the County road
32 widening and utility easements adjoining Pulaski Highway as it runs adjacent to Hayes Lane in the
33 amount of \$10,000.00.

34 **AND BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**
35 that this matter shall be scheduled for a public hearing before the Council that will be held on a
36 legislative day between the hours of 6:00p.m. and 10:00p.m., with the public hearing to be
37 advertised at least two (2) weeks before the day of the hearing in a newspaper of general
38 circulation in the County; and

39 **AND BE IF FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**
40 that this Resolution shall take effect on the date of its passage by the County Council of Cecil
41 County, Maryland.

INTRODUCED: September 5, 2017

ADOPTED: _____

President of the Council

ATTEST:

Council Manager