

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2016-01**

RESOLUTION NO. 02-2016

Title of Resolution: Termination - Agricultural Land Preservation District - 300 Cherry Grove Road

Synopsis: A Resolution to release and terminate the Agricultural Land Preservation District established under the provisions of COMAR 15.15.01.04 on August 2, 2001 for a 48.983 acre property owned by James and Julia Corder at 300 Cherry Grove Road (Tax Map 52, Grid 13 Parcel 5), which is recorded among the Land Records of Cecil County in Liber 1064, folio 501.

Introduced by: Council President on behalf of James and Julia Corder

Introduced and ordered posted: January 5, 2016

Scheduled for consideration: January 19, 2016

By: _____
Council Manager

Notice and title of Resolution having been posted by _____ at the County Administration Building, 200 Chesapeake Blvd., Elkton and consideration by the Council having been scheduled on

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

1 **WHEREAS**, pursuant to Md. Code Ann., § 2-509 – Agriculture Article, the Maryland Agricultural Land
2 Preservation Foundation (MALPF) has the authority to create regulations for the establishment, application,
3 and termination of Agricultural Preservations Districts (District); and

4 **WHEREAS**, the Maryland Department of Agriculture has promulgated regulations for the
5 establishment, application and termination of Districts as more fully set forth in the Code of Maryland
6 (COMAR) Title 15, Subtitle 15, Chapter 01, Regulation 04; and

7 **WHEREAS**, James & Julia Corder established a District under the provisions of COMAR 15.15.01.04
8 on May 23, 2001 for their 48.983 acre property located at 300 Cherry Grove Road (Tax Map 52, Grid 13
9 Parcel 5), for which an agreement is recorded in the Land Records of Cecil County in Liber 1064 Folio 501;
10 and

11 **WHEREAS**, Md. Code Ann., § 2-509 – Agriculture Article was amended by House Bill 1331 of the
12 2007 Laws of Maryland that stewardship of the Districts may be transferred to the County, and that
13 enforcement of the Districts by MALPF terminated on June 30, 2012; and

14 **WHEREAS**, pursuant to Cecil County, Maryland Bill 2013-01, Chapter A385 of the Cecil County Code
15 was amended such that a landowner is provided the option of establishing an agricultural preservation
16 district for a minimum five-year agreement by the landowner not to develop his/her/its land; and

17 **WHEREAS**, pursuant to Cecil County, Maryland Bill 2013-02, Chapter 337 of the Cecil County Code
18 was amended such that Agricultural land (excluding improvements or curtilage) which has been approved
19 for the establishment of a District, shall be entitled to a tax credit equal to 50% of the County property tax;
20 and

21 **WHEREAS**, all Districts established under MALPF regulations, including this property, were
22 transferred to Cecil County, Maryland and recorded among the Land Records of Cecil County in Liber 3496,
23 folio 480, effective September 23, 2013; and

24 **WHEREAS**, pursuant to Chapter A385-3H(1) of the Cecil County Code, a landowner may terminate a
25 District at any time after five years from the establishment of the District: and

26 **WHEREAS**, pursuant to Chapter 337-5 of the Cecil County Code, a landowner who terminates a
27 District is liable to the County for a penalty equal to three times the amount of credit provided for the most
28 recent taxable year in which the credit was granted, and

29 **WHEREAS**, James and Julia Corder meet the minimum commitment of the district agreement and
30 have requested that the County terminate their District under the provisions of A385-3H(1) of the Cecil
31 County Code; and

32 **WHEREAS**, James and Julia Corder have been notified, and have agreed to the payment of, the
33 penalty for termination of the District as set forth pursuant to Chapter 337-5 of the Cecil County Code.

34 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County, Maryland, that
35 the request of James and Julia Corder for termination of the Agricultural Preservation District on the 48.983
36 acre property located at 300 Cherry Grove Road Earleville, MD 21919 (Tax Map 52, Grid 13, Parcel 5), is
37 approved.

38 **AND BE IT FURTHER RESOLVED** that this Resolution shall take effect on the date of its passage by
39 the County Council of Cecil County, Maryland.

INTRODUCED: January 5, 2016

ADOPTED: _____

President of the Council

ATTEST:

Council Manager