

RESOLUTION NO. 3-17

**Leonardtwn Resolution to Reject Offer of Dedication of the
Right-of-Way Known as “Breton Village Court” to the Public Use**

WHEREAS, on or about May 23, 2006, Joseph D. Boling and Crissy Boling (the “Bolings”) caused to be filed a subdivision plat entitled “Standard Subdivision Plat – Breton Village Subdivision Map 121 – Block 17 – Parcel 02 Third Election District Town of Leonardtown St. Mary’s County, Maryland” among the Plat Records for St. Mary’s County, Maryland in Plat Book 61, folio 15 (the “Subdivision Plat”) for the purpose of establishing a five-lot subdivision on unimproved real property on Maryland Route 245 (Hollywood Road) in the Town of Leonardtown (the “Town”); and

WHEREAS, the Subdivision Plat depicted a 45-foot right-of-way designated as “Breton Village Court” which the Bolings offered to dedicate to the public use in the Owner’s Certificate; and

WHEREAS, the Bolings’ offer to dedicate Breton Village Court to the public use was never accepted by The Commissioners of Leonardtown (the “Town”), or the Town’s elected executive and legislative authority, the Mayor and Council of Leonardtown (the “Mayor and Commissioners”), in any manner whatsoever; and

WHEREAS, neither the Breton Village Subdivision nor Breton Village Court were ever constructed, and the real property upon which the same was to be constructed remains unimproved and is currently owned by Southern Maryland Electric Cooperative (“SMECO”); and

WHEREAS, SMECO is desirous of undoing the Breton Village Subdivision as shown on the Subdivision Plat; and

WHEREAS, the Mayor and Commissioners deem it in the interest of the public health, welfare, and safety of the citizens of the Town, and for the good government of the Town, to adopt this Resolution expressly rejecting the Bolings’ offer of dedication of Breton Village Court on the Subdivision Plat to the public use.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Commissioners of Leonardtown:

1. The Mayor and Commissioners hereby expressly and unequivocally reject the Bolings’ offer to dedicate that right-of-way designated as “Breton Village Court” on the Subdivision Plat to the public use.

2. The Mayor and Commissioners hereby authorize the Mayor and the Town Administrator to take any action necessary or appropriate to effectuate the Mayor and Commissioners’ rejection of the Bolings’ offer to dedicate Breton Village Court to the public use.

READ AND ADOPTED THIS 3rd day of March, 2017.

ATTEST/WITNESS:

Laschelle McKay

Laschelle McKay, Town Administrator

COMMISSIONERS OF LEONARDTOWN:

Daniel W. Burris

Daniel W. Burris, Mayor

Leslie E. Roberts

Leslie E. Roberts, Vice President

absent

Thomas M. Combs, Councilman

Hayden T. Hammett

Hayden T. Hammett, Councilman

J. Maguire Mattingly, IV

J. Maguire Mattingly, IV, Councilman

absent

Roger L. Mattingly, Councilman