
By: **Calvert County Delegation**

Introduced and read first time: February 9, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County - Recordation of Plats - Certification of Payment of Taxes,**
3 **Assessments, and Charges**

4 FOR the purpose of prohibiting in Calvert County the clerk of court from accepting
5 and recording certain plats unless the county treasurer has certified on the plats
6 that all taxes, assessments, and charges against the existing lots have been
7 paid.

8 BY repealing and reenacting, without amendments,
9 Article - Real Property
10 Section 3-108(a) through (e), inclusive
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 1997 Supplement)

13 BY adding to
14 Article - Real Property
15 Section 3-108(n)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Real Property**

21 3-108.

22 (a) (1) Except as provided in paragraph (2) of this subsection, the provisions
23 of this section are in addition to any other provisions of the Code, pertaining to
24 recordation of subdivision plats.

25 (2) The provisions of this section do not apply in Queen Anne's County.

26 (b) If the owner of land in the State subdivides his land for commercial,
27 industrial, or residential use to be comprised of streets, avenues, lanes, or alleys and

1 lots, and desires, for the purpose of description and identification, to record a plat of
2 the subdivision among the land records of the county where the land lies, the clerk of
3 the court shall accept and record the plat as prescribed in this section. The clerk may
4 not accept the plat for record until the owner of land complies with the requirements
5 prescribed in this section.

6 (c) (1) In this subsection, "coordinate" means a number which determines
7 the position of any point in a north or south and an east or west direction in relation
8 to any other point in the same coordinate system.

9 (2) The plat shall be legible, drawn accurately and to scale and shall be
10 submitted for recordation using black ink on transparent mylar, or linen or black-line
11 photo process comparable to original quality that will conform to archival standards.
12 The State Highway Administration may substitute microfilm aperture cards showing
13 property or rights-of-way to be acquired or granted. Microfilm aperture cards must
14 meet archival standards for permanent records.

15 (3) The plat shall contain the courses and distances of all lines drawn on
16 the plat.

17 (4) With respect to all curved lines, the plat shall show the length of all
18 radii, arcs, and tangents and the courses and distances of all chords.

19 (5) The plat shall contain a north arrow which represents and designates
20 either true or magnetic meridian as of a date specified on the plat or shall be
21 referenced to a recognized coordinate system within the county.

22 (6) All courses shown on the plat shall be calculated from the plat
23 meridian.

24 (7) No distance on the plat may be marked "more or less" except on lines
25 which begin, terminate, or bind on a marsh, stream, or any body of water.

26 (8) The plat shall show the position by coordinates of not less than four
27 markers set in convenient places within the subdivision in a manner so that the
28 position of one marker is visible from the position of one other marker. From these
29 markers, commonly called "traverse points", every corner and line can be readily
30 calculated and marked on the ground. These markers shall be made of hard durable
31 stone or concrete and shall be planted at least three feet into the ground.

32 (9) If the subdivision lies in an area where a recognized coordinate
33 system already is established and traverse points of the system can be found and
34 used, the coordinate values shall be marked in the same datum as those on the points
35 found and identified by datum on the plat. In this case no markers are required, but
36 the owner of land shall comply with all other requirements.

37 (10) A certificate stating that the requirement of this subsection, as far as
38 it concerns the making of the plat and setting of the markers, shall be put on the plat
39 and signed by the owner of the land shown on the plat to the best of his knowledge
40 and by the professional land surveyor or property line surveyor preparing it.

1 (d) Three linen copies of the plat shall be mailed or delivered to the clerk. The
2 fee is \$5 for each set of plats, except that a fee is not required for plats or microfilm
3 aperture cards showing property or rights-of-way to be acquired or granted by the
4 State Highway Administration.

5 (e) Each plat shall be signed and sealed by a professional land surveyor or
6 property line surveyor licensed in the State.

7 (N) IN CALVERT COUNTY, THE CLERK OF COURT MAY NOT ACCEPT AND
8 RECORD A PLAT THAT COMBINES TWO OR MORE SUBDIVISION LOTS TO CREATE ONE
9 OR MORE NEW LOTS UNLESS THE COUNTY TREASURER HAS CERTIFIED ON THE PLAT
10 THAT ALL TAXES, ASSESSMENTS, AND CHARGES AGAINST THE EXISTING LOTS HAVE
11 BEEN PAID.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1998.