
By: **Calvert County Delegation**

Introduced and read first time: February 9, 1998
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 10, 1998

CHAPTER _____

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 repealing and reenacting, with amendments,
14 Article - Real Property
15 Section 3-108(m)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1997 Supplement)

18 BY adding to
19 Article - Real Property
20 Section ~~3-108(n)~~ 3-108(m)
21 Annotated Code of Maryland
22 (1996 Replacement Volume and 1997 Supplement)

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

3 **Article - Real Property**

4 3-108.

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

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

9 (b) If the owner of land in the State subdivides his land for commercial,
10 industrial, or residential use to be comprised of streets, avenues, lanes, or alleys and
11 lots, and desires, for the purpose of description and identification, to record a plat of
12 the subdivision among the land records of the county where the land lies, the clerk of
13 the court shall accept and record the plat as prescribed in this section. The clerk may
14 not accept the plat for record until the owner of land complies with the requirements
15 prescribed in this section.

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

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

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

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

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

32 (6) All courses shown on the plat shall be calculated from the plat
33 meridian.

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

36 (8) The plat shall show the position by coordinates of not less than four
37 markers set in convenient places within the subdivision in a manner so that the

1 position of one marker is visible from the position of one other marker. From these
2 markers, commonly called "traverse points", every corner and line can be readily
3 calculated and marked on the ground. These markers shall be made of hard durable
4 stone or concrete and shall be planted at least three feet into the ground.

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

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

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

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

20 ~~(N)~~ (M) IN CALVERT COUNTY, THE CLERK OF COURT MAY NOT ACCEPT AND
21 RECORD A PLAT THAT COMBINES TWO OR MORE SUBDIVISION LOTS TO CREATE ONE
22 OR MORE NEW LOTS UNLESS THE COUNTY TREASURER HAS CERTIFIED ON THE PLAT
23 THAT ALL TAXES, ASSESSMENTS, AND CHARGES AGAINST THE EXISTING LOTS HAVE
24 BEEN PAID.

25 [(m)] (N) This section does not apply in Allegany, Harford, Montgomery, Prince
26 George's, and Talbot Counties, except to the extent any of these counties is expressly
27 mentioned in this section.

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