

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 365 (Senator Baker)

Judicial Proceedings

Real Property - Relocation of Ingress and Egress Easements

This bill establishes conditions under which the owner of land that is subject to an ingress and egress easement may relocate the easement. Specifically, the bill provides that the owner of the land must record, in the land records of the county in which the easement is located, a written agreement that evidences the consent of all interested parties, indicates the new location of the easement, and is indexed under the name of the owner of land that is subject to the easement. In the absence of a written agreement, the owner may petition the circuit court to relocate the easement, which may be granted if the court makes specified findings. The court order relocating the easement must be recorded in the land records of the county in which the easement is located, and indexed under the name of the owner of the land that is subject to the easement.

Fiscal Summary

State Effect: Potential minimal increase in revenues. Expenditures would not be affected.

Local Effect: None.

Small Business Effect: Minimal impact on small businesses.

Fiscal Analysis

State Effect: General fund revenues would increase to the extent that owners of servient easements make recordings to relocate ingress and egress easements. Recordings in the land records require payment of a recordation fee that ranges from \$10 to \$75, depending on the length of the recording and the type of instrument that is being recorded. The volume of recordings resulting from the bill is expected to be minimal.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of

Legislative Services

Fiscal Note History:

First Reader - February 24, 1998

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