

# SENATE BILL 128

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2lr0015

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: January 18, 2012

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Abandoned Land – Certificates of Reservation for Public Use**

3 FOR the purpose of repealing the termination date for certain provisions of the Real  
4 Property Article relating to the definition of “abandoned land” and obtaining  
5 certificates of reservation of land for public use; and generally relating to  
6 certificates of reservation of land for public use and abandoned land.

7 BY repealing and reenacting, without amendments,  
8 Article – Real Property  
9 Section 13–101  
10 Annotated Code of Maryland  
11 (2010 Replacement Volume and 2011 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Chapter 92 of the Acts of the General Assembly of 2007  
14 Section 2

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

17 **Article – Real Property**

18 13–101.

19 (a) In this title the following words have the meanings indicated unless  
20 otherwise apparent from context.

21 (b) “Abandoned land” means land that has boundaries that are located  
22 within or contiguous to land owned and managed by the Department of Natural  
23 Resources:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) For which no property tax payment has been made within 20 years  
2 immediately preceding the date of an application for a certificate of reservation for  
3 public use by a unit of State government; and

4 (2) Which has not been actually possessed by a person, under claim of  
5 title or otherwise, for a continuous period of 20 years immediately preceding the date  
6 of an application for a certificate of reservation for public use by a unit of State  
7 government.

8 (c) "Certificate of reservation" means a certificate issued by the  
9 Commissioner at the request of a governmental body upon a determination that  
10 vacant land or abandoned land exists and the governmental body wishes to reserve the  
11 land for public use.

12 (d) "Commission" means the Hall of Records Commission.

13 (e) "Commissioner" means the State Archivist who, while performing the  
14 duties and exercising the powers provided in this title, is known as the "Commissioner  
15 of Land Patents".

16 (f) "Expense" includes any charge, cost, deposit, fee, or tax incurred in  
17 connection with a land patent proceeding.

18 (g) "Governmental body" includes any unit of State government, any county  
19 or municipal corporation, or any agency or instrumentality of any county or municipal  
20 corporation.

21 (h) (1) "Land" means any area of land in the State, including any two or  
22 more areas of land with a common boundary for at least part of their perimeters.

23 (2) "Land" includes vacant land and abandoned land.

24 (3) "Land" does not include any area covered by navigable water  
25 unless it was included in a patent issued before March 3, 1862.

26 (i) "Mail" means to deposit in the United States mails, postage prepaid,  
27 endorsed "Restricted Delivery — Return Receipt Requested".

28 (j) "Patent" means:

29 (1) Any grant confirmed by Article 5 of the Declaration of Rights of the  
30 Maryland Constitution;

31 (2) Any valid grant made under prior law by the State of its interests  
32 in any vacant, resurveyed, escheat, or confiscated land; or

