



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Council Members, Anne Arundel County Council

From: Christine B. Neiderer, Senior Assistant County Attorney /s/

Via: Hamilton F. Tyler, Acting County Attorney /s/

Date: October 21, 2024

Subject: Resolution No. 42-24 – Land Preserve, LLC Application to Sell Agricultural Land Preservation Easement – 84.55 +/- acres

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Resolution No. 42-24.

Background

Pursuant to Title 2, Subtitle 5 of the Agriculture Article of the State Code, an owner of agricultural land may apply to sell an easement to the Maryland Agricultural Land Preservation Foundation (“Foundation”) on contiguous acreage of the agricultural land, subject to certain Code requirements and regulations established by the Foundation.

State law requires the local governing body to advise the Foundation as to its approval or disapproval of an application to sell an easement. In deciding whether to approve an application, the local governing body is to receive the recommendation of the Office of Planning and Zoning and the County Agricultural Preservation Advisory Board (“Advisory Board”) based on criteria and standards identified in Title 2, Subtitle 5 of the Agriculture Article of the State Code, as well as regulations adopted by the Foundation.

Pursuant to Section 1014 of the County Charter, when action is required of the “local governing body,” the action shall be taken by the County Executive and confirmed by the County Council.

Purpose

The purpose of this resolution is to confirm the County Executive’s approval of an application by Land Preserve, LLC (“Land Preserve”) to sell an agricultural land preservation easement to the Foundation on property located in Edgewater, Maryland.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Land Preserve submitted an application (“Application”) to sell an agricultural land preservation easement to the Foundation on properties identified as follows: 1) real property comprised of 79.55 acres, more or less, known as 305 Mill Swamp Road in Edgewater, Maryland, and described as “Parcel No. 1” in a deed dated October 31, 2014, recorded in the land records of Anne Arundel County, Maryland (“Land Records”), in Book 27769, Page 191 (“Parcel 1”); and 2) real property comprised of 4.892 acres, more or less, known as (unnumbered) Mill Swamp Road in Edgewater, Maryland, and described in a deed dated January 20, 2017, recorded in the Land Records in Book 30560, Page 151 (“Parcel 2”).

The Office of Planning and Zoning and the Advisory Board have recommended approval of the Application, and the County Executive has approved the Application.

The Office of Law is available to answer any additional questions regarding this Resolution. Thank you.

cc: Honorable Steuart Pittman, County Executive
Jenny Proebstle, Chief of Staff
Christine Anderson, Chief Administrative Officer
Ethan Hunt, Government Affairs Officer
Chris Trumbauer, Budget Officer
Jenny B. Dempsey, Planning & Zoning Officer
Eddie Franceschi, Agricultural and Woodland Preservation Program Manager