

ORDINANCE NO. ORD-2026-03

**AN ORDINANCE TO APPROVE THE ACQUISITION OF AN EASEMENT
INTEREST IN REAL PROPERTY**

(Eastern Boulevard – Shaool Property)

RECITALS

1. The Board of County Commissioners of Washington County, Maryland (the "County"), believes that it is in the best interest of the citizens of Washington County to acquire a temporary construction easement interest in certain real property identified on the attached Schedule A (the "Easement Property") to be used for public purposes.
2. The County approved the purchase of the Easement Property on February 3, 2026.
3. A public hearing was not required by Section 1-301, Code of the Public Local Laws of Washington County, Maryland, as no funds from the General Fund of the County will be utilized to purchase the temporary easement .
4. The purchase of the Temporary Construction Easement is necessary for the Eastern Boulevard Project and includes the acquisition of a revertible easement.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of the Temporary Construction Easement be approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Easement Property.

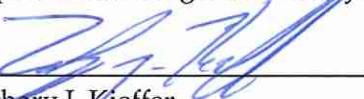
ADOPTED this 3rd day of February, 2026.

ATTEST:



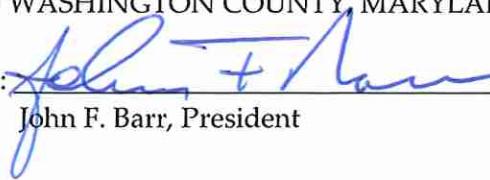
Dawn L. Marcus, County Clerk

Approved as to legal sufficiency:



Zachary J. Kieffer
County Attorney

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 

John F. Barr, President

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

SCHEDULE A---DESCRIPTION OF EASEMENT PROPERTY

Part of the lands conveyed unto Ben Shaool from Estate of George Klick, et al. by deed dated May 8, 2003 and recorded among the Land Records of Washington County in Liber 2020 at folio 512, situate on the east margin of Eastern Boulevard between Klick Way and Antietam Drive, so far as the Grantor's property and/or rights may be affected by the proposed road improvements of Eastern Boulevard and the appurtenances thereto belonging or otherwise appertaining, in Election District 18 of Washington County, Maryland and more particularly described as follows:

BEGINNING for the outline hereof at a Iron Pipe Found for the end of the North 75 degree 10 minute 58 second West 310.56 foot line as shown on an exhibit in the Grantor's deed dated May 8th, 2003 and recorded among the Land Records of Washington County, Maryland at liber 2020 in folio 512 said point also being 40.88 feet right of and perpendicular to station 57+69.17 and shown on aforementioned Plat No. 100-10-576, thence with the Right of Way line as depicted on Right of Way Plat No. 100-10-271 on bearings to agree with Maryland Grid NAD 83/1991

1. North 04 degrees 12 minutes 06 seconds East 877.45 feet to a point at the intersection of the right of way line and the southerly line of the lands now or formerly of Conway W. Barnes Et. al. (Liber 5407, folio 14); thence with the said line of division
2. South 84 degrees 43 minutes 11 seconds East 9.52 feet to a point, thence departing said existing line of division by a new Right of Way line
3. South 04 minutes 13 minutes 39 seconds West 878.99 feet to a point in the said southerly line of division depicted in the grantor's deed; thence with a portion of the said line of division
4. North 75 degrees 09 minutes 19 seconds West 9.28 feet to the point of beginning, containing 8,183 square feet or 0.188 acres of land, more or less.

SUBJECT to all easements, rights of way, covenants, conditions and restrictions of record applicable thereto.

TO HAVE AND TO HOLD unto the Board of County Commissioners of Washington County, Maryland, a body corporate and politic and a political subdivision of the State of Maryland, its successors and assigns, in fee simple, forever.

TOGETHER WITH two (2) perpetual drainage easements

PERPETUAL EASEMENT NO. 1 Beginning at a point being depicted at 50.00 feet right of and perpendicular to station 59+38.02 as "Perpetual Drainage Easement Area No. 3" on aforementioned right of way plat 100-10-576 thence by three (3) new lines of easement

1. South 85 degrees 46 minutes 21 seconds East 35.00 feet;

2. South 04 degrees 13 minutes 39 seconds west 27.55 feet; and
3. North 85 degrees 46 minutes 21 seconds West 35.00 feet; to a point being 16.39 feet from the end of the third (3rd) line for the first part of this deed; thence with a portion of said line reversed
4. North 04 degrees 13 minutes 39 seconds East 27.55 feet to the place of beginning, containing 964 square feet or 0.0221 acres, more or less.

PERPETUAL EASEMENT NO. 2 Beginning at a point being 232.89 feet from the beginning of the third (3rd) line for the first part of this deed, said point being depicted at 50.00 feet right of and perpendicular to station 64+13.55 as "Perpetual Drainage Easement Area No.5" on aforementioned right of way plat 100-10-577 thence by three (3) new lines of easement

1. South 85 degrees 46 minutes 21 seconds East 25.00 feet;
2. South 04 degrees 13 minutes 39 seconds west 30.92 feet; and
3. North 85 degrees 46 minutes 21 seconds West 25.00 feet to a point in the third (3rd) line for the first part of this deed; thence with a portion of said line reversed,
4. North 04 degrees 13 minutes 39 seconds East 30.92 feet to the place of beginning, containing 773 square feet or 0.0177 acres, more or less.

ALSO TOGETHER WITH three (3) revertible easements for supporting slopes containing an aggregate area of 20,559 square feet or 0.472 acres of land, more or less referred to as "REVERTIBLE ESMT. NOS 15, 16 AND 18" the outline of which is depicted on the above-mentioned Right of Way Plat Nos. 100-10-577 and 100-10-578. The purpose of this revertible construction easement shall be to provide for utility relocation, slope grading, and additional working room during the performance of Washington County Division of Engineering and Construction Management Project No. 10-243 and 10-215 Contract Nos. RD-EA-215-10 and RD-EA-243-10. Grantor shall not, directly or through others, erect any building or other structure (including, but not limited to, sheds, of any size or other improvements, including paving or blacktopping); make a fill or excavation of earth so as to cause a change in contour; or inundate the land with water, within the revertible construction easement area. Grantor shall not erect fences over the easement property without the advance written consent of Grantee. Upon final completion and final acceptance of said construction and installation by the Grantee, said revertible construction easement shall be void and shall forever cease to exist without the necessity of filing any release of easement in the Land Records for Washington County, Maryland.

AND ALSO TOGETHER WITH three (3) temporary construction easements encompassing an aggregate area of 4,105 square feet or 0.0942 acres of land, more or less, referred to as "TEMP. ESMT. NOS 10, 11 AND 13" the outline of which is depicted on the above-mentioned Right of Way Plat No. 100-10-577. The purpose of this revertible construction easement shall be to provide for utility relocation, slope grading, and additional working room during the performance of Washington County Division of Engineering and Construction Management

Project No. 10-243 and 10-215 Contract Nos. RD-EA-215-10 and RD-EA-243-10. Grantor shall not, directly or through others, erect any building or other structure (including, but not limited to, sheds, of any size or other improvements, including paving or blacktopping); make a fill or excavation of earth so as to cause a change in contour; or inundate the land with water, within the revertible construction easement area. Grantor shall not erect fences over the easement property without the advance written consent of Grantee. Upon final completion and final acceptance of said construction and installation by the Grantee, said revertible construction easement shall be void and shall forever cease to exist without the necessity of filing any release of easement in the Land Records for Washington County, Maryland.

The above-described parcels of land being a portion of the property conveyed from the Estate of George E. Klick, Et. al., by a deed dated May 8, 2003 and recorded among the Land Records of Washington County, Maryland, in Liber 2020, folio 512.