

# NOTICE

Issued by:

## Department of Public Works

Notice #: \_\_\_\_\_

DPW-22-06

Release Date: \_\_\_\_\_

7/31/2022

Contact: \_\_\_\_\_

Matt Diehl  
Customer Relations  
Manager

Phone #: \_\_\_\_\_

410-222-4557

### Notice of Updated Deed of Easement & Agreement Template

The purpose of this NOTICE is to provide the updated Deed of Easement and Agreement template that Anne Arundel County requires when public utility easements are needed for a project. The updates to this document were required to clarify restrictions within public utility easements in accordance with Anne Arundel County Code.

This updated Deed of Easement and Agreement template shall be followed effective September 1, 2022. All existing and approved Deed of Easement and Agreements executed prior to the above date, will remain unchanged.




**DPW  
& YOU**  
Making a difference, together

*Christopher J. Phipps, P.E., Director*

**MEMORANDUM**

**TO:** Mark Wedemeyer, Director, Inspections & Permits  
Steven Kaii-Ziegler, Director, Office of Planning and Zoning

**FROM:** Christopher J. Phipps, P.E., Director   
Department of Public Works

**SUBJECT:** Deed of Easement and Agreement Document Update

**DATE:** March, 21 2022

The purpose of this memorandum is to update the template for the Deed of Easement and Agreement Document that Anne Arundel County uses when utility easements are required. The intent of the update is to ensure that the document is current, accurate and is in compliance with necessary requirements of Anne Arundel County Code.

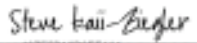
The Department of Public Works has requested support from the Office of Law and coordinated with your staff in Inspections and Permits and Office of Planning and Zoning on the review and update process to address concerns with the current document. The attached Deed of Easement and Agreement Document is the final version ready for official use.

We understand the Office of Law created the original easement document and will be formally releasing this document for our departments to use. Since your departments will be utilizing this document we are requesting your formal acknowledgment via signature below of the updated document (attached).

The Department of Public Works is available should any questions or clarifications be needed regarding the above. After signing, please return to Victor Kibec at [pwkibe48@aacounty.org](mailto:pwkibe48@aacounty.org) or he can be reached by phone at 410-222-3271.

We appreciate your and your staff's efforts and support in this update process. We are hopeful that this will ensure consistency and help clarify requirements within County easements.

Deauthorized by:  
 3/23/2022  
P-100070000P-450  
Mark Wedemeyer, Director, Inspections & Permits

Deauthorized by:  
 4/26/2022  
P-100070000P-450  
Steven Kaii-Ziegler, Director, Office of Planning and Zoning

**Cc:** Kelly Kenney, Senior Assistant County Attorney, Office of Law  
Karen Henry, Assistant Director, DPW  
Noelle Anuszkiewicz, Deputy Director DPW BUO  
Jia Liu, Utility Administrator, DPW BUO  
Christopher Murphy, Engineering Administrator, DPW BOE  
Victor Kibec, Program Administrator DPW BUO

THIS DEED OF EASEMENT AND AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_ (hereinafter called "Property Owner"); \_\_\_\_\_, and ANNE ARUNDEL COUNTY, MARYLAND, a body corporate and public, (hereinafter called the "County").

WHEREAS, the County desires to construct and maintain sewers, drains, water pipes and other public utilities, services and appurtenances in and across the easement hereinafter described, and Property Owner is willing to grant such right.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) the receipt whereof is hereby acknowledged, the said Property Owner hereby grant(s) and convey(s) unto the County its successors, legal representatives, and assigns, the right to lay, construct and maintain sewers, drains, water pipes and other public utilities, services and appurtenances; in and through the easement within the land of Property Owner, situate in the \_\_\_\_\_ Assessment District of Anne Arundel County, State of Maryland, said sewers, drains, water pipes and other public utilities, services and appurtenances to be laid in the easement which is described on Exhibit "A" and shown on Exhibit "B", attached hereto and recorded herewith.

AND the Property Owner does hereby covenant and agree that the County, its successors, legal representatives, and assigns, shall have the right and authority to enter upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said public utilities and appurtenances, provided, however, that the ground shall be restored and left in good condition; and it is further agreed that no buildings, permanent or temporary structures, other obstructions prohibited by Anne Arundel County Code Section 13-1-105, or features of any kind, including but not limited to trees, bushes, or deep-rooted plants or landscaping other than grass, shall be erected in, on, or over the said easement by the parties hereto, their heirs, personal representatives, successors, and assigns that would impede the Grantees access or maintenance of the said easement.

AND if the Property Owner fails to shift, adjust, accommodate, or remove a building, structure, obstruction, or feature from the said easement, the County may shift, adjust, accommodate, or remove the building, structure, obstruction, or feature, the County shall collect the cost of performing the work from the Property Owner, such costs to be collected in the same manner as property taxes in accordance with § 1-8-101 of the County Code.

AS WITNESS the due execution hereof by the aforementioned parties.

WITNESS:

\_\_\_\_\_ (SEAL)

WITNESS:

\_\_\_\_\_ (SEAL)

WITNESS:

\_\_\_\_\_ (SEAL)

WITNESS:

\_\_\_\_\_ (SEAL)

ATTEST:

ANNE ARUNDEL COUNTY, MARYLAND

\_\_\_\_\_ (Seal)

Steven Kaii-Ziegler, Planning and Zoning Officer for  
Steuart Pitmman County Executive

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY, that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Steven Kaii-Ziegler who acknowledged himself to be the Planning and Zoning Officer for Steuart Pitmman, County Executive of Anne Arundel County, Maryland, and that he, as such Planning and Zoning Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal Notarial

\_\_\_\_\_  
Notary Public

My Commission Expires:

I HEREBY CERTIFY that this Deed of Easement and Agreement was prepared by the Property Owner (a party to the instrument), or by an attorney licensed to practice in the State of Maryland, or under the supervision of an attorney licensed to practice in the State of Maryland.

\_\_\_\_\_  
Name, Title

\_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_

\_\_\_\_\_

Office of Law

Date

**AFTER RECORDATION RETURN TO PLANNING AND ZONING MS 6301**