



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Council Members, Anne Arundel County Council

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

**Via:** Gregory J. Swain, County Attorney

**Date:** October 7, 2019

**Subject:** Resolution No. 42-19 – Moreland Application to Sell Agricultural Land Preservation Easement – 58.8 +/- acres

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### Legislative Summary

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. 42-19, which approves an application to sell an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation (“MALPF” or “Foundation”).

**Purpose.** The purpose of this resolution is to confirm the County Executive's approval of an application by Dale H. Moreland and Ross E. Moreland to sell an agricultural land preservation easement to MALPF on property located in Harwood, Maryland.

**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 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.

**Moreland Application to Sell Easement.** Dale H. Moreland and Ross E. Moreland submitted an application (“Application”) to sell an agricultural land preservation easement on property consisting of 58.8 acres, more or less, located on Owensville Road in Harwood, Maryland (“Property”) to the Foundation. The Property is part of the real property described in a deed dated March 31, 2004, and recorded in the land records of Anne Arundel County (“Land Records”) in Book 14600, Page 452.

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

**Summary.** This resolution confirms the County Executive's approval of the Application to sell an agricultural land preservation easement on the Property to the Foundation.

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

cc:     Steuart Pittman, County Executive  
          Jennifer Purcell, Chief of Staff  
          Benjamin J. Birge, Chief Administrative Officer  
          Peter Baron, Government Affairs Officer  
          Steve Kaii-Ziegler, Planning & Zoning Officer  
          Barbara Polito, Agricultural Program Administrator  
          Jim Beachamp, Budget Officer