



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. 43-19 – Shifflett Application to Sell Agricultural Land Preservation Easement – 116.27 +/- acres

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. 43-19, 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 Scott L. Shifflett and Mary K. Shifflett to sell an agricultural land preservation easement to MALPF on property located in Tracys Landing, 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.

Shifflett Application to Sell Easement. Scott L. Shifflett and Mary K. Shifflett submitted an application (“Application”) to sell an agricultural land preservation easement on property consisting of 116.27 acres, more or less, located on Franklin Gibson Road, Tracys Landing, Maryland 20778 (“Property”), to the Foundation. The Property is described in a deed dated August 23, 1983, and recorded in the land records of Anne Arundel County in Book 3633, Page 146.

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.

Please let me know if there are any questions. 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 Beauchamp, Budget Officer