

THE EFFECTIVE DATE OF THIS ORDINANCE IS July 18, 2017

ORDINANCE NO. 17-03-003

ORDINANCE
OF
THE COUNTY COUNCIL OF FREDERICK
COUNTY, MARYLAND

RE: PETITION TO OPEN, CLOSE AND ALTER
CONESTOGA TRAIL AND CLOVERLEAF DRIVE

RECITALS

Countryside of Frederick Homeowners Association, Inc. and Russel Holdings, LLC, filed a petition with Frederick County to alter and close portions of Conestoga Trail, and to close all of Cloverleaf Drive, pursuant to the Annotated Code of Maryland, Local Government Article, §12-512.

The petition proposed closure of an approximately 445 foot long portion of Conestoga Trail, and altering the remaining portion of Conestoga Trail by extending it to reach the adjacent parcel to the west and removing the median. The petition also proposed closure of all +/-160 feet of Cloverleaf Drive. Petitioners also requested that the name of the open and extended portions of Conestoga Trail be changed to "Arcadia Drive."

The Division of Public Works recommended approval of the petitioners' requests. The Frederick County Planning Commission recommended approval of the requests.

The County Council held a public hearing on June 20, 2017, to consider the petition during which members of the public and representatives of the petitioners were provided the opportunity to comment.

One June 20, 2017, a motion was made to grant the requests contained in the petition subject to conditions:

- 1) that easements for existing and proposed public water and sewer lines and facilities

within the affected areas be prepared and recorded among the land records; and

- 2) that the name of the open and extended portions of Conestoga Trail be changed to Arcadia Drive in coordination with the County's Geographic Information Service and Emergency Service providers.

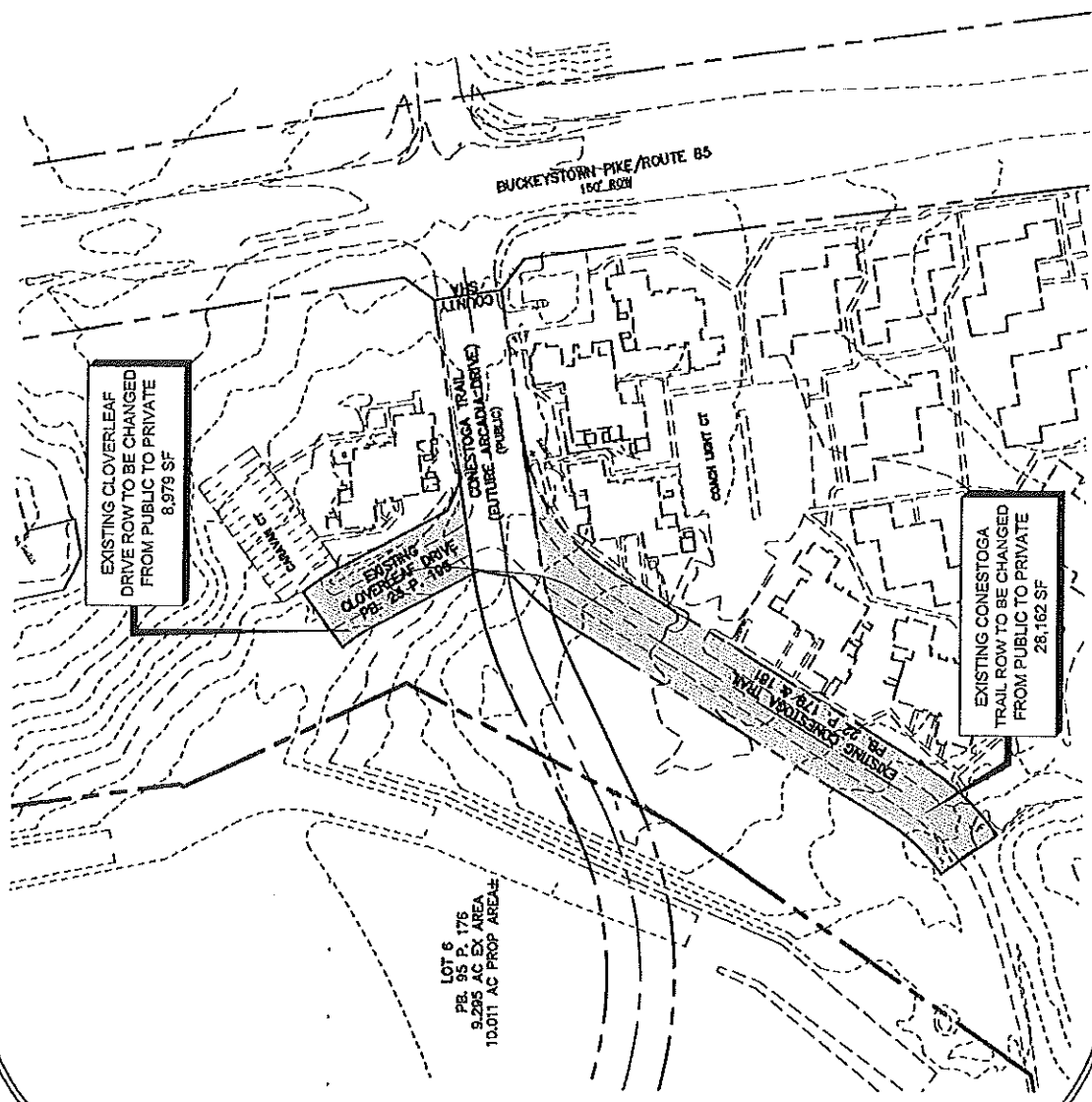
The record reflects that there are no properties utilizing Conestoga Trail addresses and therefore no inconvenience will result from changing the name of the road.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Petition to Close And Alter Portions of Conestoga Trail and to close all of Cloverleaf Drive is approved as shown on Exhibit A, subject to the following conditions:

- 1) Petitioners shall prepare, present to the County, and have recorded in the land records, easements for existing and proposed water and sewer lines and facilities in the areas affected by the petition;
- 2) Following recordation of the easements identified in item 1, the +/- 445 foot long portion of Conestoga Trail and all (+/- 160 foot) of Cloverleaf Drive will be closed;
- 3) Petitioners may alter and extend the remaining portions of Conestoga Trail to the property to the west;
- 4) The name of the remaining open portion of Conestoga Trail and the extended portion, will be changed to Arcadia Drive; and
- 5) The County will relinquish its rights and interests in and to the closed portions of Conestoga Trail and Cloverleaf Drive to adjoining owners as appropriate via quitclaim deed(s).

EXHIBIT FOR
CLOSE/ALTER FOR
CONESTOGA TRAIL AND
CLOVERLEAF DRIVE
SCALE: 1"=100' 1/27/16

HARRIS SMARIGA
PLANNERS • ENGINEERS • SURVEYORS
1955 CARROLL STREET
SUITE 100
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MARYLAND 21701
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EXISTING CLOVERLEAF
DRIVE ROW TO BE CHANGED
FROM PUBLIC TO PRIVATE
8,979 SF

EXISTING
CLOVERLEAF DRIVE
PB. 24 P. 104

EXISTING CONESTOGA
TRAIL ROW TO BE CHANGED
FROM PUBLIC TO PRIVATE
28,162 SF

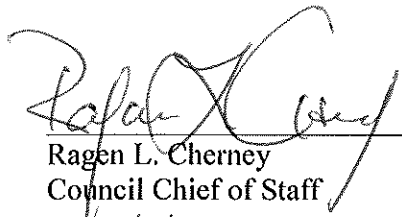
LOT 6
PB. 95 P. 176
9.295 AC EX. AREA
10,011 AC PROP AREA



AND, BE IT FURTHER ORDAINED, that the County Executive is hereby authorized to execute the quitclaim deed(s) to release the unneeded rights of way to the closed portions of Conestoga Trail and Cloverleaf Drive to adjoining owners.

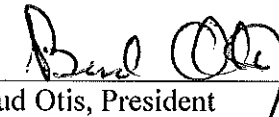
The undersigned hereby certify that this Ordinance was approved and adopted on the 18 day of July, 2017.

ATTEST:

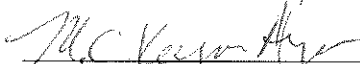


Ragen L. Cherney
Council Chief of Staff
w/ 7/18/17

COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND

By: 

Bud Otis, President



M.C. Keegan-Ayer, Vice President

Tony Chmelik, Council Member



Kirby Delauter, Council Member

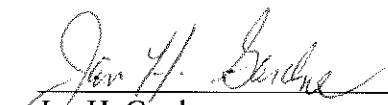


Billy Shreve, Council Member

Council Members Jessica Fitzwater and Jerry Donald did not attend the meeting or vote on this matter.

COUNTY EXECUTIVE ACTION:

Approved Vetoed



Jan H. Gardner
Frederick County Executive