

COUNTY ORDINANCE NO. 05-09

A BILL ENTITLED

AN ACT TO CREATE THE GROVE CREEK WATERWAYS IMPROVEMENT DISTRICT, TO AUTHORIZE A MAXIMUM EXPENDITURE ON THE PROJECT NOT TO EXCEED \$500,808.00 AND TO LEVY A SPECIAL BENEFIT TAX AGAINST PROPERTIES IN THE DISTRICT TO REPAY SUMS BORROWED AND EXPENDED THEREON AND TO PROVIDE FOR THE COLLECTION THEREOF

WHEREAS, the State of Maryland has authorized local governments to establish waterway improvement districts in accordance with the provisions of Natural Resources Article, Section 8-705; and

WHEREAS, certain property owners have made a written request for the creation of such a district on the waters of Grove Creek for the purpose of having maintenance dredging performed on the entrance channel to said Creek; and

WHEREAS, a northwest storm in 2002 breeched an area adjacent to the entrance channel with sand movement and silting that is closing the channel entrance precluding boating activities have become so acute as to require immediate action;

SECTION I

NOW THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND, that the Grove Creek Waterway Improvement District be and the same hereby is created, said District to include the parcels of land listed on the Exhibits attached hereto and incorporated therein; and said District to further include the waters of Grove Creek which are surrounded by the aforementioned properties. The County Commissioners of Queen Anne's County be are hereby established as the District Council of the Grove Creek Waterway Improvement District.

SECTION II

BY creating this District, the County authorizes the borrowing of up to \$500,808.00 from the Waterway Improvement Fund, which said moneys shall be repaid by the aforesaid property owners by means of a special assessment or tax which shall be levied in equal portions against each property and which may be repaid over a period of twenty-five (25) years, interest free.

SECTION III

The sums due hereunder shall be valid charges and

assessments against the real property indicated and shall be liens upon such property to be collected in the same manner as County taxes are collected. The lien herein created shall run with the land until paid in full and in the event of a property transfer, may be assumed by the purchaser. The first such payment shall be due and payable on July 1 of the first calendar year in which payment of the borrowing authorized herein is due to the State of Maryland.

SECTION IV

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Gene Ransom

DATE: April 19, 2005

PUBLIC HEARING HELD: May 17, 2005 @ 6:15 pm

VOTE: 4 Yea 0 Nay (Mike Koval Abstained)

DATE OF ADOPTION: May 17, 2005