

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

Resolution No. 2025 - 12

Acquisition of Public Water Easement and Temporary Construction Easements:
3350 Mill Hill Road, Waldorf, Maryland 20603

Property of: Timothy W. Osborn, William Page Osborn, Paul Talbott Osborn, Russell Alton Osborn, Nathan Daniel Osborn and Emily C. Osborn, Trustee of the Emily C. Osborn Revocable Trust (the "Property Owners")

WHEREAS, the Board of County Commissioners of Charles County, Maryland (the "County") has approved a water main extension project entitled, "Mill Hill Road Water Main Extension, Phase 2", to extend the water line from Davis Road to Devonfield Avenue along Mill Hill Road as shown on the Plat attached and incorporated herein as Exhibit 1; and

WHEREAS, the easement areas to be acquired by the County for the construction and extension of the water main along Mill Hill Road is shown on the Plat attached and incorporated herein as Exhibit 1 and more particularly described on Exhibit 2; and

WHEREAS, pursuant to a Supplemental Adequate Public Facilities Agreement (the "Agreement"), between the County, Wetherburn Associates, LLC and Brookwood II, LLC, dated February 16, 2021, the County is required to design and build a water line along Mill Hill Road from Davis Road to Devonfield Avenue to provide Adequate Public Facilities. Further, pursuant to the Agreement, the County must acquire permanent and temporary construction easement rights, as needed, for the extension of the water line to improve an adequate water supply in this area of the County; and

WHEREAS, to construct and extend the water line it is necessary to acquire certain property interests of the Property Owners as shown on the attached Plat (Exhibit 1) and more fully described in the legal descriptions (Exhibit 2) by eminent domain; and

WHEREAS, the County has determined that there is a public use and necessity for the acquisition of the Property Owners' interests as shown on the attached Exhibits; and

WHEREAS, representatives of the County are unable to reach an agreement with the Property Owners for the acquisition of their property interests despite good faith and persistent efforts to do so; and

NOW THEREFORE, BE IT RESOLVED this _____ day of _____, 2025, by the County Commissioners of Charles County, Maryland, that

- (1) The Recitals set forth above are incorporated and restated as if full set forth in the Resolution; and
- (2) The County Department of Planning and Growth Management and Office of the County Attorney shall be, and are hereby, authorized and directed to take such steps, including the preparation and filing of pleadings and plats required, under Title 12 of the Real Property Article of the Annotated Code of Maryland, as necessary, to institute and complete condemnation proceedings against the property of: Timothy W. Osborn, William Page Osborn, Paul Talbott Osborn, Russell Alton Osborn, Nathan Daniel Osborn and Emily C. Osborn, Trustee of the Emily C. Osborn Revocable Trust at 3215 Mill Hill Road, Waldorf, Maryland 20603; (and any and all others having an interest in properties), as is shown or indicated in any manner on the County's Plat attached as Exhibit 1 and entitled, "Plat of Easement, Plat 1, Mill Hill Road Water Main Extension ~ Phase 2"; and
- (3) In order for the County to construct and extend the water line along Mill Hill Road, Waldorf, Maryland for its intended public purpose, the acquisition of easement rights, permanent and temporary must be obtained by the County in the area, together with such other appurtenant rights, in and over the property of the Property Owners as shown on the Plat (Exhibit 1) and further described on the legal description (Exhibit 2); and

- (4) The acquisition of the Property Owner's interests as set forth on the Plat (Exhibit 1) is necessary to achieve the important public purposes described above.

**COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND**

Reuben B. Collins, II, Esq. President

Ralph E. Patterson, II, M.A., Vice President

Gilbert O. Bowling, III

Thomasina O. Coates, M.S.

Amanda M. Stewart, Ed. D

ATTEST:

Carol DeSoto, Clerk to the County Commissioners

CERTIFICATE

I HEREBY CERTIFY that I am the duly appointed Clerk to the County Commissioner of Charles County, Maryland, and that the foregoing Resolution No. 2025-____ was duly adopted by the County Commissioners of Charles County, Maryland on _____, 2025, in public session on a regular meeting day at which meeting a quorum was present.

Carol DeSoto, Clerk to the County Commissioners