

FREQUENTLY ASKED RIGHT OF WAY QUESTIONS

ROAD QUESTIONS

Q. Who owns the road in front of my Charles County property?

A. If the road is a public road, the following could be the owner: the Town of La Plata, the Town of Indian Head, Charles County Government or the State Highway Administration. With a few exceptions, if the road is located within the town limits of La Plata (301-934-8421) or Indian Head (301-743-5511), you must contact the town to confirm that they own and maintain it. State Highway Administration roads can be identified easily as they will have a route number associated with it such as US Route 301 (a.k.a. Crain Highway), MD Route 6 (a.k.a. as Charles Street and Port Tobacco Road), etc. Further questions can be directed to the SHA Office of Real Estate at 410-841-1008. County roads can be confirmed by calling the ROW office at 301-396-5824. If the road in question is not owned by any of the above mentioned government entities, then it is a private road.

Q. Since the road in front of my property is not a public road, how can I find out who owns this private road?

A. If the road in question is a private road, ownership must be confirmed by title research in the Charles County Land Records office. An attorney or title abstract company can be hired to assist you in your research.

Q. There are many people that use the private road to my property, but they do not help maintain it, what can I do about that?

A. Talk to those who use this road. An effective way to work with your neighbors is to prepare a Road Maintenance Agreement. With such a document, all that use the road agree to jointly maintain it. An attorney can assist you in preparing such an agreement with the appropriate property owners and have it recorded in the Charles County Land Records office so that it will be in the chain of title for all affected property owners.

Q. How can I stop people from using my private road?

A. This is a civil matter. You will need to seek the advise of an attorney to determine your rights.

Q. Does my neighbor have the right to use my private road?

A. You will need to seek the advise of an attorney to determine your rights and that of any other users of a particular private road.

Q. How can I have the road in front of my property maintained by Charles County?

A. The County has a process by which those that own and use the road can petition the county to bring it to County standards and take over the maintenance. Contact Joyce Schmidt at 301-645-0576 for further information.

Q. How wide is the County road right of way in front of my property?

A. Call the ROW office at 301-396-5824 for that information.

Q. What is the proposed ultimate width of a specific road?

A. Call the ROW office at 301-396-5824 for that information.

Q. Please provide me with the Liber and Folio to a specific County Road.

A. Call the ROW office at 301-396-5824 for that information.

Q. Has the developer of my project turned the roads over to Charles County for maintenance?

A. This question can be answered by the Roads Division of Public Facilities at 301-932-3440 or the ROW office of Planning and Growth Management at 301-396-5824.

Q. What does the developer have to do to turn the roads over to Charles County?

A. The Developer must complete construction of the infrastructure (roads, water/sewer lines, drainage and storm water management facilities) as per the construction plans and deed all public facilities to the County Commissioners.

Q. When will school bus service be available to my subdivision?

A. The Charles County Public School System can provide bus service to a subdivision with adequately sized roads for buses, once the subdivision infrastructure is complete, has passed inspection and is accepted by the County and the road dedication and deeding process is completed. Contact the Board of Education Transportation Division at 301-934-7262 for specific information regarding bus service for a particular subdivision.

COUNTY OWNED PROPERTY QUESTIONS:

Q. I want to purchase a specific Charles County owned property; how do I accomplish that?

A. The County Commissioners must first declare the property surplus. Once that has been done, a public notification will be made for a public sale to be held. This could be in the form of an auction or sealed bid; the format will be determined at the time of the sale. Watch the newspaper for notification of such pending sale.

Q. Who owns the open space property in my subdivision? A tree has fallen from it onto my property and I want the County to remove it.

A. Typically, the open space in your subdivision is owned by either the developer of the project or the Home Owners Association for the subdivision. This is considered private property and the County will not go on private property to remove a tree. You must contact the owner to

resolve any such issue.

DEVELOPER PROJECTS AND COMPLETION OF THE DEDICATION PROCESS QUESTIONS

Q. What documents do I need for this project?

A. During the plan and plat review process of your project, you will receive comment letters and/or a specific document request letter telling you what documents are required for this project. Refer to these letters.

Q. Can you send me the dedication document forms?

A. All County approved form documents are located on the County web site at: <http://www.charlescounty.org/pgm/publications/default.htm>. Go to the list for Dedication Documents.

Q. Must these forms be used for my document submittal? Can't I prepare my own?

A. No. The following list of document forms: Water and Sewer Easements, Public and Private Drainage and Storm Water Management Easements, Road Deed, and the Dedication Agreement are approved by the County Attorney. Submit your document package using only these forms. Any document submitted with changes from this format will be returned to you for revisions. To prepare the preliminary and final title report for your property, you are provided a sample format to follow on the county web site listed above.

Q. Must I submit all my documents for a project at the same time? Can't I send in each as I complete it?

A. No. Submit a complete package of the documents needed for your project. If a partial submittal is received, it will be returned to the sender.

Q. Who can prepare a title report that is acceptable to the County?

A. All preliminary and final title reports must be prepared by and have an original signature of an attorney licensed to practice law in the state of Maryland.

Q. What is the status of the document review and approval for my project?

A. Contact Diana Price, ROW Agent, at 301-638-0806 for status.

6/28/2004 jhm

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