SC5593-4-207

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November 22, 1982

Mr. William E. Yerger
1 Hackney Drive
Bear, Delaware 19701

Dear Mr. Yerger:

The Majkowskis have authorized me to advise you of my findings. I believe that the problem in River's Edge Park is easily solved: the 25' right-of-way does not exist.

The original plat for Rivers Edge Park, which is at W.H.G. 46, 506A, shows Lot No. 24 as being 100' wide, Lot No. 25 as being 112.30' wide and Lot Nos. 26, 27, 28 and 29 as each being 100' wide. That Plat does not include any right-of-way to the river between Lot Nos. 25 and 26. In 1956, the Churchs sold Lot No. 25 to Robert C. Miller et ux. In 1962, the Churchs sold Lot No. 26 to Charles Hasselman et ux. On January 10th, 1968 the Churchs filed the revised plat to River's Edge Park, which plat extended the depths of Lot Nos. 26, 27, 28, 29, and 29A to the river, reduced their width to 75' each, and supposedly created the right-of-way. When the revised plat was filed the Churchs did not own either Lot No. 25 nor Lot No. 26, and Lot No. 25 is where the right-of-way was suppose to be. The Millers did not join in its creation (if they did, it is not recorded). Subsequent to 1968, the Churches owned Lot No. 26, and sold it in 1973 with a width of 75'; Lot No. 27 in 1972 with a width of 75'; Lot No. 28 in 1972 with a width of 75'; and Lot No. 29 in 1968 with a width of 75'.

It appears to me that the northwest corner of Lot No. 26 begins 212.30' from the north~~west~~ corner of Lot No. 24, and Lot Nos. 27, 28, 29, and 29A are at 75' increments thereafter which places everyone's property line where they thought them to be. I would suggest a property line agreement between the lot owners concerned ie Nos. 25 through 30, so that the mistake over the existence of

the right-of-way is not perpetuated in the future.

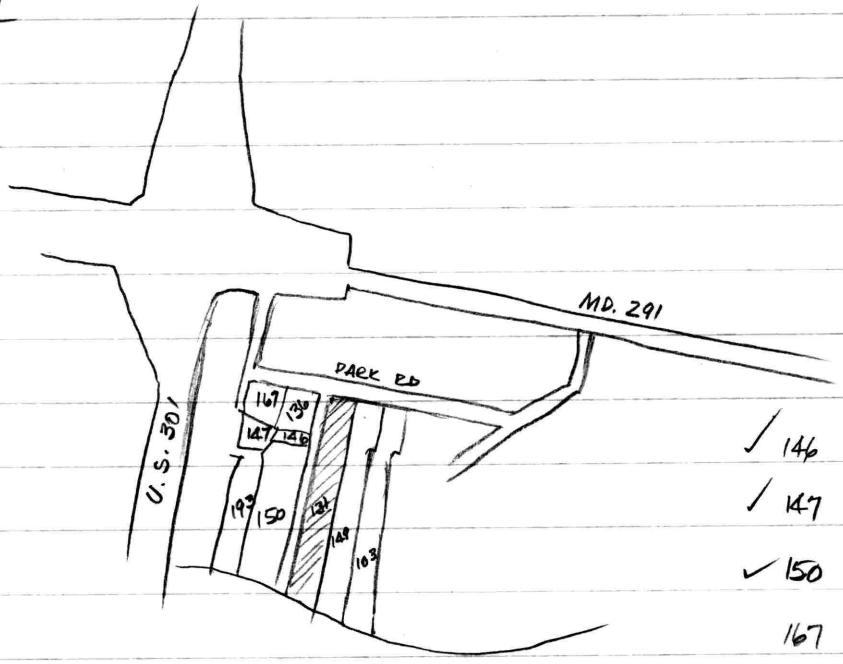
Sincerely,

Elise Davis

cc: Mr. & Mr. Majkowski
Mr. Nuttle

COPY

MAP 31



✓ 146 Ruth C. Miller EHP 81/767
✓ 147 Robt. C. Miller EHP 45/419
✓ 150 " " " EHP 7/527
167 " " " EHP 50/736

131 John C. Bennett EHP 125/310
149 Wm. E. Yerger EHP 45/727 - Lot 27
103 Ronald P. Majkowski EHP 114/196
136 Robt. C. Miller WHG 47/184

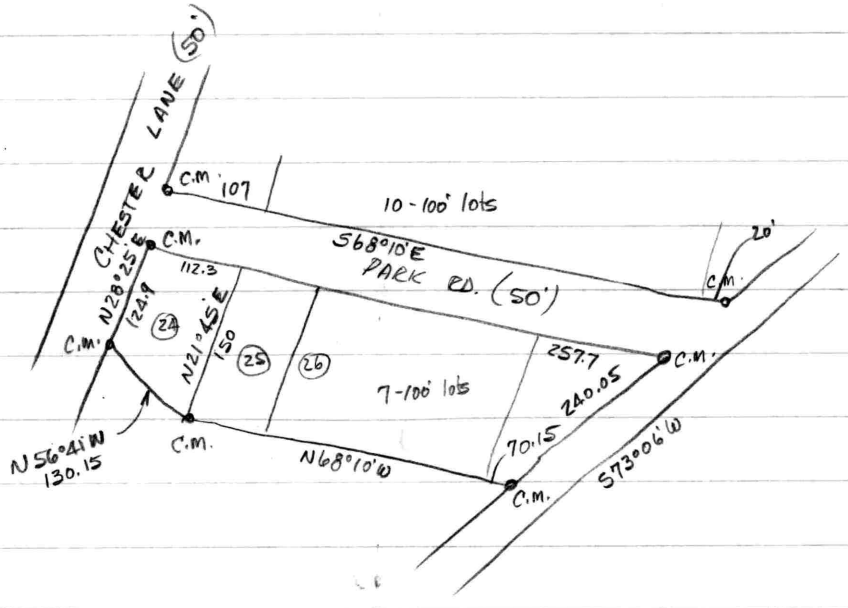
Bennett EHP 125/310 - Lot 26 of "Paul D. Church et. al Addition to and Modification to Plat 3 of River Edge Park" - Plat. Bk WHG 1/167 75'x600'± - together with R/w over 25' R/w shown.

Miller WHG 47/184 - Lot 25 of River Edge Park WHG 46/506A

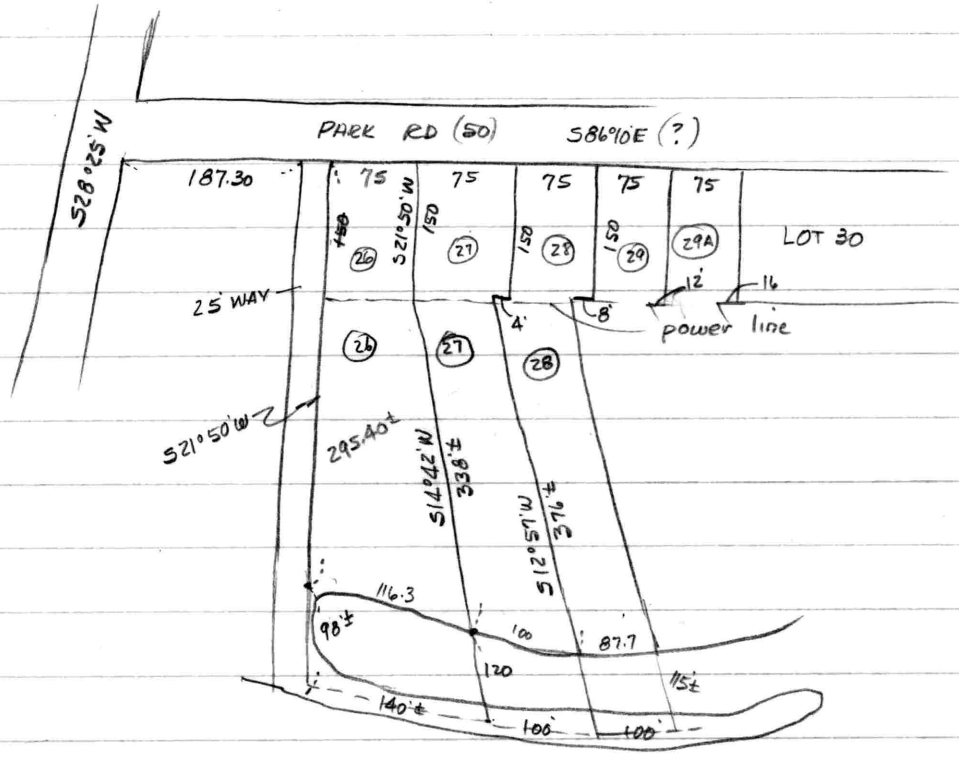
John C. Bennett
P.O. Box 238
North East, Md. 21901

Wm. E. Yerger
1 Hackney Dr.
Bear, Del. 19701

WHG 46/506A River Edge Park - Metcalfe 1956



Plat Bk WHG1/167 - Nov. 1967



Ruth Miller EHP 81/767 tax sale

Parcel which is a 25' R/W running SE dir. from Chester Lane along but 25' from S boundary lines of Lots 24 to 32 inclusive to River Lane

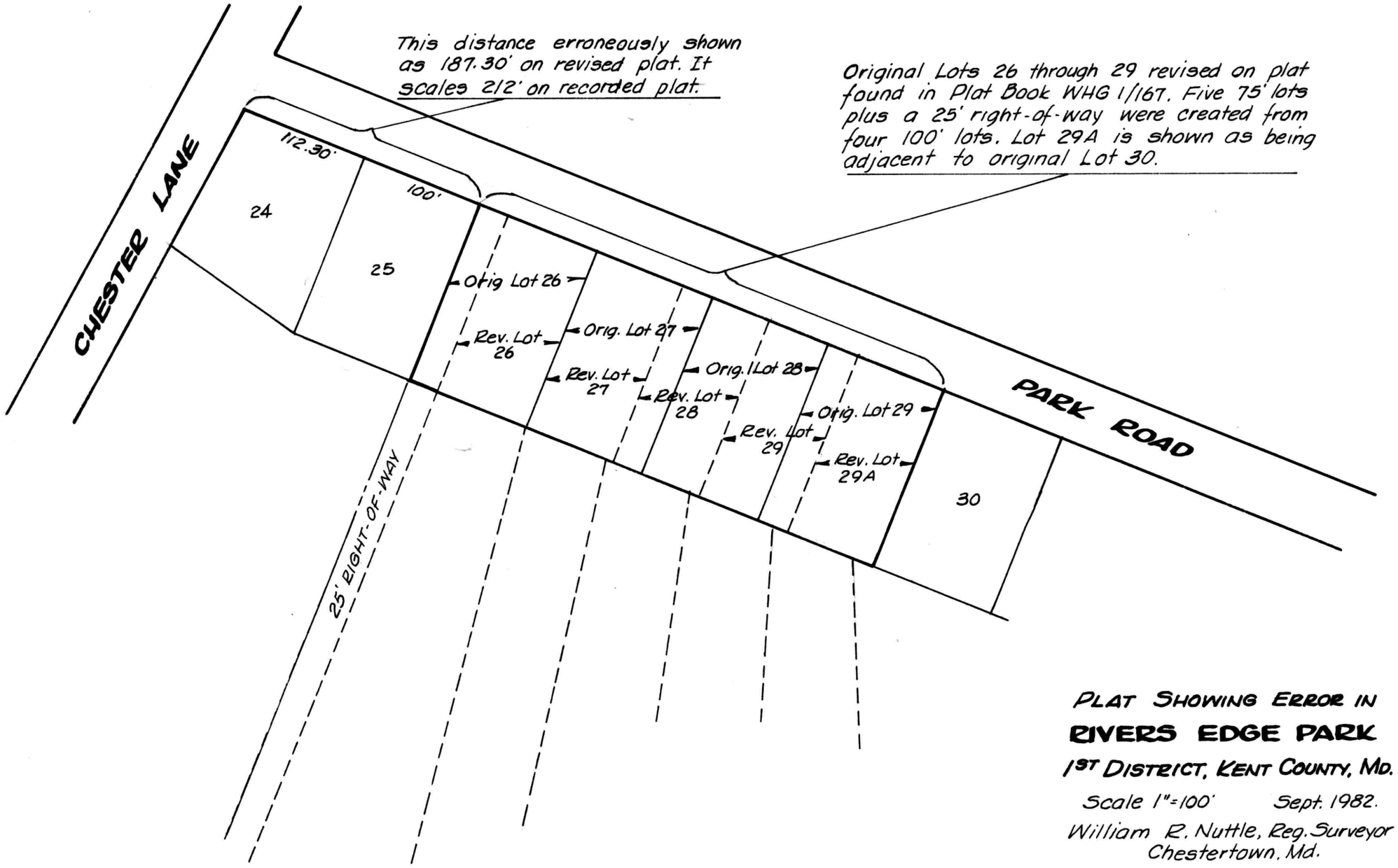
Miller EHP 45/419

Begin E side Chester Lane at SW cor. Lot 24
w/ Lot 24 S 56°41'E - 130.15 to div. line between Lots 24 & 25
w/ new line SW dir. 74.5± to NE cor. Lot 22A
w/s N62°47'W - 100'± to Chester Lane
w/s N28°25'E - 82.6 to begin

Miller EHP 7/527

Begin C.M. on S boundary of Rivers Edge Park
with Lot 25 S68°10'E - 100 to Lot 26
S21°45'W - 400'± to Chester R.
w/s W dir. 175'± to SE cor. Lot 22A
w/s N28°25'E - 200
NE dir. 74.5± to begin
Subject to 25' R/W from Chester Lane along S boundary of Lots 24 - 32 inclusive

Miller EHP 50/736 - Lot 24



PLAT SHOWING ERROR IN

RIVERS EDGE PARK

1ST DISTRICT, KENT COUNTY, MD.

Scale 1"=100' Sept. 1982.

William R. Nuttle, Reg. Surveyor
Chestertown, Md.