

Board of Public Works of the State of Maryland, and the War Department of the United States Government, or their duly authorized agents, as soon as the necessary appropriation is passed by the United States Government for the purpose of construction an inlet; and to execute, acknowledge and deliver such deeds or other paper writings as may be necessary under the laws of the State of Maryland to convey a good merchantable fee simple title in and to the property herein described and hereby conveyed unto the party or parties designated to acquire or receive title thereto as aforesaid; and

WHEREAS, Delaware Mortgage Investment Company, a Delaware Corporation, by deed dated May 24, 1933, and recorded among the Land Records of Worcester County, in Liber B. B. N. 17, Folio 509, conveyed unto Lewis C. Merryman and John S. Whaley a perpetual, free and unobstructed right of way at all times over, along and across a tract of land on the Beach south of Ocean City, in Worcester County, and a second right of way for the use of a railroad, more particularly described in said deed, in trust as hereinbefore set forth; and

WHEREAS, Ethan A. Carey and Addie B. Carey, his wife, Savannah Carey, widow, Edward Lee Carey, unmarried, Elizabeth Carey Shockley, and C. Norwood Shockley, her husband, and John Carey, widower, by deed dated March 30, 1933, and recorded among the Land Records of Worcester County, in Liber B. B. No. 17, Folio 521, conveyed to Lewis C. Merryman and John S. Whaley a perpetual, free and unobstructed right of way at all times, over, along and across a tract of land on the Beach south of Ocean City in Worcester County and also a second right of way for the use of a railroad, more particularly described in said deed, in trust as hereinbefore set forth; and

WHEREAS, the War Department of the United States has selected a new site for, and begun construction, of an inlet on the Beach south of Ocean City in Worcester County, about 4 miles North of the proposed inlet in the deed from William B. S. Powell and wife to Lewis C. Merryman and John S. Whaley and the Government of the United States and the State of Maryland have no further use or need for the lands and rights of way granted by the said several deeds and have abandoned the same; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Lewis C. Merryman and John S. Whaley, Trustees, the survivor and his successors in trust and their or his assigns in trust be and they are hereby permitted