

IMPROVEMENT OR APPURTENANCE THERETO.

(C) EASEMENT IN GROSS.

IF THE RESTRICTION IS NOT GRANTED FOR THE BENEFIT OF ANY DOMINANT TRACT OF LAND, IT IS ENFORCEABLE WITH RESPECT TO THE SERVIENT LAND, BOTH AT LAW AND IN EQUITY, AS AN EASEMENT IN GROSS, AND AS SUCH IT IS INHERITABLE AND ASSIGNABLE.

(D) EXTINCTION AND RELEASE.

A RESTRICTION PROVIDED FOR BY THIS SECTION MAY BE EXTINGUISHED OR RELEASED, IN WHOLE OR IN PART, IN THE SAME MANNER AS OTHER EASEMENTS.

(E) GRANT TO MARYLAND HISTORICAL TRUST OR MARYLAND ENVIRONMENTAL TRUST.

IF ANY GRANT, RESERVATION, DEDICATION, DEVISE, OR GIFT OF ANY NATURE WHICH CLEARLY INDICATES THE MAKER'S INTENTION TO SUBJECT ANY INTEREST OR ESTATE IN PROPERTY TO PUBLIC USE FOR THE PRESERVATION OF HISTORIC OR ENVIRONMENTAL QUALITIES FAILS TO SPECIFY A GRANTEE, DONEE, LEGATEE, OR BENEFICIARY TO RECEIVE THE SAME OR SPECIFIES A GRANTEE, DONEE, LEGATEE, OR BENEFICIARY WHO IS NOT LEGALLY CAPABLE OF TAKING THE INTEREST OR ESTATE, IT PASSES TO THE MARYLAND HISTORICAL TRUST OR THE MARYLAND ENVIRONMENTAL TRUST IN ANY PROCEEDINGS UNDER §§ 14-301 AND 14-302 OF THE ESTATES AND TRUSTS ARTICLE OF THE CODE.

REVISOR'S NOTE: This section presently appears as Art. 21, §5-118 of the Code. In subsection (e) a cross-reference is made to the Estates and Trusts Article since the indicated sections of Art. 16 are incorporated here. The only other changes are in style.

GENERAL REVISOR'S NOTES:

The Commission to Revise the Annotated Code, in compiling Title 2 of the Real Property Article, concluded that certain provisions of present law originally allocated to Title 1 are repetitious, obsolete, or more properly allocable elsewhere. Accordingly, these provisions are not embodied in Title 2. Their proposed treatment is as follows:

<u>Section in Art. 21:</u>	<u>Treatment:</u>	<u>Comment:</u>
§2-104 (b), (c), (e)	Transferred to Art. 39C	Inapplicable to real property