

(1981 Replacement Volume and 1983 Supplement)

BY adding to

Article - Real Property
Section 2-114
Annotated Code of Maryland
(1981 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

[2-114.

Unless a contrary intention appears in the deed, will, or other instrument, if any deed, will, or other instrument grants or bequeaths land binding on any street or highway, or if any street or highway is one or more of the lines of the land, the deed, will, or other instrument passes to the legatee, donee, or grantee, all the right, title, and interest of the testator, donor or grantor in the street or highway. Except that to the extent the testator, donor, or grantor owns other land on the opposite side of the street or highway, the deed, will, or other instrument passes the right, title, and interest of the testator, donor, or grantor only to the center of that portion of the street or highway on which the two or more tracts coextensively bind.]

2-114.

(A) EXCEPT AS OTHERWISE PROVIDED, ANY DEED, WILL, OR OTHER INSTRUMENT THAT GRANTS LAND BINDING ON ANY STREET OR HIGHWAY, OR THAT INCLUDES ANY STREET OR HIGHWAY AS 1 OR MORE OF THE LINES THEREOF, SHALL BE CONSTRUED TO PASS TO THE DEVISEE, DONEE, OR GRANTEE ALL THE RIGHT, TITLE, AND INTEREST OF THE DEVISOR, DONOR, OR GRANTOR (HEREINAFTER REFERRED TO AS THE TRANSFEROR) IN THE STREET OR HIGHWAY FOR THAT PORTION ON WHICH IT BINDS.

(B) IF THE TRANSFEROR OWNS OTHER LAND ON THE OPPOSITE SIDE OF THE STREET OR HIGHWAY, THE DEED, WILL, OR OTHER INSTRUMENT SHALL BE CONSTRUED TO PASS THE RIGHT, TITLE, AND INTEREST OF THE TRANSFEROR ONLY TO THE CENTER OF THAT PORTION OF THE STREET OR HIGHWAY UPON WHICH THE 2 OR MORE TRACTS COEXTENSIVELY BIND.

(C) THE PROVISIONS OF SUBSECTIONS (A) AND (B) OF THIS SECTION DO NOT APPLY IF THE TRANSFEROR IN EXPRESS TERMS IN THE WRITING BY WHICH THE DEVISE, GIFT, OR GRANT IS MADE, EITHER RESERVES TO THE TRANSFEROR OR GRANTS TO THE TRANSFEREE ALL THE RIGHT, TITLE, AND INTEREST TO THE STREET OR HIGHWAY.