

**SAMPLE DEED OF EASEMENT AND RIGHT-OF WAY**

THIS DEED OF EASEMENTS, made this \_\_\_\_ day of \_\_\_\_\_, 200\_\_ by \_\_\_\_  
\_\_\_\_\_, a Maryland Limited Liability Company ,

WHEREAS, \_\_\_\_\_ is the owner/developer of \_\_\_\_\_ in the City of Salisbury, Maryland entitled “\_\_\_\_\_” located on property which it acquired by deed dated \_\_\_\_\_, 200\_\_ recorded among the Land Records for Wicomico County, Maryland in Liber M.S.B. No. \_\_\_\_\_, Folio \_\_\_\_\_;

WHEREAS, \_\_\_\_\_ is the declarant under a Declaration of Covenants and Restrictions for such \_\_\_\_\_ intended to be recorded among the Land Records for Wicomico County;

WHEREAS, in order to facilitate the development of such \_\_\_\_\_ and the approvals of same required by the City of Salisbury (the “City”), \_\_\_\_\_ intends to grant unto the City the bed of a street and cul-de-sac known as “\_\_\_\_\_” in its fully developed state and, in addition, to grant unto the City certain additional City of Salisbury utility easements of varying widths; and

WHEREAS, the bed of \_\_\_\_\_ and the aforesaid City of Salisbury utility easements are more specifically located and described on a \_\_\_\_\_- page subdivision plat entitled

“\_\_\_\_\_”, dated \_\_\_\_\_, 200\_\_, made by \_\_\_\_\_  
\_\_\_\_\_ (collectively, the “Plat”), which plat is intended to be recorded in the aforesaid Land

Records immediately prior hereto or simultaneously herewith.

NOW, THEREFORE, THIS DEED OF EASEMENTS WITNESSETH:

THAT FOR AND IN CONSIDERATION OF ZERO DOLLARS (\$0.00) AND NO TAXABLE CONSIDERATION, and other good and sufficient consideration, the receipt and sufficiency of which is hereby acknowledged, \_\_\_\_\_ hereby grants and conveys unto the City of Salisbury, a municipal corporation of the State of Maryland, its successors and assigns (sometimes, hereinafter, the “City”) in fee simple, all that street, parcel or lot of land situate, lying and being in the City of Salisbury, \_\_\_\_\_ Election District, Wicomico County, State of Maryland depicted on the Plat as “\_\_\_\_\_” and “public road”, being essentially a \_\_\_\_\_ foot (\_\_\_\_\_) wide strip, to be used for road and utility purposes and for public ingress, egress and regress to and from the lots in such \_\_\_\_\_, running and curving in a generally northeasterly direction and terminating in a cul-de-sac having a radius of forty feet (40’), said strip and cul-de-sac being more particularly shown, designated and described by courses and distances on the aforementioned Plat, which is herein incorporated by reference;

AND \_\_\_\_\_ further grants and conveys unto the City certain permanent and perpetual easements for the installation of City owned underground utilities including, but not limited to, portions of the public water distribution system, public waste water collection system, storm water drainage systems, street lighting and roadway appurtenances (hereinafter the “Easements”), which Easements are described on the aforementioned Plat variously as “10’ City of Salisbury Utility Easement” and “20’ City of Salisbury Utility Easement”, and which are more particularly shown and designated on said Plat and described thereon by courses and distances.

BEING part of the land that was conveyed to \_\_\_\_\_ by deed dated \_\_\_\_\_, 200\_\_ recorded among the Land Records for Wicomico County, Maryland in Liber M.S.B. No. \_\_\_\_\_, Folio \_\_\_\_\_.

REFERENCE to the aforesaid deeds, plats, and declaration and to preceding deeds of the property hereby conveyed, and to the references therein contained, is hereby made for a more particular description of the property hereby conveyed.

TOGETHER WITH the right of ingress, egress and regress over the property of \_\_\_\_\_ **6** the purpose of necessary construction, repair, maintenance and inspection and/or removal of the aforesaid utilities, provided, however, that the City shall restore the surface of \_\_\_\_\_ property to its original condition upon completion of the said construction, repair, inspection and/or removal.

AND \_\_\_\_\_ further covenants with the City that \_\_\_\_\_ will not construct any structural improvements upon the bed of the aforesaid \_\_\_\_\_ or upon the underground City of Salisbury utility easements hereby conveyed, except for surface improvements only, without the prior written consent of the City.

AND the undersigned \_\_\_\_\_, by its duly authorized Trustees, \_\_\_\_\_, as indemnity mortgagee holding a lien on the subject property of \_\_\_\_\_ by virtue of an Indemnity Deed Of Trust dated \_\_\_\_\_, 200\_\_ and recorded among the aforesaid Land Records in Liber M.S.B. No. \_\_\_\_\_, Folio \_\_\_\_\_ is joining herein for the sole purpose of consenting to the conveyance hereby made and subordinating their aforementioned lien to the interests of the City in the \_\_\_\_\_ road bed and City of Salisbury utility easements hereby conveyed, but not for the purpose of affecting any other interests or rights of said Bank in the property of \_\_\_\_\_.

TO HAVE AND TO HOLD the same for the purposes aforesaid unto the City of Salisbury, a municipal corporation of the State of Maryland, its successors and assigns, forever.

AS WITNESS the due execution hereof by the authorized Members of \_\_\_\_\_ and the Trustees of \_\_\_\_\_ Bank on the day and year above written.

WITNESS/ATTEST:

NAME OF DEVELOPMENT CO.

\_\_\_\_\_ By: \_\_\_\_\_ (SEAL)  
NAME

\_\_\_\_\_ By: \_\_\_\_\_ (SEAL)  
NAME

BANK

\_\_\_\_\_ By: \_\_\_\_\_ (SEAL)

\_\_\_\_\_ By: \_\_\_\_\_ (SEAL)

STATE OF MARYLAND  
COUNTY OF WICOMICO

I HEREBY CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2003, before me, a Notary Public of the State of Maryland, personally appeared \_\_\_\_\_, who acknowledged himself to be an Authorized Member of \_\_\_\_\_ Development Co., LLC, a Maryland Limited Liability Company) and that he, as such agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself as such Authorized Member.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

---

Notary Public

My Commission expires:  
STATE OF MARYLAND  
COUNTY OF WICOMICO

I HEREBY CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2003, before me, a Notary Public of the State of Maryland, personally appeared \_\_\_\_\_, who acknowledged himself to be an Authorized Member of \_\_\_\_\_ Co., LLC, a Maryland Limited Liability Company and that he, as such agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself as such Authorized Member.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

---

Notary Public

My Commission expires:

STATE OF MARYLAND  
COUNTY OF WICOMICO

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, before me, the undersigned officer personally appeared, \_\_\_\_\_, who acknowledged himself to be Trustee for \_\_\_\_\_ Bank, a Maryland Banking Corporation, and that he, as such Trustee, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the corporation by himself as Trustee.

In witness whereof, I hereunto set my hand and official seal.

---

Notary Public

My Commission expires:

STATE OF MARYLAND  
COUNTY OF WICOMICO

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, before me, the undersigned officer personally appeared, \_\_\_\_\_, who acknowledged himself to be Trustee for \_\_\_\_\_ Bank, a Maryland Banking Corporation, and that he, as such Trustee, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the corporation by himself as Trustee.

In witness whereof, I hereunto set my hand and official seal.

---

Notary Public

My Commission expires:

**PREPARER CERTIFICATION**

I certify that this document was prepared by or under the supervision of the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

---

Attorney