



Rio Vista Community Association, Inc.

Post Office Box 254

Saint Michaels, MD 21663

QUITCLAIM PACKET (QP)

Dear Rio Vista Resident:

In this PDF file that you have downloaded, you will find four Forms for your use in applying for a Quitclaim Deed of Calvert (Paper) Avenue from the Rio Vista Community Association. The Quitclaim process **only applies to you** if you abut Calvert (Paper) Avenue (see area marked in blue on the map below.) You may also download the ZIP file from which you can open just one of the files as needed.

The four FORMS are:

1. **RVCA_Quitclaim Process and Instructions PSQP**
2. **RVCA_Quitclaim_ApprovalProcess-Flowchart**
3. **RVCA Quitclaim Application QUA FormFill Version**
4. **RVCA Indemnity Agreement- Rio Vista Template**

If you have any questions, please contact us at RVCAInformation@gmail.com

Paper Street Portion of Calvert Avenue





Rio Vista Community Association, Inc.

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RVCA PAPER STREET QUITCLAIM PROCESS (PSQP)

Following is the background of paper streets in Rio Vista and the process for residents abutting Calvert Paper Street who wish to obtain and record a quitclaim deed for the purpose of enlarging the square footage of their lots.

A “paper street” is a street shown on a subdivision plat that has never been developed or accepted by local government for development as a public street.

Five important facts about quitclaim deeds in this context:

1. A quit claim deed **does not provide the grantee (owner) exclusive use** of the property being quitclaimed.
2. **All lot owners in Rio Vista have a right to use the paper street** even if there is a quit claim deed conveying a portion of that street.
3. The quit claim owner **cannot build on that portion, nor can they obstruct usage by other lot owners**. All Rio Vista property owners have the right to traverse the paper streets shown on the subdivision plat, regardless of whether the Community Association has quitclaimed its interest.
4. All Rio Vista covenants and By-Laws apply to any additional acreage obtained by this process.
5. The Quitclaim area is not buildable, nor may any fencing or structure that restricts access be constructed.

Background

In the plat entitled “Map of ‘Rio Vista’ Development, Property of Theodore E. Fletcher near the Town of St. Michaels, Talbot County, Maryland”, dated February 1954, recorded among the Plat Records of Talbot County in Plat Book J.T.B., folio 11 (the “Plat”), the streets and roadways of Rio Vista, including Calvert (Paper) Avenue as shown on the Plat, were offered for dedication to public use.

In Talbot County Resolution 356 approved May 14, 2024, the County Council of Talbot County, Maryland (the “County”) formally declined to accept the open offer of dedication of a portion of Calvert Avenue (Paper Calvert shown on the map on page 2) for public use.

Rio Vista Community Association, Inc. is the successor to and assignee of the developer of Rio Vista pursuant to a Deed of Assignment dated February 23, 1956, and recorded on July 10, 1958, among the Land Records of Talbot County, Maryland, in Liber 348, folio 306. By formally rejecting the open offer of dedication, Talbot County has waived any right to develop this paper street. As a result of this action by the county, Paper Calvert is now owned by the Rio Vista Community Association, Inc.

The Rio Vista Community plat shows four other paper streets abutting 78 additional lots: (Paper streets are marked with wavy lines on the Rio Vista map on the RVCA website <https://riovistacom.org/map/>)

1. Van Buren (between paved streets Harrison and Jackson)
2. Monroe extended (between paved Jackson and Jefferson)
3. Adams (along paved Washington and Jefferson)
4. Forrest (behind paved Tyler)

The Rio Vista Board has asked the county to give advance notice to our Board if there is a decision to decline acceptance of any or all of these paper streets so that we can advise our residents and prepare for questions and the processing of any requests.

Paper Street Portion of Calvert Avenue





Rio Vista Community Association, Inc.

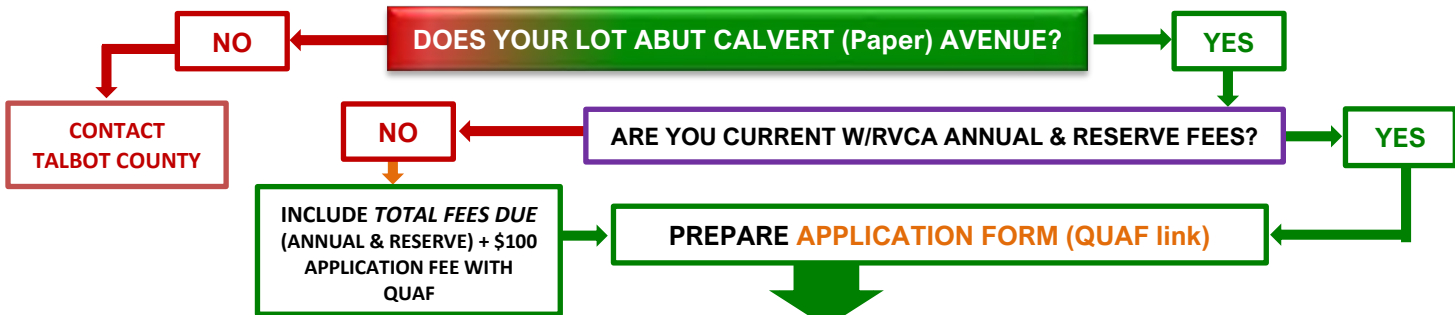
P.O. Box 254

St. Michael's MD 21663

A Deed Restricted Community - Incorporated in 1954

Paper (Calvert) Street Quitclaim Process Flowchart

Can I Submit a Quitclaim Application Form (QUAF)?



APPLICATION (QUAF) REQUIREMENTS

1. A readable copy of the Deed by which the owner acquired title to the property
2. A readable copy of the plat prepared by a Maryland registered property line surveyor that depicts the lot in question, adjoining properties and the portion of the paper street they are proposing to add to their deed
 - a. The plat must be Letter (8.5" x 11") or Legal (8.5"x14") in size
 - b. The plat of survey must show/include details of the portion of the Paper (Calvert Avenue) Street to be included in the quitclaim including the square footage and the new Building Restriction Line (BRL) may *not* include any of the Paper (Calvert Avenue) Street.
3. A signed and notarized RVCA Indemnification Agreement
4. Completed QUAF with \$100 Application Fee (All RVCA Fees must be current)
5. Submit this package with the Application Form (QUAF) to the Quitclaim Review Committee (QRC)

Note: It is *highly recommended* that Owners employ professional counsel (from a licensed Maryland attorney or a title company) to prepare the Quitclaim Deed and record it with Talbot County Land Records. RVCA reserves the right to submit documents to the Association's counsel for review. Cost not to exceed \$550 to be paid by the Owner(s)

RVCA REVIEW

- Verify that the submitted package contains all REQUIRED documents, listed above
- Verify that all RVCA Fees are current + \$100 Application Fee has been paid

RVCA contacts Owner(s) to advise package is incomplete or Fees are owed to complete the process

Fees are paid and/or missing documents submitted to complete the process

- RVCA sends written notices to contiguous neighbors of the subject property
 - After 30 days from the mailing date of the notices, the Quitclaim Review Committee (QRC) will review the Application Package to insure that it is complete.
- An Approval Letter is sent by the QRC to the Owner(s) requesting the quitclaim. Owners will provide this letter to entity preparing the Quitclaim Deed.

Owner(s) have two options for preparation of the Quitclaim Deed and recordation with Talbot County Land Records Office

OPTION A: OWNER(S) RETAIN LEGAL COUNSEL

- Retain licensed Maryland Attorney to review documents (current Deed & plat)
- Counsel prepares Quitclaim Deed
- Counsel records Deed with Talbot County Land Records Office
- Counsel provides proof of recordation to owner(s)

OPTION B: EASTERN SHORE TITLE (ES-Title)

- Retain ES-Title to review documents (current Deed & plat)
- ES-Title fee is \$550 plus recording and any applicable government fees
- ES-Title prepares the Quitclaim Deed
- ES-Title records Deed with Talbot County Land Records Office
- ES-Title provides proof of recordation to Owner(s)

Legal counsel or Eastern Shore Title contacts RVCA to sign & notarize Quitclaim Deed

THE QUITCLAIM PROCESS & RECORDATION IS COMPLETE WHEN:

- Quitclaim Deed is filed, Owner(s) provide proof of the recordation to RVCA via email (RVCAInformation@gmail.com) or Mail to (Rio Vista Community Association, Box 254, St. Michaels, MD 21663)
- RVCA documents the quitclaim additional square footage to Owner(s) records in the RVCA database
- RVCA publishes the address of the Quitclaim Deed in the next issue of the Nav-Light



RVCA Quitclaim Application Form (QUAF)

The Rio Vista Community Association (RVCA) provides the following requirements, terms and conditions, and checklist for the Quitclaim Application Form (QUAF.) The QUAF applies only for the properties in RVCA that abut paper street Calvert Avenue who wish to obtain a Quitclaim Deed.* Please return this Quitclaim Application Form (QUAF) and the required documentation as attachments to RVCAInformation@gmail.com. Before you begin, it is highly recommended property owners review the Paper Street Quitclaim Process Flowchart for details of the process.

Please complete the information below.

All items below are required (or marked as N/A):

Table with 4 columns: Co-Owner 1, Co-Owner 1 Email, Co-Owner 2, Co-Owner 2 Email, RVCA Property Address, Mailing Address, Mailing City/State/ZIP, Phone, Section / Lot, Legal or Title Counsel, Contact Name, Address, City/State/ZIP, Phone, Email.

REQUIREMENTS:

- 1. This process to obtain a quitclaim deed applies only to owners of lots abutting Calvert Avenue (Paper Street). To see a copy of the portion of Rio Vista plat showing the Calvert Avenue Paper Street, click HERE.
2. Applicants must be current with all RVCA fees and submit a \$100 Application Fee with their Quitclaim Application Form (QUAF).
3. The QUAF must include the following attachments:
a. A readable copy of the Deed by which the owner(s) acquired title to the property.
b. A readable copy of the plat prepared by a Maryland registered property line surveyor that depicts the lot in question, adjoining properties and the portion of the paper street they are proposing to add to their deed.
c. A signed and notarized RVCA Indemnification Agreement (Click HERE for Template)
d. Completed QUAF with \$100 Application Fee and any outstanding RVCA Fees
4. It is highly recommended that Owners employ professional counsel (from a licensed Maryland attorney or a title company) to prepare the Quitclaim Deed and record it with Talbot County Land Records. The Association reserves the right to submit those documents to the Association's Counsel or Title Company for legal or title review. The expenses of that review, not to exceed \$550.00 will be paid by the Owner,
a. In lieu of employing legal counsel, Eastern Shore Title has agreed to prepare the quitclaim deed for the applicant and record it with Talbot County for a fee of \$550. They will require the items outlined in #3 above (except for the Indemnification Agreement). If this option is selected, after approval by RVCA, the package including the RVCA approval letter should be submitted to:
i. Lori McDonald, Eastern Shore Title (lmcdonald@easternshoretitle.com)
ii. Phone 410-820-4426 Extension 317. 114 N. West Street, Easton, MD 21601

TERMS & CONDITIONS:

- 1. Owner(s) understand and agree that the Quitclaim Deed is subject to the following terms and conditions:
a. A quitclaim deed does provide the grantee (owner(s)) exclusive use of the property being quitclaimed.
b. All Rio Vista lot owners have a right to use the paper street, even if there is a quitclaim deed conveying a portion of that street.
c. The quitclaim owner cannot build on that portion, nor can they obstruct usage by other lot owners. All Rio Vista property owners have the right to traverse the paper streets shown on the subdivision plat, regardless of whether the Community Association has quitclaimed its interest.
d. All Rio Vista covenants, Deed restrictions and By-Laws apply to any additional acreage obtained by this process.
e. The Quitclaim area is not buildable, nor may any fencing or structure that restricts access be constructed.

QUAF CHECKLIST

- Readable copy of the original DEED by which owner(s) acquired title to the property
Readable copy of the Plat prepared by a MD registered property line surveyor Letter size or Legal size BRL shown
Signed and Notarized RVCA Indemnification Agreement
Application Fee - \$100 mailed to address above plus Current with, RVCA Fees (Annual and Reserve Assessment Fees)

We, the undersigned, submit the requested documents and agree to the terms and conditions for a Quitclaim Deed for our property;

Signature Co-Owner: _____

Date: _____

Signature Co-Owner: _____

Date: _____

For Association Use Only

- Dues Current Dues NOT Current (payment of \$_____ included)
\$100 Application Fee Received Date: _____ Paid by: _____
Revised Deed Attached Revised Plat with required Information
RVCA Indemnification Agreement (Signed and Notarized) Other: _____

ACTIONS TAKEN: Letters to contiguous Neighbors by Board: Date Sent: _____

APPROVAL LETTER SENT BY: DATE:

Other Attachments/Communications:

RELEASE, WAIVER, AND INDEMNIFICATION AGREEMENT

On [date], _____(collectively, "Owner") and Rio Vista Community Association, Inc. executed a quitclaim deed pursuant to which Rio Vista Community Association, Inc. grants, conveys, releases assigns and quitclaims to Owner the Rio Vista Community Association's right, title, interest and estate in the lot of ground described therein.

NOW, THEREFORE, in consideration of the foregoing and certain other good and valuable consideration, the receipt of which is hereby acknowledged, the parties, intending to be legally bound, hereby agree as follows:

Owner, on behalf of themselves, their personal representatives, heirs, successors, and assigns, hereby agree to indemnify, defend, and hold the Rio Vista Community Association, Inc. harmless from and against any and all claims, actions, demands, damages, liabilities, losses, expenses, suits, costs, or judgments of every kind, nature, or description whatsoever arising from or related to the quitclaim deed for the _____ square foot part of the paper street portion of Calvert Avenue authorized pursuant to Resolution No. 356. As more fully set forth therein, the County Council of Talbot County declined to accept an offer to dedicate to public use an unimproved portion of Calvert Street between Forrest Avenue and Monroe Street, as more fully depicted in a plat entitled "Map of Rio Vista Development Property of Theodore E. Fletcher Near the Town of St. Michaels, Talbot County, Maryland" dated February 1954, and recorded among the Land Records of Talbot County, Maryland in Plat Book J.T.B. No. 8, folio 11, abutting the Owner's property located at [ADDRESS, CITY ST], Tax Map 32, Grid [____], Parcel [____], Section [], Lot [#], Second Election District, Talbot County (the "Property").

Owner's obligation to indemnify and defend shall include the Rio Vista Community Association, Inc., its officials, officers, boards, commissions, employees, servants, and agents and shall run with and bind the Property, and shall be binding upon the Owner, their personal representatives, heirs, successors, and assigns in perpetuity.

IN WITNESS WHEREOF, Owner and the duly authorized representative of the Rio Vista Community Association, Inc. hereunto affix our hands and seals this _____ day of _____ 20__.

Witness:

Owner:

_____(SEAL)
[NAME]

_____(SEAL)
[NAME]

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

Witness:

Rio Vista Community Association, Inc.:

(SEAL)

[NAME]

[TITLE]

STATE OF MARYLAND
COUNTY OF TALBOT, to wit:

I HEREBY CERTIFY, on this _____ day of _____ 20__ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared [NAME], known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself/herself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.

Notary Public

My commission expires:

STATE OF _____
COUNTY OF _____, to wit:

I HEREBY CERTIFY, on this _____ day of _____ 20__ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared [NAME], known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself/herself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.

Notary Public

My commission expires:

STATE OF _____

COUNTY OF _____, to wit:

I HEREBY CERTIFY, on this _____ day of _____ 20__ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared [NAME], known to me, or satisfactorily proven to be the person whose name appears above, who acknowledged himself/herself to be the same, and being authorized so to do, executed the foregoing document for the purposes therein contained.

IN WITNESS WHEREOF I set my hand and official seal.

Notary Public

My commission expires: