

## Article - Natural Resources

5-1202.1.

FOR PURPOSES OF THIS SUBTITLE, THE HART-MILLER-PLEASURE ISLAND CHAIN IN BALTIMORE COUNTY IS AN OPEN AREA.

5-1202.2.

(A) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "GRANTEE IN INTEREST" MEANS THE HART-MILLER-PLEASURE--ISLANDS HART--AND--MILLER-ISLAND AREA ENVIRONMENTAL-GROUP, INC., (A-MARYLAND-CORPORATION)-AND--ITS SUCCESSORS,--IF-ANY,--IN-INTEREST-TO-~~THE~~ HART-MILLER-PLEASURE ISLAND-CHAIN--IN--BALTIMORE--COUNTY MARYLAND ENVIRONMENTAL TRUST.

(2) "SPOIL", "BALTIMORE COUNTY TRIBUTARY SPOIL", "REDEPOSIT", AND "BALTIMORE HARBOR" HAVE THE MEANINGS INDICATED IN § 8-1601(A) OF THIS ARTICLE.

(B) WITHIN 30-DAYS-OF-THE-FINAL-JUDICIAL--ADJUDICATION OF--ALL--LITIGATION---WHICH---RESULTS--IN--REMOVING--LEGAL IMPEDIMENTS--TO--THE-CONSTRUCTION-OF-A-CONTAINED-AREA-FOR--THE REDEPOSIT--OF-SPOIL-AT-THE-HART-MILLER-PLEASURE-ISLAND-CHAIN IN--BALTIMORE--COUNTY,--THE--STATE--(TO--THE--USE---OF---THE DEPARTMENT) 15--DAYS-OF-THE-EFFECTIVE-DATE-OF-THIS-ACT,--THE STATE SHALL CONVEY--OWNERSHIP--OF--THE--HART-MILLER-PLEASURE ISLAND--CHAIN--TO--THE--GRANTEE--IN-INTEREST,--SUBJECT-TO-THE FOLLOWING-COVENANTS, 15 DAYS AFTER THE EFFECTIVE DATE OF THIS ACT THE STATE SHALL GRANT AN EASEMENT TO THE HART-MILLER-PLEASURE ISLAND CHAIN TO THE GRANTEE IN INTEREST. THE EASEMENT SHALL BE FOR PURPOSES CONSISTENT WITH THE COVENANTS REQUIRED BY THIS SUBSECTION AND ENFORCEMENT OF THESE PURPOSES.

(1) THE GRANTEE IN INTEREST SHALL COVENANT TO ALLOW THE REDEPOSIT OF SPOIL ~~FROM-THE-DREDGING-OF--BALTIMORE HARBOR~~ AND THE REDEPOSIT OF BALTIMORE COUNTY TRIBUTARY SPOIL TO TAKE PLACE AT THE HART-MILLER-PLEASURE ISLAND CHAIN, SUBJECT TO THE LIMITATIONS PROVIDED IN §§ 8-1601 THROUGH 8-1602.2 OF THIS ARTICLE;

(2) WHERE NOT INCONSISTENT WITH THE COVENANT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE GRANTEE IN INTEREST SHALL COVENANT TO PRESERVE AND MAINTAIN THE HART-MILLER-PLEASURE ISLAND CHAIN AS AN OPEN AREA BY PROHIBITING DEVELOPMENT EXCEPT THAT WHICH IS NECESSARY FOR PROPER RECREATIONAL USE AND THE CONSTRUCTION OF ANY DIKES NECESSARY FOR THE DUMPING OF SPOIL;

(3) THE GRANTEE IN INTEREST SHALL COVENANT THAT IF THE HART-MILLER-PLEASURE ISLAND CHAIN IS EVER USED FOR PURPOSES INCONSISTENT WITH THE PRESERVATION AND MAINTENANCE OF THE ISLAND CHAIN AS AN OPEN AREA, OR WITH ANY OF THE