



City of Annapolis

Signature Copy

Ordinance: O-25-20

160 Duke Of Gloucester
Street
Annapolis, MD 21401

File Number: O-25-20

Conveyance of City-Owned Rights-of-Way at Newtowne 20 - For the purpose of approving the conveyance of City-owned rights-of-way within the Newtowne 20 neighborhood; expressly authorizing said conveyance to be made at private sale and not at public auction; expressly finding that the City-owned land to be conveyed is not needed for public use; and matters generally relating to said conveyance.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 25-20

Introduced by: Mayor Buckley, Alderwoman Finlayson

Cosponsored by:

Referred to

Housing and Human Welfare Committee

Rules and City Government Committee

AN ORDINANCE concerning

Conveyance of City-Owned Rights-of-Way at Newtowne 20

FOR the purpose of approving the conveyance of City-owned rights-of-way within the Newtowne 20 neighborhood; expressly authorizing said conveyance to be made at private sale and not at public auction; expressly finding that the City-owned land to be conveyed is not needed for public use; and matters generally relating to said conveyance.

WHEREAS, The Housing Authority of the City of Annapolis ("HACA") is the owner of property that is developed with the Newtowne 20 neighborhood; and

WHEREAS, HACA, in partnership with Pennrose, LLC ("Pennrose"), seeks to fully redevelop the Newtowne 20 neighborhood, rebuilding the existing homes, upgrading stormwater management facilities on the site, meeting the City's forest conservation and planting requirements, reconfiguring internal roadways, increasing neighborhood parking, and improving recreational opportunities within the community (the "Redevelopment"), and has filed administrative applications, including among others an application for approval of a preliminary subdivision plat ("Subdivision"), with the City Department of Planning and Zoning to sanction the proposed Redevelopment; and

- WHEREAS,** the City of Annapolis is the owner of the rights-of-way within the Newtowne 20 neighborhood (the “Rights-of-Way”), which Rights-of-Way are described and reflected in the attached Exhibit A and Exhibit B, incorporated herein and made a part hereof; and
- WHEREAS,** HACA now seeks to purchase from the City of Annapolis the Rights-of-Way in order to facilitate the Redevelopment; and
- WHEREAS,** the City of Annapolis is willing to make the conveyance of the Rights-of-Way to HACA in order to facilitate the Redevelopment under the terms and conditions set forth herein; and
- WHEREAS,** by authorizing the deed attached to this Ordinance, which deed is attached as Exhibit C, incorporated herein and made a part hereof, the City of Annapolis shall convey to HACA its right, title, and interest in the Rights-of-Way; and
- WHEREAS,** it is in the best interest of the City of Annapolis to make this conveyance by private sale and not by public auction; and
- WHEREAS,** Article III, Section 7 of the Annapolis City Charter requires the passage of an ordinance before the City of Annapolis may dispose of any property no longer needed for public use.

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that it hereby approves and authorizes the conveyance of the City’s right, title, and interest in the Rights-of-Way described in Exhibit A and Exhibit B, which conveyance shall be accomplished by execution of the deed attached as Exhibit C, subject to the following conditions:

1. That HACA shall bear all of the costs in connection with the conveyance authorized by this Ordinance, including but not limited to attorneys’ fees, document preparation, survey expenses, title search, title insurance for HACA and for the City of Annapolis, recordation and transfer fees and taxes, and all other costs and expenses, if any, associated with the conveyance.
2. That the administrative applications associated with the Redevelopment, including the Subdivision and a final subdivision plat prepared pursuant thereto, shall provide for the public dedication and conveyance of the new rights-of-way within the redeveloped Newtowne 20 neighborhood from HACA to the City of Annapolis such that the rights-of-way will become publicly owned City of Annapolis rights-of-way.
3. That said new rights-of-way within the redeveloped Newtowne 20 neighborhood shall be conveyed by deed from HACA to the City of Annapolis generally at the same time that, following construction of the roadways by HACA/Pennrose pursuant to City-approved administrative approvals and permits, the City releases the maintenance bond for such construction, and further

provided that, in connection with such transfer, HACA shall bear all of the costs in connection with the conveyance, including but not limited to attorneys' fees, document preparation, survey expenses, title search, title insurance for HACA and for the City of Annapolis, recordation and transfer fees and taxes, and all other costs and expenses, if any, associated with the conveyance.

4. That all property descriptions, surveys, and deeds shall be subject to the review and approval of the City Attorney prior to final execution and recordation.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that it hereby expressly finds that the City-owned land to be conveyed is not needed for public use.

SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that it hereby authorizes and approves the sale and conveyance of all of its right, title, and interest in and to said land, by private sale and not by public auction.

SECTION IV: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.


EXPLANATION

UPPERCASE indicates matter added to existing law.
~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates amendments.

ADOPTED this 27th day of July, 2020.

Aye: 9 Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderman Savidge, Alderman Arnett and Alderman Gay


**THE ANNAPOLIS
CITY COUNCIL**


Gavin Buckley

Date

8/25/20

ATTEST


Regina C. Watkins-Eldridge, MMC

Date

8/25/20

Tax ID: _____

NO TITLE EXAMINATION.

AFTER RECORDING RETURN TO:
CITY OF ANNAPOLIS OFFICE OF LAW
160 DUKE OF GLOUCESTER STREET
ANNAPOLIS, MD 21401

Deed

THIS DEED, is made this ____ day of _____, 20__, by and between THE CITY OF ANNAPOLIS, a Municipal Corporation of the State of Maryland, hereinafter called “City” and/or GRANTOR, and THE HOUSING AUTHORITY OF THE CITY OF ANNAPOLIS, hereinafter called GRANTEE.

WHEREAS, the Grantor herein is the fee simple owner of certain real property in the City of Annapolis, Maryland (the “Property”), which it intends to convey to the Grantee, and which Property is further described below and depicted in Exhibit A and Exhibit B, attached hereto and incorporated herein.

WHEREAS, this Deed is authorized pursuant to Ordinance No. O-25-20 of the City Council of the City of Annapolis adopted on the ____ day of _____, 20__, by the Mayor and Alderpersons.

- WITNESSETH -

THAT FOR AND IN CONSIDERATION of the sum of _____ Dollars and _____ Cents (\$ _____) for the purchase of the Property, plus other good and valuable consideration, including, but not limited to, the Grantee’s assumption of all long-term maintenance of such Property (collectively, the “Consideration”), the Grantor does hereby grant and convey to the Grantee, its successors and assigns, in fee simple all those lots of ground and areas known as the Property and further described in Exhibit A, attached hereto and incorporated herein.

BEING or intending to be those lands owned by the Mayor and Aldermen of the City of Annapolis, as referenced on a Plat of Subdivision entitled “Newtowne Twenty” and recorded among the Land Records of Anne Arundel County, Maryland as Plat 2090 at Plat Book 38, page 15, and as described in the deed recorded among the Land Records of Anne Arundel County, Maryland at Liber 2391, pages 485-490.

This conveyance is together with all and every of the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining to the Property.

And, **SUBJECT TO** any and all existing recorded easements, rights-of-way, agreements, liens, restrictions, declarations, covenants, encumbrances, and public charges which were not due and payable as of the date of this Deed.

SUBJECT TO the retention by the Grantor of a permanent and perpetual general utility easement in favor of the Grantor on, over, under, along, across, and through the entire area of land conveyed by this Deed for purposes, if deemed necessary by the Grantor, of construction, installation, maintenance, repair, or replacement of utilities.

TO HAVE AND TO HOLD the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and the proper use and benefit of the said Grantee, its successors and/or assigns, in fee simple.

The Grantee acknowledges receipt of this conveyance and the terms herein by its signature below.

AS WITNESS the hands and seals of the Grantor effective on the date set forth above.

ATTESTATION, ACKNOWLEDGEMENT, AND
ACCEPTANCE OF CONVEYANCE AS TO ALL:

REGINA WATKINS-ELDRIDGE, City Clerk

CITY COUNCIL OF THE CITY OF ANNAPOLIS:

By: _____ (Seal)

GAVIN BUCKLEY, Mayor

By: _____ (Seal)

ELEANOR TIERNEY, Alderwoman

By: _____ (Seal)

FREDERICK M. PAONE, Alderman

By: _____ (Seal)

RHONDA PINDELL-CHARLES, Alderwoman

By: _____ (Seal)

SHEILA M. FINLAYSON, Alderwoman

By: _____ (Seal)

Exhibit A

Description of

**Rights-of-Way within the
Newtowne Twenty Neighborhood**

**City of Annapolis
Anne Arundel County, Maryland**

Being a strip or parcel of land hereinafter described as part of the property acquired by the Mayor and Aldermen of the City of Annapolis, Maryland, from Newtowne Twenty, Inc., and Newtowne Twenty-Two, Inc, body corporates of the State of Maryland, by deed dated February 26, 1971 and recorded among the Land Records of Anne Arundel County, Maryland in Liber 2391 at Folio 485, said strip or parcel of land being all of those portions of Court "A" (now known as "Betsy Court") and Court "B" (now known as "Brooke Court") that lie within that parcel of land labelled "Newtowne-Twenty", shown on a subdivision record plat entitled "Newtowne Twenty" and recorded among the aforesaid Land Records as Plat Number 2090, Plat Book 38, Page 15, and being more particularly described in the datum of the City of Annapolis, as follows

Beginning for the said strip or parcel of land at a point at the intersection of the northerly line of Court "B" and the northeasterly or South 55°55'22" East, 612.40 feet line of the parcel labelled "Newtowne Twenty", as shown on said plat, and being distant, 225.65 feet southeasterly from the northwesterly end of said parcel line, and running thence with and binding on said parcel line, the following course and distance

1. South 55°55'22" East, 67.27 feet to a point on the southerly line of Court "A" as shown on said plat, and running thence with and binding on the outlines of Court "A" and Court "B", as shown on said plat, the following twenty-one (21) courses and distances
2. 27.95 feet along the arc of a curve, deflecting to the right, having a radius of 941.73 feet and a chord bearing and distance of South 59°13'48" West, 27.95 feet to a point, thence
3. 25.67 feet along the arc of a tangent curve, deflecting to the left, having a radius of 18.73 feet and a chord bearing and distance of South 20°48'52" West, 23.71 feet to a point, thence with a tangent line
4. South 18°27'05" East, 83.26 feet to a point, thence

Exhibit A
Description of
Rights-of-Way within the
Newtowne Twenty Neighborhood
City of Annapolis
Anne Arundel County, Maryland

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5. 84.81 feet along the arc of a tangent curve, deflecting to the right, having a radius of 120.00 feet and a chord bearing and distance of South 01°47'46" West, 83.06 feet to a point, thence with a tangent line
6. South 22°02'39" West, 79.21 feet to a point, thence
7. 14.96 feet along the arc of a tangent curve, deflecting to the left, having a radius of 20.00 feet and a chord bearing and distance of South 00°37'16" West, 14.61 feet to a point, thence
8. 237.08 feet along the arc of a tangent curve, deflecting to the right, having an radius of 47.50 feet and a chord bearing and distance of North 57°48'54" West, 57.19 feet to a point, thence
9. 22.04 feet along the arc of a tangent curve, deflecting to the left, having a radius of 20.00 feet and a chord bearing and distance of North 53°36'29" East, 20.94 feet to a point, thence with a tangent line
10. North 22°02'39" East, 64.90 feet to a point, thence
11. 56.54 feet along the arc of a tangent curve, deflecting to the left, having a radius of 80.00 feet and a chord bearing and distance of North 01°47'47" East, 55.37 feet to a point, thence, with a tangent line
12. North 18°27'05" West, 114.03 feet to a point, thence
13. 9.54 feet along the arc of a tangent curve, deflecting to the left, having a radius of 6.00 feet and a chord bearing and distance of North 64°00'15" West, 8.57 feet to a point, thence with a tangent line
14. South 70°26'36" West, 43.27 feet to a point, thence
15. 43.53 feet along the arc of a tangent curve, deflecting to the left, having a radius of 80.00 feet and a chord bearing and distance of South 54°51'11" West, 43.00 feet to a point, thence, with a tangent line
16. South 39°15'47" West, 87.81 feet to a point, thence
17. 43.08 feet along the arc of a tangent curve, deflecting to the left, having a radius of 35.00 feet and a chord bearing and distance of South 03°59'55" West, 40.41 feet to a point, thence
18. 207.70 feet along the arc of a tangent curve, deflecting to the right, having a radius of 47.50 feet and a chord bearing and distance of North 86°00'05" West, 77.57 feet to a point, thence with a tangent line
19. North 39°15'47" East, 165.59 feet to a point, thence
20. 65.30 feet along the arc of a tangent curve, deflecting to the right, having a radius of 120.00 feet and a chord bearing and distance of North 54°51'11" East, 64.50 feet to a point, thence with a tangent line
21. North 70°26'36" East, 89.29 feet to a point, thence

Exhibit A
Description of
Rights-of-Way within the
Newtowne Twenty Neighborhood
City of Annapolis
Anne Arundel County, Maryland

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22. 2.26 feet along the arc of a tangent curve, deflecting to the left, having a radius of 400.00 feet and a chord bearing and distance of North 70°16'48" East, 2.26 feet to the point of beginning, containing 37,621 square feet or 0.8637 of an acre of land.

Surveyor's Certificate

I hereby certify that this description was prepared by me in compliance with requirements set forth in 09.13.06.12 of the COMAR Regulations.

Date: 5/27/2020



Daniel F. DeBolt
Property Line Surveyor
Maryland Reg. No. 526
Exp.: 2/17/2021



Exhibit "B"

Sketch of

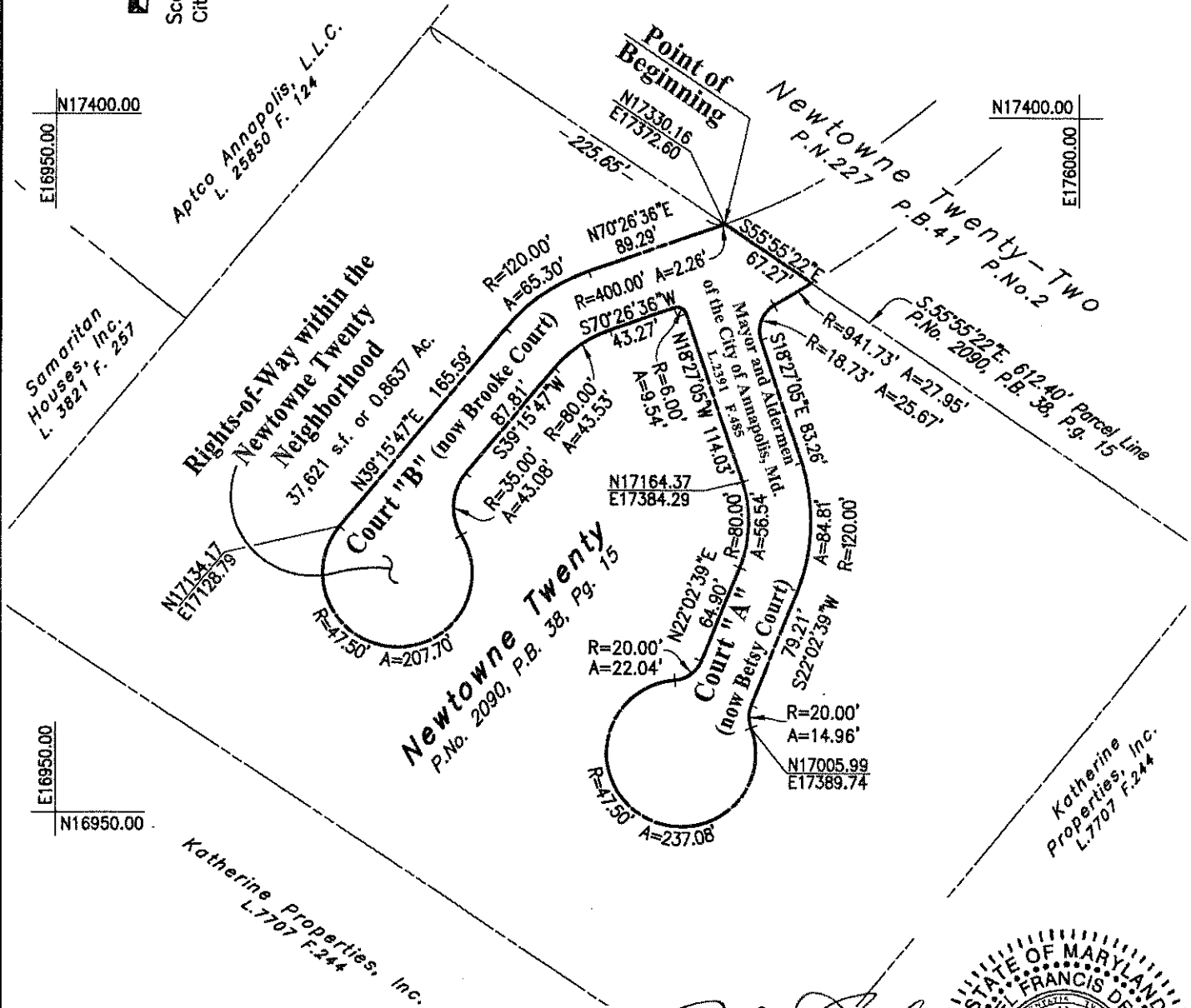
Rights-of-Way within the
Newtowne Twenty
Neighborhood

City of Annapolis
Anne Arundel County, Maryland

May, 2020 Scale: 1" = 100'



Scale: 1"=100'
City of Annapolis



CPJ Associates Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
 www.cpa.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

[Signature]
 Daniel F. DeBolt
 Registered Property Line Surveyor
 Maryland No. 526
 Exp.: 2/17/2021

