



Legislation Details (With Text)

**File #:** O-18-16      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 3/31/2016      **In control:** City Council

**On agenda:** 5/23/2016      **Final action:** 5/23/2016

**Title:** Amendment No. 1 to Eisenhower Golf Course Lease Agreement - For the purpose of approving an Amendment No. 1 to the Lease for certain City-owned property to Anne Arundel County; and matters generally relating to said lease.

**Sponsors:** Michael J. Pantelides

**Indexes:** Finance Committee, Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-18-16 Eisenhower Golf Course Lease Amendment No 1.pdf, 2. O-18-16 Staff Report.pdf, 3. O-18-16 Fiscal Impact.pdf, 4. O-18-16 SIGNED.pdf

Date	Ver.	Action By	Action	Result
5/23/2016	1	City Council	adopt on second reader	Pass
5/10/2016	1	Rules & City Government Committee	recommend favorably	Pass
5/3/2016	1	Finance Committee	recommend favorably	Pass
4/25/2016	1	City Council	declare the public hearing closed	
4/11/2016	1	City Council	refer	
4/11/2016	1	City Council	refer	
4/11/2016	1	City Council	adopt on first reader	Pass

**Amendment No. 1 to Eisenhower Golf Course Lease Agreement** - For the purpose of approving an Amendment No. 1 to the Lease for certain City-owned property to Anne Arundel County; and matters generally relating to said lease.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 18-16**

**Introduced by: Mayor Pantelides**

**Referred to**  
Finance Committee  
Rules and City Government

**AN ORDINANCE** concerning

**Amendment No. 1 to Eisenhower Golf Course Lease Agreement**

**FOR** the purpose of approving an Amendment No. 1 to the Lease of certain City-owned property to Anne Arundel County; and matters generally relating to said lease.

**WHEREAS**, the City is the owner of certain real property located in Anne Arundel County, Maryland at 1576 Generals Highway, Crownsville, Maryland 21032; and

**WHEREAS**, by lease dated June 13, 1966, the County leased the Property from the City for the purpose of constructing and operating a public golf course and recreation facilities, now known as the Eisenhower Golf Course; and

**WHEREAS**, the fifty (50) year term of the Lease currently expires on June 12, 2016; and

**WHEREAS**, the City and the County have agreed to explore options for the ongoing management and operation of the Golf Course; and

**WHEREAS**, the City and the County have agreed that a one (1) year extension of the Lease is necessary to allow for proper consideration of all available options for the future management and operation of the Golf Course.

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Amendment No. 1 to the Eisenhower Golf Course Lease Agreement, between the City of Annapolis and Anne Arundel County, is hereby approved and authorized.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that in accordance with Article III, Section 8 of the Charter of the City of Annapolis, the proposed lease of City-owned property will better serve the public need for which the property was acquired.

**SECTION III: 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**

CAPITAL LETTERS indicate matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments

#### **AMENDMENT NO. 1 TO LEASE**

**THIS AMENDMENT NO. 1 TO LEASE** (the “Amendment”) is made as of this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between **THE CITY OF ANNAPOLIS**, a municipal corporation of the State of Maryland (the “City”) and **ANNE ARUNDEL COUNTY, MARYLAND**, a municipal corporation of the State of Maryland (the “County”).

**WHEREAS**, the City is the owner of certain real property located in Anne Arundel County, Maryland at 1576 Generals Highway, Crownsville, Maryland 21032 (the “Property”), as further described in the Lease defined below; and

**WHEREAS**, by lease dated June 13, 1966 (the “Lease”), the County leased the Property from the City

for the purpose of constructing and operating a public golf course and recreation facilities, now known as the Eisenhower Golf Course (the "Golf Course"); and

**WHEREAS**, the fifty (50) year term of the Lease currently expires on June 12, 2016; and

**WHEREAS**, the City and the County have agreed to explore options for the ongoing management and operation of the Golf Course; and

**WHEREAS**, the City and the County have agreed that a one (1) year extension of the Lease is necessary to allow for proper consideration of all available options for the future management and operation of the Golf Course.

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the County agree as follows:

1. The term of the Lease shall be extended for one (1) year, and shall thus expire on June 12, 2017.

2. During this one (1) year extension, the County shall continue to pay rent and utilities pursuant to the "Third" and "Fourth" paragraphs of the Lease, and the County shall continue to maintain the required insurance pursuant to the "Eleventh" paragraph of the Lease.

3. Except as amended hereby, all other terms and conditions of the Lease shall remain in full force and effect, and both the City and the County hereby ratify and confirm all of their respective obligations under the provisions of the Lease, as amended by this Amendment.

4. In the event of any conflict between the Lease and this Amendment, the terms of this Amendment shall govern.

5. This Amendment shall be binding on and inure to the benefit of the City and the County and their respective successors and permitted assigns.

6. The County shall cause this Amendment to be recorded promptly after its execution among the Land Records of Anne Arundel County, and any costs of such recording shall be borne by the County.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment to the Lease as of the date and year first above written.

**LESSOR:**

ATTEST:

CITY OF ANNAPOLIS

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC,  
City Clerk

By: \_\_\_\_\_  
Michael J. Pantelides, Mayor (Seal)

APPROVED FOR FINANCIAL SUFFICIENCY:      REVIEWED AND APPROVED BY:

\_\_\_\_\_  
Bruce T. Miller, Director  
Finance Department

\_\_\_\_\_  
Thomas C. Andrews, City Manager

REVIEWED AND APPROVED BY:

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Michael Morris, Director  
Department of Recreation and Parks

APPROVED FOR FORM AND LEGAL SUFFICIENCY:

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OFFICE OF THE CITY ATTORNEY

*[Signatures continue on Following Page]*

**LESSEE:**

ANNE ARUNDEL COUNTY, MARYLAND

By: \_\_\_\_\_

Name: Mark D. Hartzell  
Title: Chief Administrative Officer

Approved for form and legal sufficiency:  
Office of Law:

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Senior Assistant County Attorney

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Rick Anthony, Director  
Department of Recreation and Parks

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Christine Romans  
Central Services Officer