



Legislation Text

File #: O-46-16, Version: 1

Sale of City-owned Property - For the purpose of approving the sale of the Eisenhower Golf Course located in Anne Arundel County, Maryland at 1576 Generals Highway, Crownsville, Maryland 21032; for expressly authorizing said sale to be made at private sale and not at public auction; and all matters related to said sale.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 46-16 Amended

Introduced by: Mayor Pantelides

Referred to

Economic Matters Committee

AN ORDINANCE concerning

Sale of City-owned Property

FOR the purpose of approving the sale of the Eisenhower Golf Course located in Anne Arundel County, Maryland at 1576 Generals Highway, Crownsville, Maryland 21032; and matters generally relating to said sale; for expressly authorizing said sale to be made at private sale and not at public auction; and all matters related to said sale.

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, Anne Arundel County, Maryland leased such 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, that lease currently expires on June 12, 2017; and

WHEREAS, the City no longer has the ability or funding to maintain, operate or utilize this property, and as such, no longer needs it for City public use; and

WHEREAS, it is in the best interest of the City of Annapolis to sell said real estate by private sale and not by public auction; and

WHEREAS, at the expiration of the lease, the County wishes to purchase this property for continued use as a

public golf course, and in accordance with the current open space zoning restrictions, at a purchase price of Three Million One Hundred Thousand Dollars (\$3,100,000.00); and

WHEREAS, the City wishes to sell this property to the County, and use all or part of the proceeds of such sale for the development of recreational amenities in the City with income capability.

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that, it hereby finds and determines that the property described herein is no longer needed for City public use.

SECTION II: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that, pursuant to Article III, Section 7 of the Charter of the City of Annapolis, the sale of the Eisenhower Golf Course at 1576 Generals Highway, Crownsville, Maryland 21032 to Anne Arundel County, Maryland for Three Million One Hundred Thousand Dollars (\$3,100,000.00) is hereby approved, as shall be further evidenced by a deed to be executed between Anne Arundel County, Maryland and the Mayor and a majority of the aldermen.

SECTION III: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that, THE DEED SHALL CONTAIN THE FOLLOWING LANGUAGE TO ENSURE THAT THE USE OF THE PROPERTY AUTHORIZED FOR CONVEYANCE BY THIS ORDINANCE SHALL PERMANENTLY AND FOREVER REMAIN PUBLIC OPEN SPACE: LAND ACQUIRED OR DEVELOPED UNDER A STATE GRANT FROM POS MAY NOT BE CONVERTED WITHOUT WRITTEN APPROVAL OF THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND THE SECRETARY OF THE DEPARTMENT OF THE BUDGET FROM OUTDOOR PUBLIC RECREATION OR OPEN SPACE USE TO ANY OTHER USE. ANY CONVERSION IN LAND USE MAY BE APPROVED ONLY AFTER THE LOCAL GOVERNING BODY REPLACES THE LAND WITH LAND OF AT LEAST EQUIVALENT AREA AND OF EQUAL RECREATION OR OPEN SPACE VALUE. FOR ANY CONVERSION OF LAND ACQUIRED OR DEVELOPED UNDER A STATE GRANT FROM POS AS PROVIDED IN PARAGRAPH (7) OF SECTION 5-906(E) OF THE NATURAL RESOURCES ARTICLE, OF THE ANNOTATED CODE OF MARYLAND, THE APPRAISED MONETARY VALUE OF THE LAND PROPOSED FOR ACQUISITION SHALL BE EQUAL TO OR GREATER THAN THE APPRAISED MONETARY VALUE OF THE LAND TO BE CONVERTED UNDER THE PROPOSED NEW USE OF THE CONVERTED LAND. SUBJECT FURTHER TO THE MUTUAL UNDERSTANDING AND AGREEMENT OF THE PARTIES THAT THE RESTRICTIONS OF IN USE OF CONTINUOUS AND PERMANENT OPEN SPACE AREA SET FORTH IN THIS DEED SHALL RUN WITH THE PROPERTY AND SHALL BE BINDING ON THE PARTIES AND THEIR SUCCESSORS AND ASSIGNS, AND THAT THE OPEN SPACE USE OF THE PROPERTY SHALL FOREVER REMAIN AN OPEN SPACE USE.

SECTION ~~III~~IV: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that, it hereby authorizes and approves the sale and conveyance of all of its rights, title and interest in and to said property, by private sale and not by public auction to Anne Arundel County, Maryland.

SECTION ~~IV~~V: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that ~~this ordinance shall take effect from the date of its passage~~ THE DEED CONVEYING TITLE SHALL CONTAIN PROVISIONS ACKNOWLEDGING THAT DNR PROGRAM OPEN SPACE FUNDS SHALL BE USED FOR THE PURCHASE OF THE PROPERTY, THEREBY REQUIRING THE PROPERTY TO PERMANENTLY REMAIN OPEN SPACE, THAT THE USE OF THE PROPERTY SHALL PERMANENTLY REMAIN PUBLIC OPEN SPACE, AND THAT SUCH USE SHALL BE BINDING UPON ANNE ARUNDEL COUNTY, MARYLAND AND ITS SUCCESSORS AND ASSIGNS, AND SHALL RUN WITH THE PROPERTY.

SECTION VI: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL THAT THIS ORDINANCE SHALL TAKE EFFECT FROM THE DATE OF ITS PASSAGE.

SECTION VII: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL THAT PROCEEDS FROM THE SALE OF THE EISENHOWER GOLF COURSE SHALL BE RESTRICTED TO CAPITAL EXPENSES FOR REPLACING THE EXISTING TRUXTON PARK POOL WITH A POOL WHICH WILL CREATE A RECREATIONAL AMENITY IN THE CITY THAT WILL GENERATE REVENUE. ANY REMAINING PROCEEDS OF THE SALE SHALL BE RESTRICTED TO CAPITAL EXPENSES FOR NEW OR EXISTING RECREATIONAL FACILITIES WITHIN THE CITY.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments