



## Legislation Details (With Text)

<b>File #:</b>	O-8-17	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Adopted	
<b>File created:</b>	2/7/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	2/13/2017	<b>Final action:</b>		2/13/2017	
<b>Title:</b>	The Conveyance of 28 square feet of land associated with 108-110 West Street - For the purpose of approving the conveyance of 28 square feet of land; said conveyance to be made at private sale and not at public auction; and matters generally relating to said conveyance.				
<b>Sponsors:</b>	Joe Budge				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. O-8-17 Quitclaim Deed 108-110 West Street.pdf, 2. O-8-17 Staff Report.pdf, 3. O-8-17 SIGNED.pdf				

Date	Ver.	Action By	Action	Result
2/15/2017	1	City Council	rules suspended	Pass
2/15/2017	1	City Council	adopt on second reader	Pass
2/13/2017	1	City Council	adopt on first reader	Pass

**The Conveyance of 28 square feet of land associated with 108-110 West Street** - For the purpose of approving the conveyance of 28 square feet of land; said conveyance to be made at private sale and not at public auction; and matters generally relating to said conveyance.

### CITY COUNCIL OF THE City of Annapolis

#### Ordinance 8-17

**Introduced by: Alderman Budge**

**Referred to**

**AN ORDINANCE** concerning

#### **The Conveyance of 28 square feet of land associated with 108-110 West Street**

**FOR** the purpose of approving the conveyance of 28 square feet of City of Annapolis owned land to Colonial Place Limited Liability Company, expressly authorizing said conveyance to be made at private sale and not at public auction; and matters generally relating to said conveyance.

**WHEREAS**, the City of Annapolis, as successor to the Annapolis Urban Renewal Authority, is the owner of 28 square feet of land as described and reflected in the attached proposed Quit Claim Deed, which is incorporated herein and made a part hereof; and

**WHEREAS**, said 28 square feet of land was originally conveyed to the Annapolis Urban Renewal Authority by

the owners of certain adjoining property then known as 110 West Street in order to accommodate certain physical encroachments upon 110 West Street by the improvements then situated on that property of the Annapolis Urban Renewal Authority then known as 108 West Street;

**WHEREAS**, following the date of the above conveyance, the encroaching improvements within the 28 square feet of land were removed, and Colonial Place Limited Liability Company has obtained title to both 108 West Street and 110 West Street, upon which properties a building has been constructed, such that the 28 square feet of land is physically under such building;

**WHEREAS**, Colonial Place Limited Liability Company, owner of the land and building at 108 West Street, is seeking a quit claim transfer of the 28 square feet of land from the City of Annapolis to clear title before conveyance of the land and improvements at 108 and 110 West Street; and

**WHEREAS**, the City of Annapolis is willing to make the conveyance sought; and

**WHEREAS**, by authorizing the proposed quit claim deed attached to this Ordinance and which is incorporated herein, the City of Annapolis shall convey its right, title, and interest in 28 square feet of land, as described in the attached proposed quit claim deed to Colonial Place Limited Liability Company; 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, by quit claim deed, of the City's right, title, and interest in 28 square feet of land as described in the attached quit claim deed to Colonial Place Limited Liability Company, subject to the following conditions:

1. That Colonial Place Limited Liability Company 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, recordation and transfer fees and taxes, and all other costs and expenses, if any, associated with the conveyance; and
2. 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 rights, 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**

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments

#### **RECORDING REQUESTED BY AND WHEN RECORDED, MAIL TO:**

**Britt G. Rife, Esquire  
Council, Baradel, Kosmerl & Nolan, P.A.  
125 West Street, 4<sup>th</sup> Floor  
Annapolis, Maryland 21401**

#### **QUITCLAIM DEED**

THIS QUITCLAIM DEED is made as of February \_\_\_, 2017, from **CITY OF ANNAPOLIS, successor to the ANNAPOLIS URBAN RENEWAL AUTHORITY** ("Grantor") unto **COLONIAL PLACE LIMITED LIABILITY COMPANY** ("Grantee").

The Grantor, for no consideration, grants, conveys, releases, assigns and quitclaims to the Grantee, its successors and assigns, all of the Grantor's right, title, interest and estate in that certain parcel of property located in Anne Arundel County, Maryland, and more particularly described as follows:

Beginning for the same at a point on the north side of West Street, said point being the same beginning point as described in the conveyance from John Tarantino, et al., to Frederick J. Masterson and B. Bruce Hogg by deed dated October 25, 1976 and recorded in Liber 2902, page 227, said point also being the intersection of the lot line between 108 and 110 West Street with the North side of West Street;

Thence running from said beginning point so fixed and with the north side of West Street and with part of the last line of the above mentioned conveyance South 75 degrees 59 minutes 40 seconds West 0.58 feet to a point;

Thence leaving West Street and running across part of said conveyance North 14 degrees 52 minutes 30 seconds West 48.29 to a point;

Thence North 76 degrees 33 minutes 20 seconds East 0.83 feet to a point in the North 12 degrees 26 minutes 40 seconds West 93.81 foot line of the above mentioned conveyance, said point also being the third line of conveyance from the Annapolis Urban Renewal Authority to Lacey McKinney and Sylvia H. McKinney, his wife, by deed dated June 10, 1975 and recorded in Liber 2766, page 354;

Thence running with the outline of said last mentioned conveyance reversely and with part of the above mentioned 93.81 foot line reversely South 13 degrees 26 minutes 40 seconds West 10.00 feet to a point at the beginning of said 93.81 foot line;

Thence still with the outlines of the two above mentioned conveyances South 14 degrees 52 minutes 30 seconds West 38.29 feet to the place of beginning.

Containing 28 square feet and as shown on a plat recorded in Liber 2971, page 542 and as described by J.R. McCrone, Jr., Inc., Registered Professional Engineers and Land Surveyors.

Being the same property granted from B. Bruce Hogg and Frederick J. Masterson unto the Annapolis Urban Renewal Authority by Deed dated June 22, 1977 and recorded in Liber 2971, page 539.

Being also the same property excepted from the conveyance under that certain Deed from Casey Ann Hughes unto Grantee dated as of April 11, 1997 and recorded in Liber 7862, page 232.

Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

WITNESS the hand and seal of the Grantor.

ATTEST AS TO ALL:

GRANTOR:

CITY OF ANNAPOLIS, successor to the Annapolis  
Urban Renewal Authority

By:  
Regina Watkins-Eldridge, Clerk

Michael J. Pantelides, Mayor (SEAL)

By: \_\_\_\_\_ (SEAL)  
Joe Budge  
Alderman Ward 1

By: \_\_\_\_\_ (SEAL)  
Frederick M. Paone  
Alderman Ward 2

By: \_\_\_\_\_ (SEAL)  
Rhonda Pindell Charles  
Alderwoman Ward 3

By: \_\_\_\_\_ (SEAL)  
Sheila M. Finlayson  
Alderwoman Ward 4

By: \_\_\_\_\_ (SEAL)  
Jared Littman  
Alderman Ward 5

By: \_\_\_\_\_ (SEAL)  
Kenneth A. Kirby  
Alderman Ward 6

By: \_\_\_\_\_ (SEAL)

Ian Pfeiffer  
Alderman Ward 7

By: \_\_\_\_\_ (SEAL)

Ross H. Arnett  
Alderman Ward 8

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_ day of February, 2017, before me, the undersigned, a Notary Public of said State, personally appeared the Mayor and City Council of the City of Annapolis, known to me (or satisfactorily proven) to be the persons whose signatures appear above, and each has executed this Deed in my presence and acknowledged as his/her free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes set forth therein.

WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**City Manager Review:**

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

**Approved as to form and legal sufficiency:**

\_\_\_\_\_  
Michael G. Leahy  
City Attorney

**ATTORNEY CERTIFICATION**

This is to certify that this instrument has been prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Britt G. Rife, Esquire  
Council, Baradel, Kosmerl & Nolan, P.A.  
125 West Street, 4<sup>th</sup> Floor  
Annapolis, Maryland 21401