



Legislation Details (With Text)

File #: O-25-20 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 6/10/2020 **In control:** Rules & City Government Committee

On agenda: 7/13/2020 **Final action:** 7/27/2020

Title: 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.

Sponsors: Gavin Buckley, Sheila Finlayson

Indexes: Housing and Human Welfare Committee, Rules and City Government Committee

Code sections:

Attachments: 1. O-25-20 Conveyance of City-Owned Rights-of-Way at Newtowne First Reader.pdf, 2. O-25-20 Deed-CityGrantor-Newtowne20ROW-2020-06-10.pdf, 3. O-25-20 Exhibits A and B.pdf, 4. O-25-20 Staff Report.pdf, 5. O-25-20 Fiscal Impact Note.pdf, 6. O-25-20 SIGNED.pdf

Date	Ver.	Action By	Action	Result
7/27/2020	1	City Council	declare the public hearing closed	
7/27/2020	1	City Council	adopt on second reader	Pass
7/27/2020	1	City Council	adopt on third reader	Pass
7/20/2020	1	Housing and Human Welfare Committee	recommend favorably	Pass
7/14/2020	1	Rules & City Government Committee	recommend favorably	Pass
6/22/2020	1	City Council	adopt on first reader	Pass
6/22/2020	1	City Council	refer	
6/22/2020	1	City Council	refer	

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.