

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2008, Legislative Day No. 39

Bill No. 90-08

Introduced by Ms. Vitale, Chairman
(by request of the County Executive)

and
Mr. Cohen

By the County Council, November 3, 2008

Introduced and first read on November 3, 2008

Public Hearing set for December 1, 2008

Bill Expires February 6, 2009

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Approval of placement of preservation
2 easement on property owned by the Annapolis Summer Garden Theatre, Inc.

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4 FOR the purpose of approving the conveyance of a preservation easement to the Maryland
5 Historical Trust on property owned by the Annapolis Summer Garden Theatre, Inc.; and
6 making this Ordinance an emergency measure.

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8 WHEREAS, by deed dated May 21, 1990, and recorded among the Land Records of
9 Anne Arundel County at Book 5097, Folio 125, the County conveyed property
10 described in the deed, known and designated as 143 Compromise Street, Annapolis,
11 Maryland, to the Annapolis Summer Garden Theatre, Inc. (the "Deed"); and

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13 WHEREAS, the Deed contains conditions on the use of the property, including a
14 prohibition against the Annapolis Summer Garden Theatre, Inc. transferring,
15 conveying, or subdividing the property, or pledging the property as collateral, the
16 violation of which conditions would result in an automatic reversion of the property
17 to the County; and

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19 WHEREAS, pursuant to Chapter 336, 2008 Laws of Maryland, the Annapolis
20 Summer Garden Theatre, Inc. is receiving certain funding from the Maryland
21 Legislature for renovations to the property; and

22 WHEREAS, the funding bill requires the Annapolis Summer Garden Theatre, Inc. to

1 convey to the Maryland Historical Trust a perpetual preservation easement on the
2 property; and

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4 WHEREAS, the County approves the conveyance of the perpetual preservation
5 easement and agrees that the conveyance of the easement shall not be considered a
6 violation of the conditions of the Deed; now, therefore,

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8 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
9 *Maryland,* That it approves the conveyance of the perpetual preservation easement in
10 favor of the Maryland Historical Trust on the property described in the deed between the
11 County and the Annapolis Summer Garden Theatre, Inc., dated May 21, 1990, and
12 recorded among the Land Records of Anne Arundel County in Book 5097, Page 125, as
13 required by Chapter 336, 2008 Laws of Maryland, and that the conveyance of the
14 perpetual preservation easement shall not be considered a violation of the conditions of
15 the Deed.

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17 SECTION 2. *And be it further enacted,* That this Ordinance is hereby declared to be an
18 emergency ordinance and necessary for the immediate preservation of the public peace,
19 health, safety, welfare, and property and being passed by the affirmative vote of five
20 members of the County Council, the same shall take effect from the date it becomes law.