

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 10

Bill No. 49-23

Introduced by Mr. Smith, Chair  
(by request of the County Executive)

By the County Council, May 15, 2023

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Introduced and first read on May 15, 2023  
Public Hearing set for and held on June 20, 2023  
Bill Expires August 18, 2023

By Order: Laura Corby, Administrative Officer

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### A BILL ENTITLED

1 AN ORDINANCE concerning: Second Amendment to Lease between Anne Arundel  
2 County, Maryland and Bates School Limited Partnership

3  
4 FOR the purpose of authorizing the Second Amendment to Lease of a portion of County-  
5 owned property in Annapolis, Maryland, known and designated as Wiley H. Bates High  
6 School, Smithville Street and South Villa Avenue, to Bates School Limited Partnership  
7 to extend the lease term for an additional period of forty-two (42) years, to expire on  
8 March 17, 2097.

9  
10 WHEREAS, the County owns real property in Annapolis, Maryland, known and  
11 designated as the Wiley H. Bates High School, Smithville Street and South Villa  
12 Avenue (the “Property”); and

13  
14 WHEREAS, the County, as landlord, and Bates School Limited Partnership  
15 (“Bates”), a Maryland limited partnership, as tenant, entered into a fifty (50) year  
16 lease dated March 18, 2005 (“Lease”), and First Amendment to Lease dated  
17 December 10, 2015 (“First Amendment”), for a portion of the Property; and

18  
19 WHEREAS, the Lease and First Amendment, approved pursuant to Bill Nos. 73-  
20 04 and 120-15, respectively, are collectively referred to as the “Lease”; and

21  
22 WHEREAS, the County and Bates entered into a Memorandum of Lease dated  
23 March 18, 2005 (“Memorandum”), to memorialize the commencement date and the  
24 termination date of the Lease, which Memorandum was recorded in the Land  
25 Records of Anne Arundel County at Book 16076, at page 619; and

1 WHEREAS, the current term of the Lease began on March 18, 2005, and expires  
2 after a period of fifty (50) years on March 17, 2055, unless sooner terminated as  
3 provided in the Lease; and  
4

5 WHEREAS, Bates desires, and the County agrees, to amend the Lease to extend  
6 the term for an additional period of forty-two (42) years, to expire on March 17,  
7 2097, as set forth in the Second Amendment to Lease, incorporated herein by  
8 reference as if fully set forth, and a copy of which shall be permanently kept on file  
9 in the Office of the Administrative Officer to the County Council and in the Office  
10 of Central Services; now, therefore,  
11


12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
13 That the Second Amendment to Lease, which extends the term of the Lease for an  
14 additional period of forty-two (42) years, to expire on March 17, 2097, is hereby approved.  
15

16 SECTION 2. *And be it further enacted,* That the Second Amendment to Lease is  
17 incorporated herein by reference as if fully set forth. A certified copy of the Second  
18 Amendment to Lease shall be permanently kept on file with the Administrative Officer to  
19 the County Council and the Office of Central Services.  
20

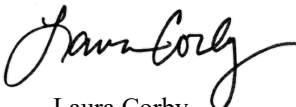
21 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days  
22 from the date it becomes law.

READ AND PASSED this 20<sup>th</sup> day of June, 2023

By Order:

  
Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 21<sup>st</sup> day of June, 2023

  
Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 29th day of June, 2023

  
Stuart Pittman  
County Executive

EFFECTIVE DATE: August 13, 2023

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 49-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby", written in a cursive style.

Laura Corby  
Administrative Officer