

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 21

Bill No. 90-23

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

By the County Council, December 4, 2023

Introduced and first read on December 4, 2023
Public Hearing set for and held on January 2, 2024
Bill Expires March 8, 2024

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Approval of private disposition of certain improved
2 County-owned property, being part of Brooklyn Heights Park in Baltimore, Maryland

3
4 FOR the purpose of approving the terms and conditions under which the County may
5 convey certain improved County-owned property to the Board of Education of Anne
6 Arundel County.

7
8 WHEREAS, pursuant to Resolution No. 29-23, the County Council approved the
9 County Executive's determination that property described in Exhibit A, and
10 depicted in Exhibit B, both attached hereto, comprised of 0.682 +/- acres, and being
11 part of the Brooklyn Heights Park, Baltimore, Maryland (the "Property") is surplus
12 property; and

13
14 WHEREAS, the Board of Education of Anne Arundel County ("BOE") desires to
15 acquire the Property from the County for the sum of Zero Dollars (\$0) for the
16 expansion of Park Elementary School; and

17
18 WHEREAS, pursuant to § 8-3-204(g) of the County Code, the County may
19 negotiate and make a private disposition of property if the County Executive
20 determines that the public interest will be furthered by a private disposition of
21 property, and if the terms and conditions of such private disposition are first
22 approved by ordinance of the County Council; and

23
24 WHEREAS, the County Executive has determined that the public interest will be
25 furthered by this private disposition of Property; and

1 WHEREAS, by this Ordinance, the County Council approves the private
2 disposition of the Property to the BOE in accordance with the terms and conditions
3 as set forth herein; now therefore,
4


5 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
6 That a private disposition of the Property, as described in Exhibit A and depicted in Exhibit
7 B, to the BOE is hereby approved upon the following terms and conditions:
8

- 9 1. The sale price shall be Zero Dollars (\$0);
- 10 2. The grantee of the Property shall be the BOE;
- 11 3. The conveyance shall be in the form of a deed without warranties;
- 12 4. Any expenses associated with the sale and conveyance of the Property to the BOE
13 shall be borne by grantee; and
- 14 5. The sale and conveyance shall be in accordance with any other reasonable conditions
15 determined by the County Executive to be necessary for the protection of the County's
16 interest.
17


18 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
19 from the date it becomes law.
20
21

22 READ AND PASSED this 2nd day of January, 2024
23

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 3rd day of January, 2024


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 9th day of January, 2024


Stuart Pittman
County Executive

EFFECTIVE DATE: February 23, 2024

Exhibit "A"

**Description of a Fee Simple Area
Part of Parcel 38, Grid 19, Tax Map 2
Property of Anne Arundel County, Maryland
Liber M.S.H. 2232, Folio 342
5th Tax District
Tax ID No. 05-000-00273010
Anne Arundel County, Maryland**

Being a part of the parcel of land which by a deed dated December 13, 1968 and recorded among the Land Records of Anne Arundel County, Maryland in Liber M.S.H. No. 2232, folio 342, was conveyed by Mercantile-Safe Deposit and Trust Company and Ruth Ellen P. Rambo and Howard M. Pumphrey to Anne Arundel County, Maryland.

Beginning for the same at a capped rebar marked "STV Inc" heretofore set at the beginning of the eleventh, or South 21 degrees 35 minutes 40 seconds East 437.17 foot line of said parcel of land and on the West side of a fifteen foot alley, and running thence with and binding on the West side of said fifteen foot alley and on a part of said eleventh line and referring the courses of this description to the Maryland Coordinate System NAD 83(2011) meridian, as now surveyed, the following course and distance viz;

1. South 21 degrees 33 minutes 28 seconds East 70.35 feet to a capped rebar now set, thence leaving the West side of said fifteen foot alley and leaving said eleventh line for new lines of division now made, the five (5) following courses and distances viz;
2. South 38 degrees 33 minutes 55 seconds West 114.02 feet to a capped rebar now set,
3. South 68 degrees 22 minutes 25 seconds West 232.54 feet to a capped rebar now set,
4. North 21 degrees 37 minutes 35 seconds West 32.66 feet to a capped rebar now set,
5. South 68 degrees 43 minutes 44 seconds West 98.36 feet to a '+' cut now set, and
6. North 21 degrees 40 minutes 54 seconds West 6.13 feet to a capped rebar marked "STV Inc" heretofore set at the Southwest corner of a fifty-five (55) foot right of way intended to be the end of the second, or South 74 degrees 05 minutes West 55.0 foot line of the parcel of land which by a deed dated July 14, 1969 and recorded among said Land Records in Liber M.S.H. 2286, folio 91, was conveyed by Anne Arundel County, Maryland to the Board of Education of Anne Arundel County, said point also being located at the beginning of the ninth, or North 56 degrees 51 minutes 15 seconds East 56.14 foot line of said first mentioned parcel of land, and thence running with and binding on the ninth and tenth lines of said first parcel of land and running with and binding reversely on said second line of said second mentioned parcel of land from Anne Arundel County, Maryland to the Board of Education,
7. North 56 degrees 51 minutes 15 seconds East 438.77 feet to the place of beginning.

Containing 29,722 square feet or 0.682 of an acre of land, more or less, and shown thus on Exhibit "B" attached hereto and made a part hereof.

A licensee either personally prepared this description or was in responsible charge over its preparation and the surveying work reflected in it, all in compliance with the requirements set forth in COMAR Regulation 09.13.06.12.

Brian R. Dietz 6-20-23
Brian R. Dietz Date
Maryland Professional Land Surveyor #21080
License Expires: February 12, 2025

Dietz Surveying Inc.
8119 Oakleigh Road
Baltimore, MD 21234

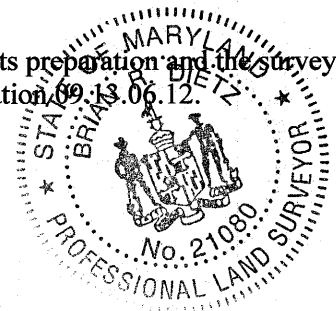


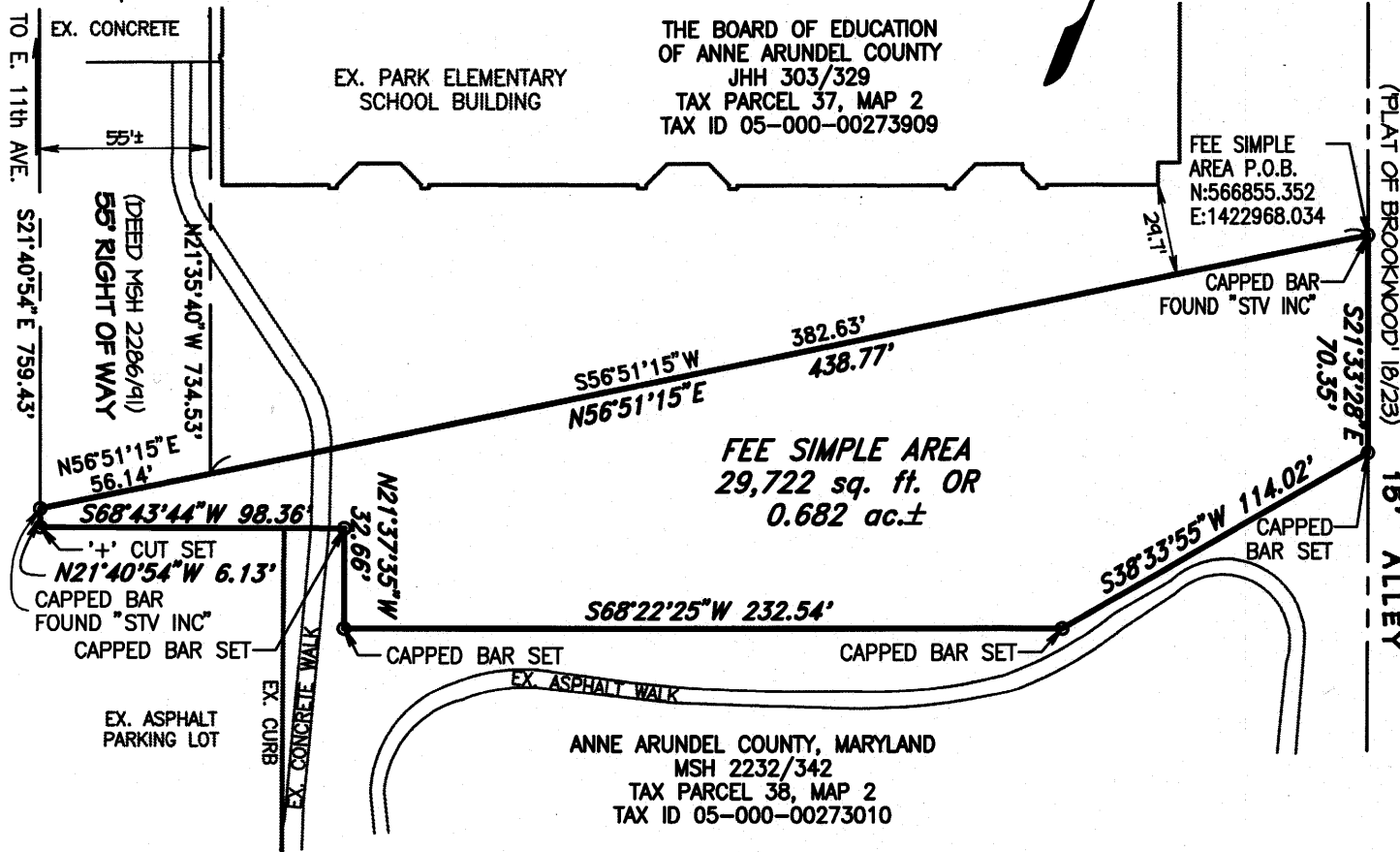
EXHIBIT "B"

Bill No. 90-23
Exhibit B

THE BOARD OF EDUCATION
OF ANNE ARUNDEL COUNTY
MSH 2286/91
P/O TAX PARCEL 38, MAP 2
TAX ID 05-000-00273010

THE BOARD OF EDUCATION
OF ANNE ARUNDEL COUNTY
JHH 303/329
TAX PARCEL 37, MAP 2
TAX ID 05-000-00273909

FEE SIMPLE
AREA P.O.B.
N:566855.352
E:1422968.034



ANNE ARUNDEL COUNTY, MARYLAND
MSH 2232/342
TAX PARCEL 38, MAP 2
TAX ID 05-000-00273010

A LICENSEE EITHER PERSONALLY PREPARED THIS PLAT OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH COMAR REGULATION 09.13.06.12.



Brian R. Dietz 6-20-23
DATE

BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR
MARYLAND LICENSE No. 21080
LICENSE EXPIRES: 2-12-2025
DIETZ SURVEYING, INC.
8119 OAKLEIGH ROAD, BALTIMORE, MD 21234
EMAIL: bdietz@dietzsurveying.net

LEGEND

- FEE SIMPLE
- P.O.B. - POINT OF BEGINNING
- EX. - EXISTING
- P/O - PART OF

GRAPHIC SCALE 1"=60'



| | | |
|--|--|--|
| DRAWN BY: <u>KCK</u> JOB NUMBER: <u>22262</u> CHECKED BY: <u>BRD</u> | ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS THE BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY (PARK ELEMENTARY SCHOOL) FEE SIMPLE ACQUISITION | SCALE: <u>1" = 60'</u> PROJ./CONTRACT No. _____ FIELD WORK DATE: <u>07/15/2022</u> EXHIBIT PLAT DATE: <u>11/17/2022</u> |
| SHEET NUMBER: <u>1</u> OF <u>1</u> | ANNE ARUNDEL COUNTY, MARYLAND MSH 2232/342 TAX PARCEL 38, MAP 2 TAX ID 05-000-00273010 | APPROVED: _____ CHIEF OF RIGHT OF WAY |

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 90-23 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