## CITY OF SALISBURY ORDINANCE NO. 2087

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND FOR ABANDONMENT OF UTILITY EASEMENTS THAT HAVE BEEN RELOCATED AND FOR WHICH THE CITY WILL BE GRANTED REPLACEMENT EASEMENTS ON AND ACROSS LANDS OF PENINSULA REGIONAL MEDICAL CENTER IN THE CAMDEN ELECTION DISTRICT, CITY OF SALISBURY, WICOMICO COUNTY, STATE OF MARYLAND, AND FOR THE RELEASE TO THE OWNER OF THAT PROPERTY OF ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SALISBURY IN AND TO THE ABANDONED EASEMENT AREAS.

WHEREAS, Peninsula Regional Medical Center, a Maryland non-stock corporation (hereinafter referred to as "PRMC") owns certain real property known generally as "PRMC" that is encumbered by underground utility easements established by (1) a deed of easement from Peninsula General Hospital of Wicomico County to the City of Salisbury, dated March 13, 1975, and recorded in the Land Records of Wicomico County, Maryland, in Liber A.J.S. No. 835, Folio 705; (2) a plat entitled "Utility Easement From Peninsula Regional Medical Center", dated November 30, 1992, and recorded as aforesaid in Cabinet M.S.B. No. 9, Folio 713, and for the purpose of the development of the aforementioned land, PRMC has relocated, in part, the public utility lines that have been installed in the initial easement areas as set forth in a deed of easement from Peninsula Regional Medical Center, a Maryland non-stock corporation, to the City of Salisbury, to be recorded among the Land Records of Wicomico County, Maryland; and

WHEREAS, the City of Salisbury desires to relocate that public utility easement and has decided to abandon that portion of the existing public utility easement that is being relocated, which the City has determined to be unnecessary for any public purpose; and

WHEREAS, PRMC has prepared and the City has approved an easement plat entitled "Proposed Easement Plan" showing the relocated easement area, attached hereto as "Exhibit 1"; and

WHEREAS, PRMC is conveying to the City the utility easement areas shown on "Exhibit 1", and the City is releasing to PRMC the abandoned easement area shown on a plat entitled "Existing Easement Abandonment Plan", attached hereto as "Exhibit 2"; and

WHEREAS, the Salisbury Charter SC 11-2 gives the City charge of all public ways in the City of Salisbury, and SC 16-8 allows the City to abandon or otherwise dispose of property that is not saleable; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND, as follows:

- That the deed of permanent easement from PRMC, to the City allows for the relocation of the public utility easements as shown on the aforementioned "Exhibit 1".
- For the purposes and reasons hereinabove set forth, the City of Salisbury be, and hereby is, authorized to convey to PRMC, all of the City's right, title and

interest in the abandoned easement area shown on "Exhibit 2"; together with all the improvements therein, including, but not limited to, water and sewer pipes.

- The City Solicitor be, and hereby is, directed to prepare and submit for execution by the City of Salisbury an appropriate document for the purposes aforesaid.
- 4. This Ordinance shall take effect from the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, Maryland held on the 14<sup>th</sup> day of September, 2009, and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 12<sup>th</sup> day of October, 2009.

Brenda J. Colegrove

City Clerk

Louise Smith

President of the City Council of the

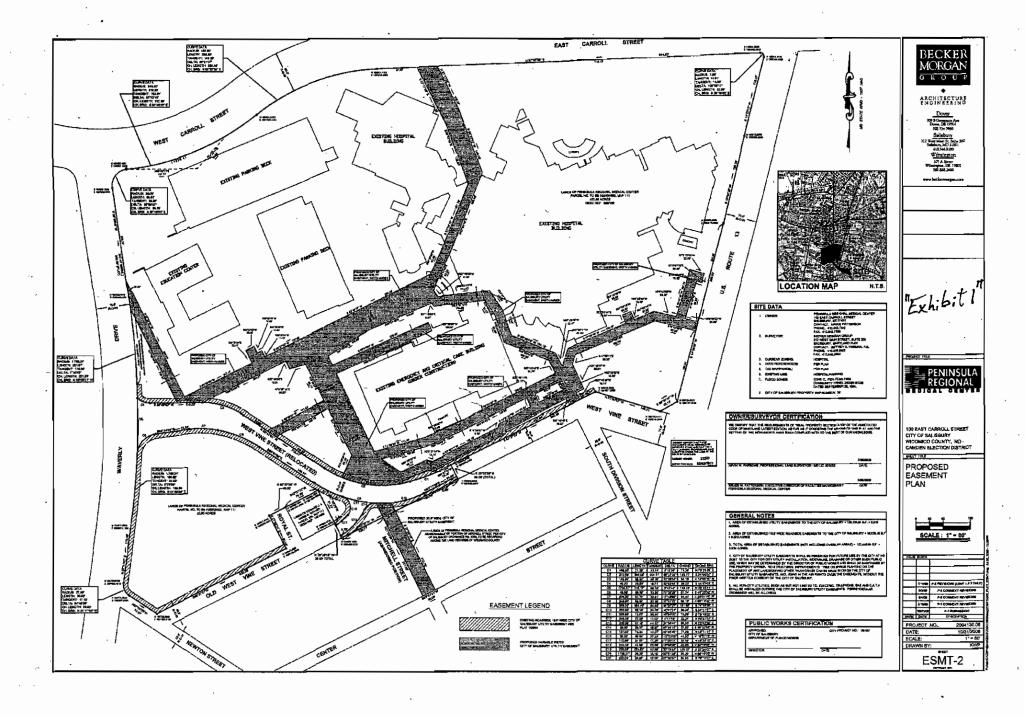
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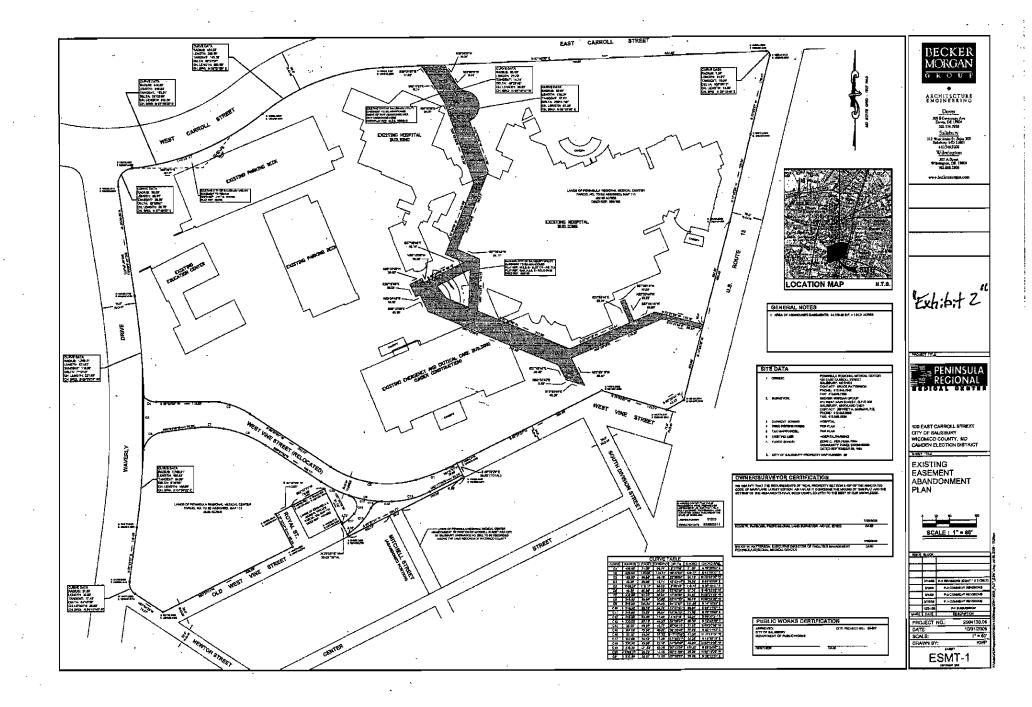
City of Salisbury

Approved by me this 13th day of October, 2009.

James Meton, Jr.

Mayor of the City of Salisbury







A Team of Teams Making a Difference! September 2, 2009

Memorandum for City Administrator

**Subject: Proposed Easement Abandonment and Relocation** 

**Purpose.** To provide information to the City Council regarding a request by Peninsula Regional Medical Center to abandon and relocate existing public utility easements located on and across the lands of the hospital.

**Bottom Line Upfront Recommendation:** I recommend City Council approval of the attached ordinance.

## Discussion.

- The request by PRMC for the easement abandonment and relocation is for the purpose of accommodating the recently constructed, upgraded and/or relocated public utility mains serving the recent PRMC Expansion Project and for the release to PRMC of all right, title and interest of the City of Salisbury in and to the abandoned easement areas which the City has determined to be unnecessary for any public use (see attached letter of request).
- The Department of Public Works has determined that the easement areas proposed for abandonment and shown on the plan entitled Sheet ESMT-1 which is attached to the letter of request are no longer necessary for public use with the recently constructed, upgraded and/or relocated mains being in service.
- The Department of Public Works has determined that the easement areas shown on the proposed easement plan entitled Sheet ESMT-2 which is attached to the letter of request do accommodate the recently constructed, upgraded and or relocated public utility mains serving the hospital expansion project.

Unless you or the Mayor has any questions, please forward this memorandum to the City Council. For any questions you may have, I can be reached at (410) 548-3170 or by e-mail at cmessick@ci.salisbury.md.us.

NEWELL W. MESSICK III, P.E. ACTING DIRECTOR

> Government Office Building 125 North Division Street Salisbury, MD 21801-4940

> > Phone: (410) 548-3170

Fax: (410) 548-3107

www.ci.satisbury.md.us/publicworks/

Sincerely.

Newell W. Messick, P.E

Acting Director of Public Works

9/3/09



ARCHITECTURE ENGINEERING

July 30, 2009

PLANNING OUR
CLIENTS' SUCCESS

Mayor Jim Ireton City of Salisbury – Mayor's Office Government Office Building, Room 304 125 North Division Street Salisbury, Maryland 21801-4940

Re: Easement Abandonment

PRMC Expansion Project

East Carroll Street Salisbury, Maryland 2004130.15

Dear Mayor & Council:

Per our discussions and coordination with the City of Salisbury Department of Public Works, we are submitting the enclosed exhibits for the abandonment of existing easements surrounding the Peninsula Regional Medical Center Campus.

As discussed with Mr. Clay Hall in the Department of Public Works, it is our understanding that the abandonment of existing easements must be approved by Mayor and Council.

To briefly describe the overall project and intent of these plans, we provide the following narrative:

The PRMC Expansion Project has included the construction of numerous improvements surrounding the hospital's campus.

Architecturally this project has included the construction of: Layfield Tower, Richard A. Henson Cancer Institute, Frank B. Hanna Outpatient Center, Guerrieri Heart & Vascular Institute, and a new site Parking Garage.

Surrounding these structures the project has included the construction of relocated West Vine Street, a new Traffic Signal at Waverly Dr. and W. Locust St., and new parking areas throughout. In addition to these key site improvements utility networks have been constructed, upgraded and relocated. Numerous areas of Road Right-of-Way have also been abandoned from City ownership.

Constructed, upgraded or relocated Public Utility mains require new easements to accommodate future maintenance and improvements. In evaluating the need for new easements and in comparing that need with the existing easement network, it became clear that the Public would benefit from a revised overall easement document.

ARCHITECTURE & ENGINEERING

PART EXCHANGE SUITE 300 312 WEST MAIN STREET SALISBURY, MD 21801 410.546,9100 EAX 410.546,5824

309 SOUTH CROVERNORS AVENUE DOWER, DE 19804 302.734.7950 FAX 302.734.7965

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The enclosed Sheet ESMT-1 shows all existing easements and highlights in grey all those intended to be abandoned per this plan.

Sheet ESMT-2 shows the consolidated network of easements. The network is designed to accommodate all new, relocated and remaining public utilities.

We submit the enclosures on behalf of Peninsula Regional Medical Center for your consideration, distribution to Council and for inclusion on the next available Council Agenda.

Should you have any questions regarding this information, please feel free to contact me at 410-546-9100.

Sincerely,

BECKER MORGAN GROUP, INC.

Kuch. Fr

Kevin W. Parsons, Prof. Land Surveyor

Associate

ere

enc. Sheet ESMT-1 "Existing Easement Abandonment Plan" (11" x 17")

Sheet ESMT-2 "Proposed Easement Plan" (11" x 17")

cc: Clay Hall, City of Salisbury DPW w/ enclosures
Brenda Colegrove, City Clerk w/ enclosures
John Pick, City Administrator w/ enclosures
Bruce Patterson, PRMC w/ enclosures
Richard Duvall, Atty. w/ enclosures

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