

RESOLUTION No. 2463

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING  
OSPREY PROPERTY COMPANY, LLC'S CONTRIBUTION TO  
STREETSCAPE IMPROVEMENTS TO FITZWATER STREET CORRIDOR

**WHEREAS**, the Developer, Osprey Property Company, LLC, is constructing a development to operate rental housing for persons with low to moderate incomes, known as Rivers Edge located at Fitzwater Street ("the Project"); and

**WHEREAS**, the City is currently under contract with A. Morton Thompson, for the development of Main Street Masterplan to achieve uniform streetscape and improved appearance of the City's streets; and

**WHEREAS**, the Developer wishes to contribute to the cost of such improvements to be made pursuant to the terms and specifications of the anticipated Main Street Masterplan, when adopted by the City; and

**WHEREAS**, the Developer and the City wish to encourage other property owners and developers along the Fitzwater Street corridor to contribute funds prior to the completion of the Main Street Masterplan; and

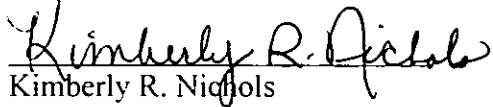
**WHEREAS**, the City wishes to accept the proposed contribution and agrees to expend the funds contributed by Developer on streetscape improvements along Fitzwater Street in the vicinity of Rivers Edge pursuant to the terms and specifications of the Main Street Masterplan, as it is approved by the City; and

**WHEREAS**, the City and Developer anticipate that the Main Street Masterplan will include intersections which emphasize transition to the waterfront, rhythmic tree and lighting patterns, bicycle lanes, and increased trees and landscaping.

**NOW, THEREFORE BE IT RESOLVED** that the Council of the City of Salisbury, Maryland does hereby accept the \$10,000.00 contribution of Osprey Property Company, LLC, for the cost of streetscape improvements, the City agrees to expend those funds for streetscape improvements to be made along the Fitzwater Street corridor in the vicinity of Rivers Edge pursuant to the Main Street Masterplan, currently under development, according to the specifications and terms of that plan as it is finally adopted by the City, and the Mayor is authorized to execute such agreements as are necessary to finalize the intent of this Resolution, without additional cost to the City. An approved form of Agreement, subject to any recommended changes by the City Solicitor, is attached hereto as Exhibit A.

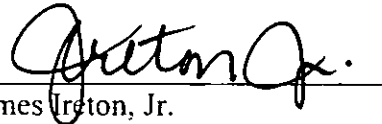
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on November 24, 2014 and is to become effective immediately upon adoption.

ATTEST:

  
\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

  
\_\_\_\_\_  
Jacob R. Day  
PRESIDENT, City Council

APPROVED by me this 26<sup>th</sup> day of November, 2014

  
\_\_\_\_\_  
James Treton, Jr.  
MAYOR, City of Salisbury

## Exhibit A

### Osprey Property Company, LLC's Contribution to Streetscape Improvements to Fitzwater Street Corridor

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between City of Salisbury, MD, a municipal corporation of the State of Maryland (hereinafter, "the City"), and Osprey Property Company, LLC, (hereinafter, "the Developer").

#### RECITALS

WHEREAS, the Developer, Osprey Property Company, LLC, is constructing a development to operate rental housing for persons with low to moderate incomes, known as Rivers Edge located at Fitzwater Street ("the Project"); and

WHEREAS, the City is currently under contract with A. Morton Thompson, for the development of Main Street Masterplan to achieve uniform streetscape and improved appearance of the City's streets; and

WHEREAS, the Developer wishes to contribute to the cost of such improvements to be made pursuant to the terms and specifications of the anticipated Main Street Masterplan, when adopted by the City; and

WHEREAS, the Developer and the City wish to encourage other property owners and developers along the Fitzwater Street corridor to contribute funds prior to the completion of the Main Street Masterplan; and

WHEREAS, the City wishes to accept the proposed contribution and agrees to expend the funds contributed by Developer on streetscape improvements along Fitzwater Street in the vicinity of Rivers Edge pursuant to the terms and specifications of the Main Street Masterplan, as it is approved by the City; and

WHEREAS, the City and Developer anticipate that the Main Street Masterplan will include intersections which emphasize transition to the waterfront, rhythmic tree and lighting patterns, bicycle lanes, and increased trees and landscaping.

NOW, THEREFORE, Osprey Property Company, LLC, agrees to contribute \$10,000.00 to the cost of streetscape improvements and the City agrees to expend those funds for streetscape improvements to be made along the Fitzwater Street corridor in the vicinity of Rivers Edge pursuant to the Main Street Masterplan, currently under development, according to the specifications and terms of that plan as it is finally adopted by the City.

WITNESS:

*Diane C Nelson*

THE CITY OF SALISBURY, MARYLAND

BY: *A. Morton Thompson, Mayor*

Mayor: James Ireton, Jr.

WITNESS/ATTEST:

DEVELOPER: Osprey Property Company, LLC

\_\_\_\_\_

BY: \_\_\_\_\_

APPROVED AS TO FORM:

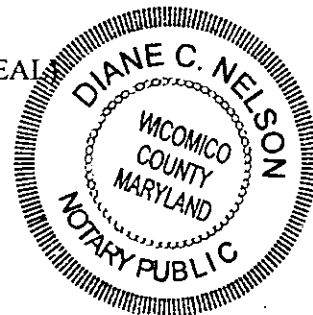
\_\_\_\_\_, City Solicitor  
S. Mark Tilghman

STATE OF MARYLAND, COUNTY OF WICOMICO, to wit:

I HEREBY CERITFY, that on this 2<sup>nd</sup> day of December, 2014, before me, a Notary Public in and for the State aforesaid, personally appeared James Ireton, Jr., who has been satisfactorily proven to be the person whose names is subscribed to the within instrument, who acknowledged himself to be a duly elected official of the City of Salisbury, a municipal corporation of the State of Maryland, and that said official, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such official.

WITNESS my hand and notarial seal.

Diane C Nelson (SEAL)  
Notary Public  
My Commission Expires: 5-16-18



STATE OF MARYLAND, COUNTY OF WICOMICO, to wit:

I HEREBY CERITFY, that on this \_\_\_ day of \_\_\_\_\_, 2014, before me, a Notary Public in and for the State aforesaid, personally appeared \_\_\_\_\_, who has been satisfactorily proven to be the person whose names is subscribed to the within instrument, who acknowledged himself to be the Controlling Member of Osprey Property Company, LLC, and that, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing his name.

WITNESS my hand and notarial seal.

\_\_\_\_\_  
(SEAL)  
Notary Public  
My Commission Expires: \_\_\_\_\_

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INTER

OFFICE

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# MEMO

*OFFICE OF THE MAYOR*

**To:** City Council  
**Cc:** Terence Arrington, Assistant City Administrator  
**From:** Tom Stevenson  
**Subject:** Fitzwater Street Corridor MOU with Osprey Builders  
**Date:** November 10, 2014

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Attached for discussion with City Council is a contract between Osprey Property Company, LLC, and the City of Salisbury, MD.

Osprey Property Company, LLC, is the Developer constructing a development to operate rental housing for individuals with low to moderate income. The development is known as Rivers Edge located at Fitzwater Street. The Developer wishes to contribute \$10,000.00 to the cost of improvements along Fitzwater Street pursuant to the terms and specifications of the Main Street Masterplan. The city wishes to accept the proposed contribution from Rivers Edge and expend the funds contributed by the developer on streetscape improvements along Fitzwater Street.

The City of Salisbury is currently under contract with A. Morton Thomas & Associates, Inc. for the development of Main Street Masterplan to achieve uniform streetscape and improved appearance of city streets. The city and developer anticipate the Main Street Masterplan will include intersections which emphasize transition to the waterfront, rhythmic tree and lighting patterns, and increased trees and landscaping.

This discussion is to determine whether the Developer's streetscape improvements adheres to the Main Street Masterplan. In addition, further discussion of whether the City of Salisbury should encourage property owners and developers along the Fitzwater Street corridor to contribute funds prior to completion of the Main Street Masterplan.

12-7-14

Terence Arrington has indicated Mr. Hanson did not wish to sign yet, as he wanted to see what other property owners were going to contribute to the project. -KAD