

RESOLUTION NO. 2705

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, APPROVIING THE SALE OF PROPERTY, KNOWN AS THE LYDIA PHILLIPS PROPERTY, TO THE STATE OF MARYLAND, WHICH PROPERTY HAS BEEN LEASED TO THE STATE OF MARYLAND FOR USE AS A PARKING LOT AT THE MARYLAND MULTISERVICE CENTER.

WHEREAS, the City of Salisbury (“City”) and State of Maryland (“State”), entered into an agreement in connection with real property known as the Lydia Phillips Property on or about October 31, 1984, “AGREEMENT BETWEEN CITY OF SALISBURY AND STATE OF MARYLAND CONCERNING PARKING FOR PROPOSED SALISBURY MULTISERVICE CENTER.”; and

WHEREAS, a second amendment to the agreement between the City and State concerning parking for the proposed Maryland Multiservice Center in the City of Salisbury was entered into on April 1, 1987, which amended the original agreement between the parties dated, October 31, 1984, which was first amended by an addendum also dated, October 31, 1984; and

WHEREAS, the Second Amendment to the Agreement Between the City and State, dated April 1, 1987 (“Agreement”), expired on or about April 30, 2014, but was renewed and kept in force through lease extensions signed by the parties; and

WHEREAS, the parties last extended the lease agreement for the property on or about December 16, 2015; and

WHEREAS, in connection with all agreements concerning the property, there was a purchase option for the State to purchase the Lydia Phillips Property, from the City; and

WHEREAS, the price of \$380,000.00 was last contained in the last amended lease extension, which imposed a purchase deadline by the State of December 31, 2016; and

WHEREAS, the City intended for the Lydia Phillips Property to be incorporated by

reference as surplus in a prior Resolution No. 267, dated December 26, 1984, in connection with the sale of real property where the Maryland Multiservice Center was constructed, and which required as part of the agreements between the parties for the City to acquire what is known as the Lydia Phillips Property in order for parking to be provided for use by the State and public at the Maryland Multiservice Center; and

WHEREAS, the SC16-3.A.(9)A. lists an exception to competitive bidding procedures for contracts in which the City receives a contract price negotiated by the State; and

WHEREAS, the City is satisfied that the Lydia Phillips Property was sufficiently identified and described in past agreements and in Resolution No. 267 that was passed by the City and the intent was for the City to also declare the Lydia Phillips Property as surplus, as it was to be a part of the entire real property area sold, or to be sold, to the State for purposes of constructing the Maryland Multiservice Center and attached parking lot; and

WHEREAS, the Department of Internal Services-Procurement concurs with the Lydia Phillips Property being deemed as surplus property and being excepted from the public bidding process and sold for the contract price negotiated by the State; and

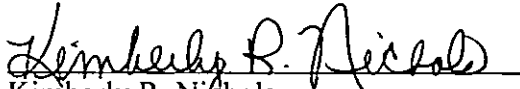
WHEREAS, the attached contract for sale of the Lydia Phillips Property and the attached Deed for the property have been approved to complete the sale and transfer of the property and that the Mayor and appropriate Director of Internal Services-Procurement personnel are authorized to sign the necessary documents on behalf of the City to complete sale and transfer of the property to the State.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Salisbury deems it to be in the best interest of the citizens of Salisbury to sell the property known as the Lydia Phillips Property to the State of Maryland in order for its continued use as a parking lot for the Maryland

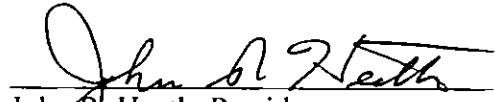
Multiservice Center for the negotiated amount of \$380,000.00.

This Resolution was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland, held on November 28, 2016, and is to become effective immediately.

ATTEST:




Kimberly R. Nichols



John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS

30th day of November, 2016



Jacob R. Day, Mayor
MAYOR



City of
Salisbury
Jacob R. Day, Mayor

To: Tom Stevenson, City Administrator
Julia Glanz, Assistant City Administrator
From: Jennifer Miller
Asst. Director of Internal Services – Procurement & Parking Division
Date: November 21, 2016
Subject: Resolution to sell Lydia Phillips property to State of Maryland

Attached is the Resolution to support the sale of City-owned real property, the Lydia Phillips property, to the State of Maryland. The terms of the sale remain as outlined in the prior (and final) lease agreement from December 2015, at a purchase price of \$380,000. A deed between the City and the State will be executed upon approval of the Resolution.

Unless you or the Mayor have additional questions, please advance this memorandum and Resolution to the City Council for approval.

Sincerely,

Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking

Attachments:

- MD Board of Public Works approval
- Deed
- Legal description of property
- Survey & Map
- 2015 Lease Extension w/supporting documentation