

RESOLUTION NO. 2768

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY MARYLAND AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH COMMUNITY OF JOY CHURCH FOR USE OF CITY PROPERTY FOR A COMMUNITY GARDEN.

WHEREAS, The City of Salisbury entered into a lease agreement with St. Francis De Sales Church on or about January 11, 2016, to allow volunteer members to construct and operate a Community Garden Project on City property; and

WHEREAS, the City property is located on land directly behind Boundless Playground and the Chipman Cultural Center bordering Ellen Street, Broad Street, and Poplar Hill Avenue; and

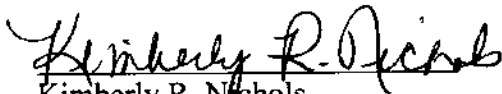
WHEREAS, the terms and conditions of the signed lease agreement are set forth in the attached agreement that was signed with St. Francis De Sales Church which was acting as the legal Tenant for this site; and

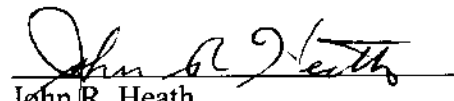
WHEREAS, St. Francis De Sales Church no longer has the personnel capable of operating the garden and desires to transfer its interest in the lease to members of Community of Joy Church, who wish to become the legal tenant of the property and which entity the City of Salisbury agrees should be assigned rights under the current lease agreement.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Salisbury authorizes the Mayor to allow and accept the assignment of the current lease for the property from St. Francis De Sales Church to Community of Joy Church under the same terms and conditions of the existing lease agreement.

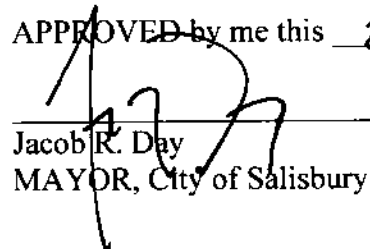
THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 28th day of August, 2017 and is to become effective immediately upon adoption.

ATTEST:


Kimberly R. Nichols
CITY CLERK


John R. Heath
PRESIDENT, City Council

APPROVED by me this 29 day of AUGUST, 2017


Jacob R. Day
MAYOR, City of Salisbury



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: City Council
From: Julia Glanz, City Administrator *JG*
Subject: Boundless Community Garden Lease
Date: August 22, 2017

Attached you will find a resolution, lease, map, and letter regarding Boundless Community Garden.

In early 2016 the Boundless Community Garden was leased to St. Francis De Sales Church. This location has become a hub of activity in the Newtown Neighborhood. At this time, St. Francis would like to discontinue leasing this space. Community of Joy Church would like to lease this space moving forward.

If Council has any questions prior to the August 28th meeting, please direct those to the Mayor's Office.



RECEIVED
JUL 24 REC'D

514 Camden Avenue, Salisbury, Maryland 21801
410-742-6443 parish@visitsfrancis.org

Julia Glanz
City Administrator
125 N. Division St, Room 304
Salisbury, MD 21801-4940

To whom it may concern,

The parish of St. Francis de Sales would like to turn control of Boundless Garden over to Community of Joy Church. This past year the vast majority of the work with the garden was done by Nicole Long. She has taken on another position in the area and there is no one on our staff who was comfortable assuming responsibility for the garden.

Sincerely,

Father Chris W. LaBarge
Pastor

ASSIGNMENT OF LEASE

THIS ASSIGNMENT, made this _____ day of _____, 2017, by ST. FRANCIS DE SALES CHURCH (hereafter called "Assignor") to COMMUNITY OF JOY CHURCH (hereafter called "Assignee"), WITNESSETH:

FOR VALUE RECEIVED, Assignor hereby grants, transfers and assigns to the Assignee all of the right, title and interest of Assignor in and to property described in a certain lease signed by St. Francis De Sales Church with the City of Salisbury, MD on or about _____. The City of Salisbury, MD consents to the Assignment and the Community of Joy Church agrees to be bound by the terms and conditions of the signed lease agreement for the remainder of the term of the lease.

ATTEST:

St. Francis De Sales Church (SEAL)
BY:
POSITION:

Community of Joy Church (SEAL)
BY:
POSITION:

Jacob R. Day, Mayor (SEAL)
City of Salisbury

STATE OF MARYLAND, _____ COUNTY, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2017, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____ who acknowledged himself/herself to be the _____ of St. Francis De Sales Church and as such _____, did execute and acknowledged the foregoing Assignment of Lease to be his/her act and deed.

AS WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires:

STATE OF MARYLAND, _____ COUNTY, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2017, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____ who acknowledged himself/herself to be the _____ of Community of Joy Church and as such _____, did execute and acknowledged the foregoing Assignment of Lease to be his/her act and deed.

AS WITNESS my hand and Notarial Seal.

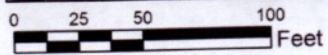
Notary Public
My Commission Expires:

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2017, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Jacob R. Day, who acknowledged himself to be the Mayor for the City of Salisbury, and as such Mayor, did execute and acknowledge the foregoing Assignment of Lease to be his act and deed.

AS WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires:



BOUNDLESS PLAYGROUND - COMMUNITY GARDEN