

RESOLUTION NO. 2944

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, FOR THE PURPOSE OF SURPLUSING CITY-OWNED PROPERTY LOCATED BETWEEN THE RIVERWALK AND THE PROPERTY CURRENTLY KNOWN AS PARKING LOT #16 AND FOR THE PURPOSE OF ACCEPTING THE ASSIGNMENT OF THE LAND DISPOSITION CONTRACT FROM DAVIS SIMPSON HOLDINGS, LLC TO BKR HOLDINGS, LLC FOR THE REDEVELOPMENT OF PARKING LOT #16.

WHEREAS, the City of Salisbury entered into a Land Disposition Contract with Davis Simpson Holdings, LLC, dated June 26, 2018, for the sale and redevelopment of City Parking Lot #16; and

WHEREAS, Parking Lot #16 was surplus by Resolution No. 2848 on June 25, 2018; and

WHEREAS, the Buyer, Davis Simpson Holdings, LLC, has requested to change the lot lines described in the Land Disposition Contract to include the conveyance of a piece of City-owned property that is adjacent to and a part of the current Riverwalk, as shown on the attached plat as the hatch-marked area; and

WHEREAS, the piece of property requested includes the entrance ramps to the pedestrian footbridge that crosses the East Prong of the Wicomico River; and

WHEREAS, the Buyer has offered to bear the responsibility and costs for relocating the entrance ramps to the pedestrian footbridge; and

WHEREAS, upon recommendation of the Director of Procurement, the Mayor and City Council have determined that this property is unused City-owned property that should be surplus; and

WHEREAS, the City of Salisbury hereby declares the hatch-marked area on the attached plat entitled Lot Line Adjustment Plat, Lot 2 Resubdivision Lands City of Salisbury, as surplus property; and

WHEREAS, pursuant to section 12.L. of the Disposition Contract, the Buyer has submitted a request to the City for approval to assign its interest in the Disposition Contract to a new, related entity, BKR Holdings, LLC; and

WHEREAS, Bret Davis is related to both Davis Simpson Holdings, LLC and BKR Holdings, LLC, and is the signer of the Disposition Contract.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Salisbury, in regular session on the \_\_\_ day of \_\_\_\_\_ 2019, that the Buyer, Davis Simpson Holdings, LLC, in the Disposition Contract dated June 26, 2018, for the sale and redevelopment of City Parking Lot #16 is authorized to assign its interest in the Property to BKR Holdings, LLC,


however Davis Simpson Holdings, LLC will still be responsible for all of the Buyer's obligations under the Disposition Contract.


BE IT FURTHER ENACTED AND RESOLVED that the property shown as the hatch-marked area on the attached plat is hereby surplused.

AND BE IT FURTHER ENACTED AND RESOLVED that this Resolution will take effect from and after its passage.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 13<sup>th</sup> day of May 2019 and is to become effective immediately upon adoption.

ATTEST:

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

  
\_\_\_\_\_  
John R. Heath  
PRESIDENT, City Council

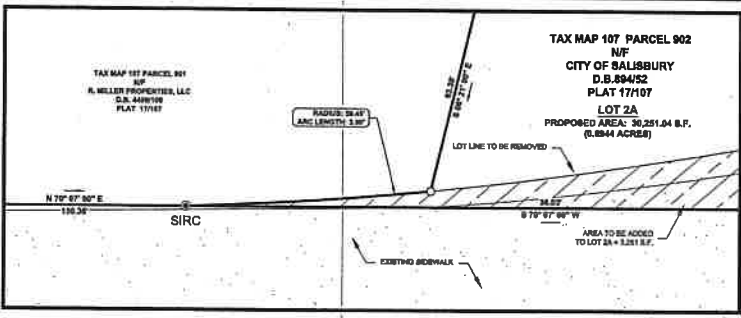
APPROVED by me this 14<sup>th</sup> day of MAY 2019.

  
\_\_\_\_\_  
Jacob R. Day  
MAYOR, City of Salisbury



**BAPTIST STREET**

**POPLAR HILL AVE.**

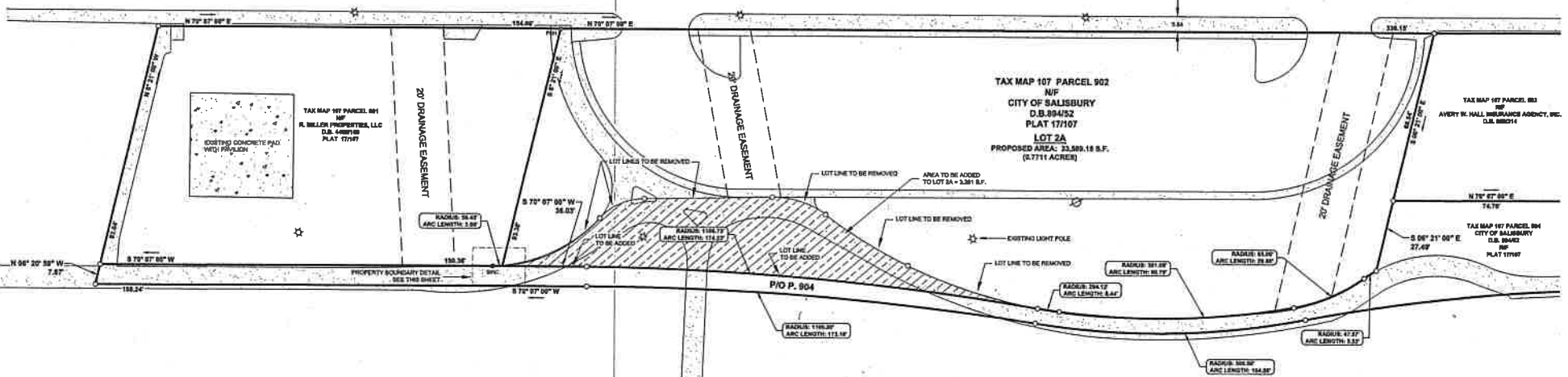


**PROPERTY BOUNDARY DETAIL**

HORIZONTAL SCALE: 1" = 1'  
VERTICAL SCALE: 1" = 1'



**EAST MARKET STREET**



**EAST PRONG - WICOMICO RIVER**

**SITE DATA**

- OWNER:** PARCEL 902, 320 E. MARKET STREET, CITY OF SALISBURY, 120 N. DIVISION STREET, SALISBURY, MARYLAND 21801-4020
- SURVEYOR:** BRODER MORGAN GROUP, INC., 313 WEST MAIN STREET, SUITE 200, SALISBURY, MARYLAND 21801, PHONE: 410-648-4100
- TAX MAP PARCEL:** TAX MAP 107 PARCEL 902
- DEED REFERENCE:** TAX MAP 107 PARCEL 902, ORD. 15 (LOT 2) PARCEL 902 - 08482
- PLAT REFERENCE:** 17107
- TOTAL PARCEL AREA:** LOT 2A - 33,269.18 S.F. (0.7711 ACRES)
- ZONING:** CBD - CENTRAL BUSINESS DISTRICT
- SETBACKS:** PER § 1.4 OF SECTION 17.24.040 - DEVELOPMENT STANDARDS OF TITLE 17, FROM THE CITY OF SALISBURY CODE OF GENERAL ORDINANCES, SETBACKS SHALL BE SAME AS SETBACKS FOR EXISTING BUILDING ALONG SAME BLOCK.
- FLOOD ZONE:** PER FEMA FIRM MAP NUMBER 58042221E, DATED BY FIRM, THIS ENTIRE SITE IS LOCATED WITHIN FLOOD ZONE AE-15.0V-B
- CRITICAL AREA:** THIS SITE IS LOCATED IN THE "CHESAPEAKE BAY CRITICAL AREA" - ICA (INTENSELY DEVELOPED AREA)

- GENERAL NOTES**
- WATER AND SEWER CAPACITY EXISTS AND WILL BE MAINTAINED FOR THIS SUBDIVISION, SUBJECT TO MUNICIPAL, STATE AND FEDERAL LAWS AND REGULATIONS.
  - SUBMITTAL OF AN APPROVED CONSTRUCTION IMPROVEMENT PLAN IS REQUIRED AFTER SURVEYORSHIP IF IMPROVEMENTS ARE TO BE MADE TO THIS PROPERTY.
  - WATER/SEWER SERVICE PROVIDED BY THE CITY OF SALISBURY COMPREHENSIVE WATER AND SEWERAGE PLAN S-1 & W-1.
  - OWNER/DEVELOPER, AND SUBSEQUENT OWNERS, THEIR SUCCESSORS AND ASSIGNS, SHALL NOT BROOFT THE INDIVIDUAL LOT GRADING PLANS AND/OR THE IMPROVEMENTS CONSTRUCTION PLAN, AS APPROVED BY THE SALISBURY DEPT. OF INFRASTRUCTURE & DEVELOPMENT WITH CONSTRUCTION, GRADING, OR LANDSCAPING.
  - PRIVATE IRRIGATION LINES SHALL NOT BE INSTALLED IN CITY RIGHT-OF-WAYS OR EASEMENTS WITHOUT WRITTEN APPROVAL OF THE SALISBURY DEPT. OF INFRASTRUCTURE & DEVELOPMENT.
  - NO CONSTRUCTION OF ANY STRUCTURAL IMPROVEMENTS, PLANT THESE, SHEDS OR PLACE ANY LANDSCAPING OTHER THAN GRASS IN OR ON THE EASEMENT AREA, INCLUDING IN THE AIR RIGHTS OVER THE EASEMENT HEREBY CONVEYED PERMITTED, WITHOUT THE PRIOR WRITTEN CONSENT OF THE CITY OF SALISBURY.
  - ALL NON-CITY UTILITIES, SUCH AS BUT NOT LIMITED TO, ELECTRIC, TELEPHONE, GAS, C.A.T.V. SHALL BE INSTALLED OUTSIDE THE CITY OF SALISBURY UTILITY EASEMENT UNLESS WRITTEN CONSENT IS OBTAINED FROM THE CITY OF SALISBURY.

**SURVEY LEGEND**

ITEM	SYMBOL
UNMARKED POINT	○
IRON ROD W/ CAP TO BE SET	○ SIRC
PR NAL TO BE SET	○ SPC
FOUND DRILL HOLE	○ FDI

**OWNERS CERTIFICATION**

WE CERTIFY THAT THE LOT LINE ADJUSTMENT AS SHOWN ON THIS PLAN ARE AS PER OUR DESIGNS AND CONSENT AND THAT THE REQUIREMENTS OF "REAL PROPERTY SECTION 3-105" OF THE ANNOTATED CODE OF MARYLAND, LATEST EDITION, AS FAR AS IT CONCERNS THE MAKING OF THIS PLAN AND THE SETTING OF THE MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF OUR KNOWLEDGE.

CITY OF SALISBURY: \_\_\_\_\_ DATE: \_\_\_\_\_  
AUTHORIZED AGENT: \_\_\_\_\_

PIRNT NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

**SURVEYORS CERTIFICATION**

I, CHARLES G. DENNIS, JR., HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND, AND THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (D) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND CONSIDERING THE MARKS OF THIS PLAN AND THE SETTING OF MARKERS.

CHARLES G. DENNIS, JR. DATE: \_\_\_\_\_  
PROFESSIONAL LAND SURVEYOR No. 21352  
RENEWAL/EXPIRATION DATE: JUNE 28, 2025

**CHESAPEAKE BAY CRITICAL AREAS APPROVAL**

THE PROPERTY SHOWN ON THIS PLAN IS LOCATED WITHIN AN UNDEVELOPED AREA OF THE "CHESAPEAKE BAY CRITICAL AREA DISTRICT". NO DISTURBANCE OF LAND MAY OCCUR WITHOUT A "CHESAPEAKE BAY CRITICAL AREA CERTIFICATE OF COMPLIANCE".

LOGS CORNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
WILCOMICO COUNTY PLANNING & ZONING DEPARTMENT

**APPROVALS**

THIS SUBDIVISION IS APPROVED IN COMPLIANCE WITH THE WILCOMICO COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN AND WILL BE SERVED BY COMMUNITY WATER SUPPLY AND COMMUNITY SEWERAGE PROVIDED BY THE CITY OF SALISBURY. ALL LOTS OFFERED FOR SALE WILL BE PROVIDED WITH COMMUNITY WATER AND SEWER.

WILCOMICO COUNTY HEALTH DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ CITY PROJECT # 17-020

CITY OF SALISBURY DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT

ANANDA V. POLLOCK, P.E. DIRECTOR DATE: \_\_\_\_\_

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# City of Salisbury



MARYLAND

JACOB DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

**To:** Julia Glanz, City Administrator  
**From:** S. Mark Tilghman, City Solicitor  
**Date:** May 1, 2019  
**Re:** Resolution – Lot 16 Surplus and Assignment

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The City signed a Land Disposition Contract with Davis Simpson Holdings, LLC on June 26, 2018 for the sale and redevelopment of the parcel of land known as Parking Lot #16.

The Buyer, Davis Simpson Holdings, LLC, has requested approval, pursuant to section 12.L. of the Land Disposition Contract, to assign its interest in the Contract to BKR Holdings, LLC.

The Buyer has also requested to change the property lines of the parcel to be sold and redeveloped. The change of the property lines will cause a parcel of land (that is contiguous to Parking Lot #16) that is not yet surplus to be sold by the City. The Buyer will be paying all of the costs associated with the resubdivision of the property to include this parcel. The inclusion of this parcel will also require the reconstruction of the pedestrian access to the footbridge across the East Prong of the Wicomico River. The Buyer has also agreed to be responsible for the reconstruction of the footbridge access.

Unless you or the Mayor has further questions, please forward this Ordinance to the Salisbury City Council.