

AS AMENDED ON JULY 22, 2019
ORDINANCE NO. 2550

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ABANDON AN AREA OF LAND BEING AN UNNAMED ALLEY ACCESSED FROM LAKE STREET AND TRAVERSING CITY PARKING LOT 30 TO THE WESTERN BANK OF THE WICOMICO RIVER AND TO ABANDON AN AREA OF LAND BEING THE UNIMPROVED ROAD BED OF SMALL STREET ACCESSED FROM WEST MAIN STREET AND TRAVERSING A PART OF CITY PARKING LOT 30.

WHEREAS, the unnamed alley and Small Street, are shown on the plat entitled "Street & Alley Closure," dated May 23, 2019 and ~~is in part of~~ City Parking Lot 30; and

WHEREAS, Small Street is not open or paved; and

WHEREAS, the unnamed alley to be abandoned is adjoined by City owned Parcels 1641, 1644, 1647, 1646, 1648, 1643 and 1640 that, along with the unnamed alley, make up a portion of the developed area of City Parking Lot 30, and ~~is are~~ more fully shown and described in Exhibits "A" and "B," which are incorporated herein by reference; and

WHEREAS, Small Street is adjoined by City owned Parcels 1637, 1638, 1639, 1641, 1640, 1642, 1643, 1644, and 1645, that along with Small Street, make up the remaining portion of the developed area of City Parking Lot 30 and ~~is are~~ more fully shown and described in Exhibits "A" and "B;" ~~attached herewith;~~ and

WHEREAS, the City of Salisbury Department of Infrastructure and Development has determined that the aforementioned areas of land have never been used by the public, are unimproved and unpaved; and

~~WHEREAS,~~ the City believes it is in the best interest of the City to abandon the aforementioned areas of land in order to improve the potential of Lot 30 for development; and

WHEREAS, the Salisbury Charter SC11-2 gives the City of Salisbury charge of all public ways in the City of Salisbury; and

WHEREAS, the Salisbury Charter SC16-8 allows the City of Salisbury to abandon or otherwise dispose of property that is not saleable; and

WHEREAS, the City of Salisbury Department of Infrastructure and Development has prepared and the City Solicitor has reviewed the Plat to abandon the unnamed alley and revert the portions of the unnamed alley fronting on Parcels 1640, 1641, 1644, 1646, 1647 and 1648 to these City owned Parcels, ~~a copy of which is as shown on the document~~ attached hereto as Exhibit "A"; and

WHEREAS, the City of Salisbury Department of Infrastructure and Development has prepared and the City Solicitor has reviewed the Plat to abandon Small Street and ~~to~~ revert the portions of Small Street fronting on Parcels 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644 and 1645 to these City owned Parcels, ~~a copy of which is as shown on the document~~ attached hereto as Exhibit "A"; and

WHEREAS, the Director of Infrastructure and Development provided the City Council ~~with~~ a recommendation of the proposed road abandonment at the ~~June 17,~~ 2019, City Council work session.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City of Salisbury hereby abandons the 7,725 square foot area of the heretofore described unnamed alley and Small Street, and that the Mayor of the City of Salisbury is hereby

authorized to execute all documents necessary to convey the said areas with the aforementioned City owned parcels.


BE IT FURTHER ORDAINED that this ordinance shall take effect immediately.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 8th day of July 2019, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 22nd day of July 2019.

ATTEST

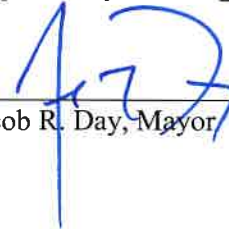


Kimberly R. Nichols
CITY CLERK



Muir Boda
VICE-PRESIDENT, City Council

Approved by me this 23rd day of JULY, 2019



Jacob R. Day, Mayor

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: June 10, 2019
Re: Ordinance – Lot 30 alley and street abandonment

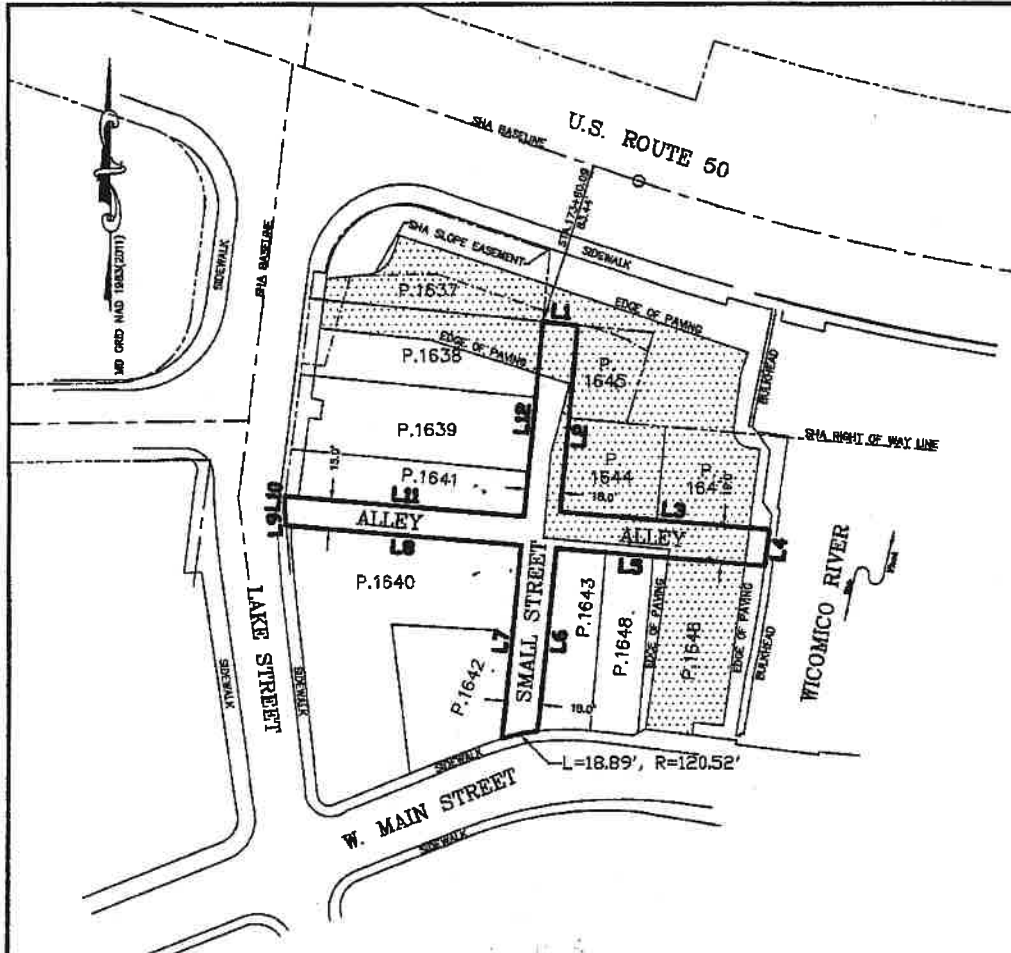
The City signed a Land Disposition Contract with Green Street Housing, LLC on March 31, 2016 for the sale and redevelopment of the parcel of land known as Parking Lot #30.

The Buyer, Green Street Housing, LLC, assigned its interest in the Contract to SBY Marina Hotel Land, LLC, in the amendment to the Disposition Contract dated June 18, 2018.

During the Buyer's title search, an unnamed, unimproved alley and an unimproved street by the name of Small Street were found on the land. The City has not used either the alley or the street, and wishes to abandon both the alley and the street so that they may be properly conveyed with the rest of the land known as Parking Lot #30.

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

Exhibit A



Line Table		
Line #	Length	Direction
L1	18.00'	S84°23'21"E
L2	95.98'	S05°42'44"W
L3	108.27'	S85°05'07"E
L4	19.02'	S07°50'02"W
L5	107.56'	N85°05'07"W
L6	95.23'	S05°42'44"W
L7	100.63'	N05°42'44"E
L8	121.65'	N85°05'07"W
L9	10.98'	N05°15'07"W
L10	4.19'	N07°30'40"E
L11	123.61'	S85°05'07"E
L12	100.20'	N05°42'44"E

GENERAL NOTES:

- 1) TAX MAP 106
- 2) BASELINES AND RIGHT OF WAY LINES PER S.H.A. PLAT NO. 46193
- 3) ALL ADJACENT PROPERTIES ARE CURRENTLY OWNED BY THE CITY OF SALISBURY
- 4) - DENOTES EXISTING PAVING
- 5) TOTAL AREA OF CLOSURE: 7,725± S.F.

CITY OF SALISBURY SALISBURY, MD	STREET & ALLEY CLOSURE	SCALE 1" = 80'
	SMALL STREET (UNIMPROVED) & ALLEY (UNIMPROVED)	FILE DCA19xxxx
		DATE 06-23-2019
		LAST REV. DATE

SMALL STREET & ALLEY CLOSURE LEGAL DESCRIPTION

Beginning for the same at a point on the westerly right of way line of Small Street (Unimproved) where it terminates at the southerly right of way line of U.S. Route 50. Said point being 83.44 feet right of Station 173+60.09 as shown on State Highway Administration (SHA) Plat No. 46193. (1) Thence by and with the said line of U.S. Route 50 South $84^{\circ}23'21''$ East a distance of 18.00 feet to a point on the easterly line of the said Small Street. (2) Thence by and with the said line of Small Street South $05^{\circ}42'44''$ West a distance of 95.98 feet to a point on the northerly line of an unnamed alley. (3) Thence by and with the said line of the alley South $85^{\circ}05'07''$ East a distance of 108.27 feet to a point at the westerly limits of the Wicomico River. (4) Thence by and with the said Wicomico River South $07^{\circ}50'02''$ West a distance of 19.02 feet to a point on the southerly line of the said alley. (5) Thence by and with the said line of the alley being 19.00 feet southerly of and parallel to the herein third described line, reversed, North $85^{\circ}05'07''$ West a distance of 107.56 feet to a point on the easterly line of the aforesaid Small Street. (6) Thence by and with the said line of Small Street South $05^{\circ}42'44''$ West a distance of 95.23 feet to a point on the northerly line of West Main Street. (7) Thence by and with the said line of West Main Street and a curve to the left having a radius of 120.52 feet, a distance of 18.89 feet to a point on the westerly line of the said Small Street. (8) Thence by and with the said line of Small Street being 18.00 feet westerly of and parallel to the herein sixth described line, reversed, North $05^{\circ}42'44''$ East a distance of 100.63 feet to a point on the southerly line of the aforementioned alley. (9) Thence by and with the said line of the alley North $85^{\circ}05'07''$ West a distance of 121.65 feet to a point of the easterly right of way line of Lake Street as shown on the aforementioned SHA Plat. Thence by and with the said line of Lake Street the following two courses: (10) North $05^{\circ}15'07''$ West a distance of 10.98 feet, (11) North $07^{\circ}30'40''$ East a distance of 4.19 feet to a point on the northerly line of the aforesaid alley. (12) Thence by and with the said line of the alley being 15.00 feet northerly of the herein ninth described line, reversed, South $85^{\circ}05'07''$ East a distance of 123.61 feet to a point on the westerly line of the aforesaid Small Street. (13) Thence by and with the said line of Small Street being 18.00 feet westerly of and parallel to the herein second described line, reversed, North $05^{\circ}42'44''$ East a distance of 100.20 feet to the point of beginning. Herein described parcel containing 7,725 square feet, more or less.