

ORDINANCE NO. 2659

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ABANDON AN AREA OF LAND BEING THE ALLEY CONNECTING WASHINGTON STREET AND EASTERN SHORE DRIVE.

WHEREAS, the City of Salisbury, Maryland authorized the transfer of ownership of a small residual lot that was deemed to be a non-buildable parcel of land via Resolution No. 2819, which was signed on March 13, 2018, to Union Realty, L.L.C.; and

WHEREAS, the properties which border the alley are owned by Union Realty, L.L.C and Arapaho Realty, L.L.C., both companies having the same managing member, Michael C. Dunn; and

WHEREAS, the alley being closed is identified as **Parcel 1, Parcel 2 and Parcel 3** as shown on the plat entitled *Alley Closing Washington Street Eastern Shore Drive* attached as **Exhibit A**; and

WHEREAS, the owner of the land adjoining **Parcel 1 and Parcel 3**, which will receive said parcels is Union Realty, L.L.C. and the owner of the land adjoining **Parcel 2**, which will receive said parcel is Arapaho Realty, L.L.C.; and

WHEREAS, the City of Salisbury Department of Infrastructure and Development has determined that the aforementioned area of land is no longer needed for use by the public and the City believes it is in the best interest of the City to abandon the aforementioned area of land and deed **Parcel 1, Parcel 2 and Parcel 3** to the adjoining property owners as stated above; and

WHEREAS, the alley was intended to be transferred as part of the previous land transfer; and

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

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

WHEREAS, the City Solicitor has prepared the proposed quitclaim deeds to convey the alley, copies of which are attached hereto as **Exhibit B**; and

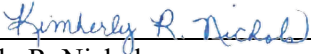
WHEREAS, the Director of Infrastructure and Development provided the City Council with a recommendation of the proposed alley abandonment at the March 5, 2021 City Council work session.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City of Salisbury hereby abandons the +/- 1,853 square foot area comprising the alley (**Parcel 1, Parcel 2 and Parcel 3**), and that the Mayor of the City of Salisbury is hereby authorized to execute the attached deeds to convey to the adjoining property owners the City's right, title and interest in the abandoned alley.

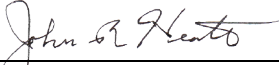
BE IT FURTHER ORDAINED that this ordinance shall take effect immediately.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 22nd day of March, 2021, 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 12th day of April, 2021.

ATTEST:

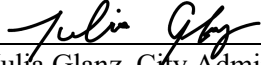


Kimberly R. Nichols
CITY CLERK

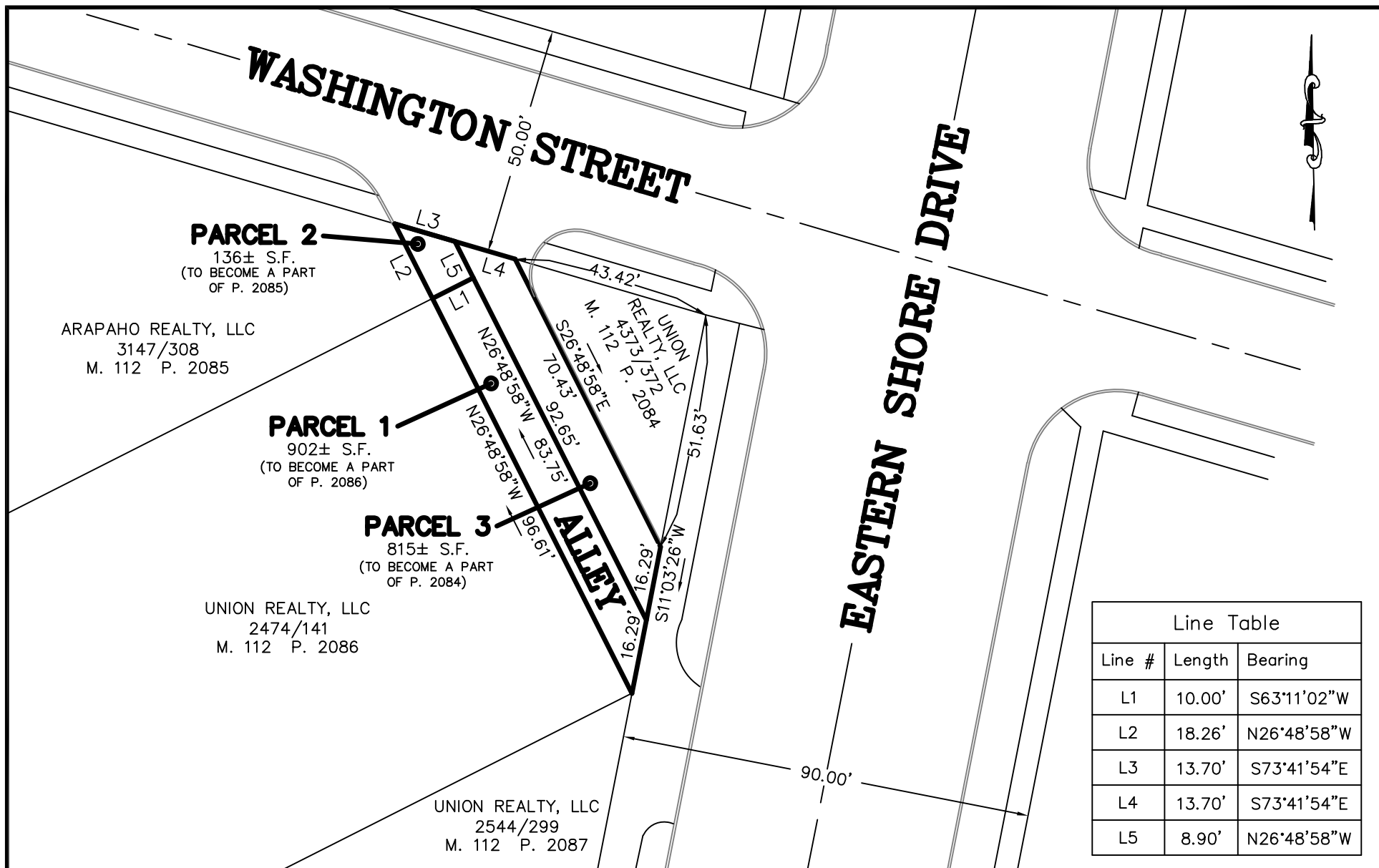


John R. Heath
PRESIDENT, City Council

Approved by me this 13 day of April, 2021



Julia Glanz, City Administrator,
for and at the direction of Jacob R. Day, Mayor



Line Table		
Line #	Length	Bearing
L1	10.00'	S63°11'02"W
L2	18.26'	N26°48'58"W
L3	13.70'	S73°41'54"E
L4	13.70'	S73°41'54"E
L5	8.90'	N26°48'58"W

CITY OF SALISBURY
SALISBURY, MD

ALLEY CLOSING
WASHINGTON STREET
EASTERN SHORE DRIVE

SCALE	1" = 30'
FILE	DCA
DATE	6-19-19
LAST REV. DATE	12-6-19

THIS QUITCLAIM DEED, made this ____ day of _____, in the year Two Thousand and Twenty-One, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Union Realty, L.L.C., Grantee.

WHEREAS, by Ordinance No. ____ passed at a meeting of the Council of the City of Salisbury, on the ____ day of _____, 2021, the City of Salisbury closed and vacated a portion of an alley located between Washington Street and Eastern Shore Drive, being shown as a bold outlined area on a plat entitled Alley Closing Washington Street Eastern Shore Drive dated June 19, 2019, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. _____, authorized to convey to Union Realty, L.L.C., all of its right, title and interest, in and to those portions of the alley, shown and labeled as Parcel 1 and Parcel 3, on the said plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Union Realty, L.L.C., its representatives and assigns, the following property described as Parcels 1 and 3, which said Parcel 1 shall be added to existing Parcel No. 2086 (Tax ID No. 13-057427) and which said Parcel 3 shall be added to existing Parcel No. 2084 (Tax ID No. 13-030693), both of the said tax parcels are owned by the Grantee: The property conveyed herein is:

ALL those lots or parcels of land situate, lying and being in the Camden Election District, City of Salisbury, Wicomico County, State of Maryland, located on the Southerly side of and binding upon Washington Street and on the Westerly side of Eastern Shore Drive, West of Parcel No. 2084 and East of Parcel No. 2086, and more particularly described as follows:

PARCEL 1: Beginning for the same at a point on the westerly right of way line of Eastern Shore Drive at the southwesterly corner of a 20 foot wide alley. Said point being 84.21 feet southerly from the intersection of the southerly right of way line of Washington Street and the said line of Eastern Shore Drive. (1) Thence by and with the southwesterly line of the said alley North 26°48'58" West a distance of 96.61 feet to a point at the southernmost corner of Parcel 2 as shown on the attached plat. (3) Thence by and with the southeasterly line of the said Parcel 2 North 63°11'02" East a distance of 10.00 feet to a point at the centerline of the said alley. (4) Thence by and with the said line of the alley South 26°48'58" East a distance of 83.75 feet to a point on the westerly line of the said Eastern Shore Drive. (4) Thence by and with the said line of Eastern Shore Drive South 11°03'26" West a distance of 16.29 feet to the point of beginning. Containing 902 square feet, more or less.

NO TITLE SEARCH REQUESTED OR PERFORMED

PARCEL 3: Beginning for the same at a point on the westerly right of way line of Eastern Shore Drive at the southeasterly corner of a 20 foot wide alley. Said point being 51.63 feet southerly from the intersection of the southerly right of way line of Washington Street and the said line of Eastern Shore Drive. (1) Thence by and with the said line of Eastern Shore Drive South 11°03'26" West a distance of 16.29 feet to a point on the centerline of the said alley. (2) Thence by and with the centerline of the said alley North 26°48'58" West a distance of 92.65 feet to a point on the southerly line of Washington Street. (5) Thence by and with the said line of Washington Street South 73°41'54" East a distance of 13.70 feet to a point at the northeasterly corner on the said alley. (6) Thence by and with the said line of the alley South 26°48'58" East a distance of 70.43 feet to the point of beginning. Containing 815 square feet, more or less.

REFERENCE to the aforesaid deed and plat and all prior deeds and plats of the above property is hereby made for a more definite description of the property hereby granted and conveyed, or for any other purpose, to the same extent as though herein more fully set forth.

TOGETHER WITH the buildings and improvements thereon and all the rights, ways, alleys, waters, roads, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto Union Realty, L.L.C., its representatives and assigns, forever in fee simple.

AND the said Grantor does hereby covenant that it will execute such other and further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the said City of Salisbury the day and year first above written.

ATTEST

CITY OF SALISBURY

Kimberly R. Nichols, Clerk

By: Jacob R. Day, Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2021, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day, Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____

NO TITLE SEARCH REQUESTED OR PERFORMED

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

S. Mark Tilghman, City Solicitor

NO TITLE SEARCH REQUESTED OR PERFORMED

EXHIBIT A

NO TITLE SEARCH REQUESTED OR PERFORMED

THIS QUITCLAIM DEED, made this ____ day of _____, in the year Two Thousand and Twenty-One, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Arapaho Realty, L.L.C., Grantee.

WHEREAS, by Ordinance No. ____ passed at a meeting of the Council of the City of Salisbury, on the ____ day of _____, 2021, the City of Salisbury closed and vacated a portion of an alley located between Washington Street and Eastern Shore Drive, being shown as a bold outlined area on a plat entitled Alley Closing Washington Street Eastern Shore Drive dated June 19, 2019, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. _____, authorized to convey to Arapaho Realty, L.L.C., all of its right, title and interest, in and to that portion of the alley, shown and labeled as Parcel 2, on the said plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Arapaho Realty, L.L.C., its representatives and assigns, the following property described as Parcel 2, which shall be added to existing Parcel No. 2085 (Tax ID No. 13-030685), that is currently owned by the Grantee: The property being conveyed herein is:

ALL that lot or parcel of land situate, lying and being in the Camden Election District, City of Salisbury, Wicomico County, State of Maryland, located on the Southerly side of and binding upon Washington Street, Northeast of Parcel No. 2085, and is more particularly described as follows:

PARCEL 2: Beginning for the same at a point on the southerly right of way line of Washington Street at the northwesterly corner of a 20 foot wide alley. Said point being 70.82 feet westerly from the intersection of the westerly right of way line of Eastern Shore Drive and the said line of Washington Street. (1) Thence by and with the said line of Washington Street South 73°41'54" East a distance of 13.70 feet to a point at the centerline of the said alley. (2) Thence by and with the said line of the alley South 26°48'58" East a distance of 8.90 feet to a point. (3) Thence South 63°11'02" West a distance of 10.00 feet to a point on the southwesterly line of the said alley. (4) Thence by and with the said line of the alley North 26°48'58" West a distance of 18.26 feet to the point of beginning. Containing 136 square feet, more or less.

REFERENCE to the aforesaid deed and plat and all prior deeds and plats of the above property is hereby made for a more definite description of the property hereby granted and conveyed, or for any other purpose, to the same extent as though herein more fully set forth.

NO TITLE SEARCH REQUESTED OR PERFORMED

TOGETHER WITH the buildings and improvements thereon and all the rights, ways, alleys, waters, roads, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto Arapaho Realty, L.L.C., its representatives and assigns, forever in fee simple.

AND the said Grantor does hereby covenant that it will execute such other and further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the said City of Salisbury the day and year first above written.

ATTEST

CITY OF SALISBURY

Kimberly R. Nichols, Clerk

By: Jacob R. Day, Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2021, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day, Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: _____

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

S. Mark Tilghman, City Solicitor

NO TITLE SEARCH REQUESTED OR PERFORMED

EXHIBIT A

NO TITLE SEARCH REQUESTED OR PERFORMED

62.00059

MEMORANDUM

TO: Julia Glanz, City Administrator

FROM: Peter Golba, Office of the City Solicitor

DATE: March 5, 2021

SUBJECT: Alley by Eastern Shore Drive to Union Realty, LLC and Arapaho Realty, LLC

This City previously surplused and transferred a residual, unusable lot on Eastern Shore Drive to the neighboring lot owner, Union Realty, LLC. This transfer was approved in Resolution 2819.

There is a paper alley between the residual lot and the parcel owned by Union Realty, LLC. We are now seeking to abandon that paper alley and convey the alley to the abutting lot owners, Union Realty, LLC and Arapaho Realty, LLC.

If you have any questions, please do not hesitate to call us.

Thank you

RESOLUTION NO. 2819

A RESOLUTION OF THE CITY OF SALISBURY DONATING REAL PROPERTY LOCATED ON EASTERN SHORE DRIVE, SALISBURY, MARYLAND TO UNION REALTY, LLC.

WHEREAS, the City of Salisbury desires to donate the real property located on the west side of and binding on Eastern Shore Drive, Map 0112, Parcel 2084, as shown on Exhibit A, in Salisbury, Maryland; and

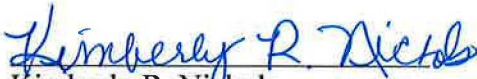
WHEREAS, the square footage of this vacant land is only 1,375, which does not make it a buildable lot, and the City of Salisbury does not wish to maintain a property that holds no value; and


WHEREAS, Union Realty, LLC owns the property next to this vacant lot, Map 0112, Parcel 2086, as shown on Exhibit A and has agreed to accept the said property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salisbury, Maryland does hereby approve the donation of the real property located on Eastern Shore Drive, Map 0112, Parcel # 2084, Salisbury, Maryland from the City of Salisbury to Union Reality, LLC, contingent upon approval of the legal description of said property by the City Solicitor.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 12th day of March, 2018 and is to become effective immediately upon adoption.

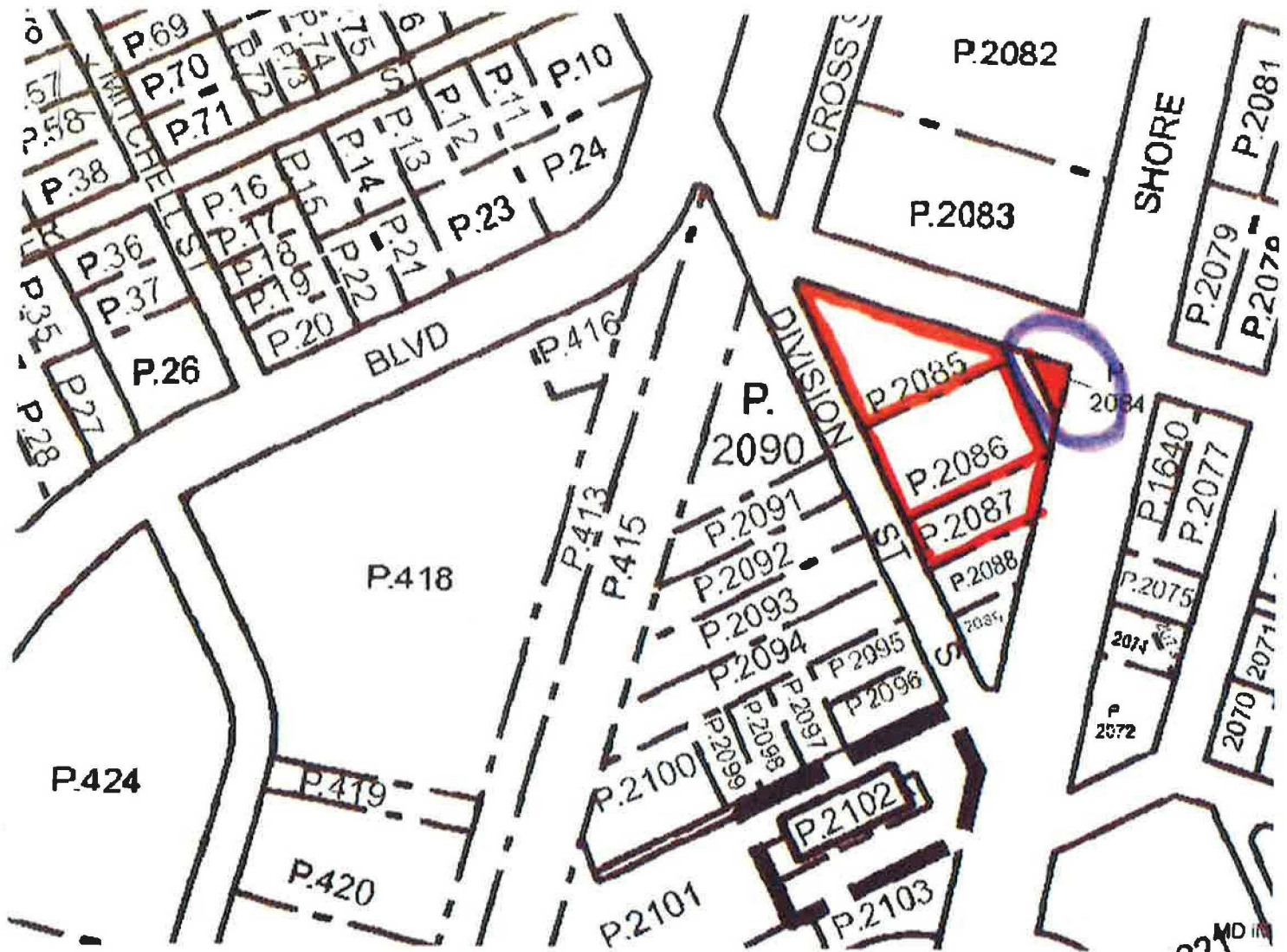
ATTEST:


Kimberly R. Nichols
CITY CLERK


John R. Heath
PRESIDENT, City Council

APPROVED by me this 13th day of MARCH, 2018.


Jacob R. Day, Mayor



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

EXHIBIT A



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Julia Glanz, City Administrator
From: Andy Kitzrow, Deputy City Administrator
Subject: Donation of Eastern Shore Drive Lot, Parcel #2084
Date: March 7, 2018

Attached is the resolution donating a vacant lot on Eastern Shore Drive (parcel #2084), owned by the City of Salisbury, to Union Realty, LLC, the adjoining property owner. The lot is only 1,375 square feet, limiting redevelopment opportunities for the City of Salisbury. Currently, there are no structures on the land and the City has no future plans of development.

[View Map](#)

[Print Assessment](#) [Print Parcel Page](#)

Account Identifier: District: 13 Account Number: 057427

Owner Name:	SALISBURY CITY OF	Use:	EXEMPT COMMERCIAL
Mailing Address:	125 N DIVISION ST SALISBURY MD 21801-5030	Principal Residence:	NO
		Deed Reference:	

Premises Address:	EASTERN SHORE DR SALISBURY 21801-0000	Legal Description:	L-1,375 SQFT WS EASTERN SHORE DR CITY OF SALIS
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Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0112	0007	2084		0000				2016	Plat Ref:

Special Tax Areas:	Town:	SALISBURY
	Ad Valorem:	
	Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area 1,375 SF	County Use
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Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
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	Base Value	Value As of 01/01/2016	Phase-In Assessments As of 07/01/2017	As of 07/01/2018
Land:	9,700	10,300		
Improvements	0	0		
Total:	9,700	10,300	10,100	10,300
Preferential Land:	0			0

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Partial Exempt Assessments:	Class	07/01/2017	07/01/2018
County:	680	10,100.00	10,300.00
State:	680	10,100.00	10,300.00
Municipal:	680	10,100.00 10,300.00	10,100.00 10,300.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Status: No Application

Homeowners' Tax Credit Application Status: No Application

Date: