

RESOLUTION NO. 2777

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING A DONATION OF A PROPERTY ON FITZWATER STREET FROM THE SALISBURY DEVELOPMENT GROUP, LLC.

WHEREAS, the Council of the City of Salisbury declared the Port of Salisbury Marina surplus property on January 14, 2016; and

WHEREAS, the Council of the City of Salisbury passed Resolution No. 2639 to accept the bid from Salisbury Development Group, LLC for the redevelopment of the Port of Salisbury Marina; and

WHEREAS, the Salisbury Development Group, LLC requested that the City relocate the Fitzwater Street Sewage Pumping Station to a location off of the marina property; and


WHEREAS, the Salisbury Development Group, LLC would like to donate the property to the City for the relocation of the Fitzwater Street Sewage Pumping Station; and

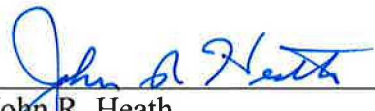
WHEREAS, the property is 6351 Fitzwater Street (Tax Map 0106, Grid 0016, Parcel 1314).

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland does hereby accept the donation of a property on Fitzwater Street for the purpose of relocating the Fitzwater Street Sewage Pumping Station valued at a maximum of approximately \$35,00.00, said acceptance is contingent on the property having clear title and no environmental contamination or other hazardous material in or on the property and payment of the \$25,000 donation as specified in section 4.3 of the Land Donation Contract dated July 7, 2016.

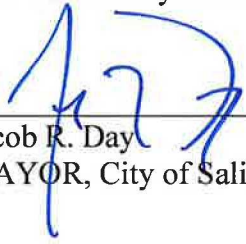
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on October 9<sup>th</sup>, 2017 and is to become effective immediately upon adoption.

ATTEST:

  
Kimberly R. Nichols  
CITY CLERK


  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 10<sup>th</sup> day of OCT, 2017

  
Jacob R. Day  
MAYOR, City of Salisbury



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator  
From: Amanda Pollack, P.E., Director of Infrastructure and Development   
Date: September 28, 2017  
Re: Resolution to accept donation of property on Fitzwater Street

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The City of Salisbury recently declared the Port of Salisbury Marina as surplus and entered into an agreement with Salisbury Development Group, LLC to redevelop the property. As part of the redevelopment, the Developer asked the City to relocate the existing Fitzwater Sewage Pump Station to property on the north side of Fitzwater Street that they will donate to the City. Attached is a Resolution for consideration to accept the donation of a property on Fitzwater Street from Salisbury Development Group, LLC at a value of \$35,000.

Unless you or the Mayor has further questions, please forward a copy of this memo to the City Council.

# LONG BADGER & SELLER LLP

*Attorneys at Law*

JOHN B. LONG II  
JEFFREY E. BADGER  
J. GARRETT SELLER  
JOHN P. CUSTIS  
ANGIE DIPIETRO

124 EAST MAIN STREET  
P. O. Box 259  
SALISBURY, MARYLAND 21803-0259

PHONE: (410) 749-2356  
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E-MAIL: JOHN@CUSTISLAWOFFICE.COM

JOHN WILLIAM LONG  
-1914-1986-

WEBSITE:  
WWW.LONGBADGER.COM

October 3, 2017

The Honorable Jacob R. Day  
Mayor, City of Salisbury, Maryland  
125 N. Division Street, Room 304  
Salisbury, Maryland 21801-4940

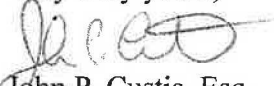
RE: Salisbury Development Group, LLC  
Donation of Real Property – Fitzwater Street

Dear Mayor Day:

I hope this letter finds you well. I am happy to let you know that my client, Salisbury Development Group, LLC, under Article IV of the Land Disposition Agreement for the Salisbury Marina Project, intends on closing this week on the Fitzwater Street parcel that is to be donated to the City shortly after closing. We believe, based on market conditions, the contract of sale, and other facts, that the value of this lot is in excess of Thirty-Five Thousand and 00/00 Dollars (\$35,000.00). I have attached hereto for your ready reference a draft of the deed by which my client intends to gift the property to the City.

Mr. Mayor, this is an exciting time for Salisbury and we look forward to getting started with this wonderful and exciting project. Thank you for all you and the City Council are doing for our City.

Very truly yours,



John P. Custis, Esq.

Enclosure

THIS GIFT DEED is made this \_\_\_\_\_ day of October, 2017, by **SALISBURY DEVELOPMENT GROUP, LLC**, a limited liability company organized and existing under the laws of the State of Delaware, hereinafter referred to as “*Grantor*”, witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of ZERO DOLLARS (\$0.00) and other good, valuable and sufficient consideration, the said Grantor does hereby grant and convey unto **THE CITY OF SALISBURY**, a Municipal Corporation of the State of Maryland, hereinafter referred to as Grantee; forever in fee simple, all of their right, title and interest in and to the following described property:

All that lot or parcel of land situate in the City of Salisbury, in Salisbury Election District, Wicomico County, State of Maryland located on and binding upon the North side of and binding upon Fitzwater Street, and on the East side and binding upon Pearl Street, and being more particularly shown and designated as “Lot 1” on the Plat entitled “Resubdivision Plat of Parcel 1313 and 1314”, containing 0.35 acres of land, more or less, made by Parker & Associates, Inc., revised dated August 15, 2016, and recorded among the Land Records of Wicomico County, Maryland in Plat Cabinet M.S.B. No. 16, Folio 807. AND BEING the same land conveyed unto Salisbury Development Group, LLC by Virginia Lee Hancock Malone and Nancy Leer (formerly known as Nancy Lynn Hancock), by and through her Attorney-in-Fact, Virginia Malone, by Deed dated \_\_\_\_\_, and recorded among the aforesaid Land Records in Liber \_\_\_\_\_, Folio \_\_\_\_\_.

Property Address: 6351 Fitzwater St., Salisbury, MD 21801  
Tax ID# 09-046852

REFERENCE to said deeds, plats and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantee, **THE CITY OF SALISBURY**.

NO TITLE SEARCH MADE OR REQUESTED

LAW OFFICES  
LONG BADGER & SHELLER LLP

124 EAST MAIN STREET  
P.O. BOX 259  
SALISBURY, MARYLAND  
21801-0259

(410) 749-2356  
FAX (410) 749-8731

AS WITNESS my hand and seal the day and year first above written.

WITNESS:

Salisbury Development Group, LLC

By: \_\_\_\_\_ (SEAL)

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY, that on this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, the undersigned officer, personally appeared \_\_\_\_\_ of Salisbury Development Group, LLC, known to me to be the person whose name is subscribed unto the within instrument and they acknowledged that they executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantors certify under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$-0- as this is a gift transfer and is exempt from Recordation Tax per Tax Property Article Section 12-108 (a) (1) (iv) and exempt from Transfer Tax per 13-207 (a) (1) of the Annotated Code of Maryland as a Transfer to government or public agency.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Date: \_\_\_\_\_

\_\_\_\_\_  
John P. Custis Attorney-at-Law

LAW OFFICES  
LONG BADGER & SELLER LLP

124 EAST MAIN STREET  
P.O. BOX 259  
SALISBURY, MARYLAND  
21803-0259

(410) 749-2356  
FAX (410) 749-8731

HAND DELIVER  
TO  
Long Badger &  
Sheller LLP

THIS GIFT DEED is made this 17<sup>th</sup> day of October, 2017, by **SALISBURY DEVELOPMENT GROUP, LLC**, a limited liability company organized and existing under the laws of the State of Delaware, hereinafter referred to as "**Grantor**", witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of ZERO DOLLARS (\$0.00) and other good, valuable and sufficient consideration, the said Grantor does hereby grant and convey unto **THE CITY OF SALISBURY**, a Municipal Corporation of the State of Maryland, hereinafter referred to as Grantee; forever in fee simple, all of their right, title and interest in and to the following described property:

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Property Address: 6351 Fitzwater St., Salisbury, MD 21801  
Tax ID# 09-046852

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TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantee, **THE CITY OF SALISBURY**.

NO TITLE SEARCH MADE OR REQUESTED

LAW OFFICES  
LONG BADGER & SELLER LLP

124 EAST MAIN STREET  
P.O. BOX 259  
SALISBURY, MARYLAND  
21801-0259

(410) 749-2336  
FAX (410) 749-8711



HAND DELIVER  
TO  
Long Badger &  
Sheller LLP

THIS GIFT DEED is made this 17<sup>th</sup> day of October, 2017, by **SALISBURY DEVELOPMENT GROUP, LLC**, a limited liability company organized and existing under the laws of the State of Delaware, hereinafter referred to as "**Grantor**", witnesseth:

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NO TITLE SEARCH MADE OR REQUESTED

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LONG BADGER & SHELTER LLP

124 EAST MAIN STREET  
P.O. BOX 239  
SALISBURY, MARYLAND  
21803-0239

(410) 749-2356  
FAX (410) 749-8731

AS WITNESS my hand and seal the day and year first above written.

WITNESS:

Michelle M. Long

Salisbury Development Group, LLC

By: [Signature] (SEAL)  
Warren Diamond, Manager

STATE OF MARYLAND, COUNTY OF WICOMICO:

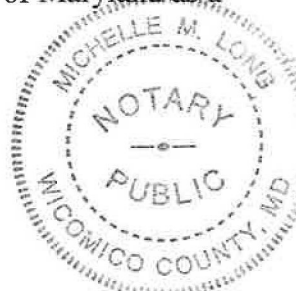
I HEREBY CERTIFY, that on this 17<sup>th</sup> day of October, 2017, before me, the undersigned officer, personally appeared Warren Diamond Manager of Salisbury Development Group, LLC, known to me to be the person whose name is subscribed unto the within instrument and he/she acknowledged that he/she, as Manager of Salisbury Development Group, LLC, executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantors certify under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$-0- as this is a gift transfer and is exempt from Recordation Tax per Tax Property Article Section 12-108 (a) (1) (iv) and exempt from Transfer Tax per 13-207 (a) (1) of the Annotated Code of Maryland as a Transfer to government or public agency.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

10/19/19

Michelle M. Long  
Notary Public



The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Date: 10-17-17

[Signature]  
John P. Custis

Attorney-at-Law

I hereby certify that Personal Property, Real Estate Taxes prior to Fiscal Year 2002, and all municipal obligations are paid on the property covered by this deed in accordance with the Annotated Code of Maryland.  
Keith Cadogan  
Finance Director, Salisbury MD

☒ Water Dept. Act. land only  
Date 11/12/18 Per CMC  
Keith Cadogan  
Finance Director, Salisbury MD

LAW OFFICES  
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P.O. BOX 259  
SALISBURY, MARYLAND  
21803-0259

(410) 749-2356  
FAX (410) 749-8731

I HEREBY CERTIFY THAT TAXES ARE PAID ON THE PROPERTY COVERED BY THIS DEED AS WELL AS ANY OTHER TAXES WHICH SHOULD BE COLLECTED BEFORE TRANSFER OF SAME PURSUANT TO SECTION 14 ARTICLE 21 OF THE ANNOTATED CODE OF MARYLAND.  
DAWN MITCHELL PARKS  
DIRECTOR OF FINANCE  
WICOMICO COUNTY, MARYLAND  
1-12-18 AL DATE



Recordation Tax Paid  
Department of Finance

Date 1-12-18  
Initials AL

APPROVAL OF  
CITY ENGINEER  
CITY OF SALISBURY  
NON-APPLICABLE



## DOCUMENT VALIDATION

Mark S. Bowen, Clerk  
Circuit Court for Wicomico County  
101 North Division Street  
PO Box 198  
Salisbury, MD 21803-0198  
(410) 543-6551

LR - Deed (No-Taxes)  
Recording Fee 20.00  
Name: salisbury  
development/city of  
salisbury  
Ref:  
LR - Deed (No-Taxes)  
Surcharge 40.00  
=====

SubTotal:	60.00
=====	
Total:	60.00

21/12/2018 11:32  
CC22-JT  
#9682795 CC0103 -  
Wicomico  
County/CC01.03.02 -  
Register 02

Received for Record JAN 12 2018  
and Recorded in the Land Records of  
Wicomico County, Maryland

*Mark S. Bowen*

Clerk

# State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County WICOMICO

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.  
(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

<b>1</b>	<b>Type(s) of Instruments</b>	( <input type="checkbox"/> Check Box if addendum Intake Form is Attached.)			
		<input checked="" type="checkbox"/> Deed Deed of Trust	<input type="checkbox"/> Mortgage Lease	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____
<b>2</b>	<b>Conveyance Type Check Box</b>	<input type="checkbox"/> Improved Sale Arms-Length [1]	<input type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms-Length Sale [9]
<b>3</b>	<b>Tax Exemptions (if applicable)</b> Cite or Explain Authority	<b>Recordation</b>	GIFT DEED		
		<b>State Transfer</b>	GIFT DEED		
		<b>County Transfer</b>			

<b>4</b>	<b>Consideration and Tax Calculations</b>	<b>Consideration Amount</b>		<b>Finance Office Use Only</b>	
				<b>Transfer and Recordation Tax Consideration</b>	
		Purchase Price/Consideration	\$ 0.00	Transfer Tax Consideration	\$
		Any New Mortgage	\$	X ( ) % =	\$
		Balance of Existing Mortgage	\$	Less Exemption Amount -	\$
		Other:	\$	Total Transfer Tax =	\$
		Other:	\$	Recordation Tax Consideration	\$
		Full Cash Value:	\$	X ( ) per \$500 =	\$
		<b>TOTAL DUE</b>		\$	

<b>5</b>	<b>Fees</b>	<b>Amount of Fees</b>	<b>Doc. 1</b>	<b>Doc. 2</b>	Agent:  Tax Bill:  C.B. Credit:  Ag. Tax/Other:
		Recording Charge	\$ 20.00	\$	
		Surcharge	\$ 40.00	\$	
		State Recordation Tax	\$	\$	
		State Transfer Tax	\$	\$	
		County Transfer Tax	\$	\$	
		Other	\$	\$	
		Other	\$	\$	

<b>6</b>	<b>Description of Property</b> SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	<b>District</b>	<b>Property Tax ID No. (1)</b>	<b>Grantor Liber/Folio</b>	<b>Map</b>	<b>Parcel No.</b>	<b>Var. LOG</b>	
		09	046852	4240/272	0106	1314	(5)	
		<b>Subdivision Name</b>		<b>Lot (3a)</b>	<b>Block (3b)</b>	<b>Sect/AR (3c)</b>	<b>Plat Ref.</b>	<b>SqFt/Acreage (4)</b>
				1			16/807	
		<b>Location/Address of Property Being Conveyed (2)</b>						
		6351 FITZWATER ST., SALISBURY, MD 21801						
		<b>Other Property Identifiers (if applicable)</b>					<b>Water Meter Account No.</b>	
		<b>Residential <input type="checkbox"/> or Non-Residential <input checked="" type="checkbox"/></b>					<b>Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount:</b>	
		<b>Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</b>					<b>Description/Amt. of SqFt/Acreage Transferred:</b>	
If Partial Conveyance, List Improvements Conveyed:								

<b>7</b>	<b>Transferred From</b>	<b>Doc. 1 – Grantor(s) Name(s)</b>	<b>Doc. 2 – Grantor(s) Name(s)</b>
		SALISBURY DEVELOPMENT GROUP, LLC	
		<b>Doc. 1 – Owner(s) of Record, if Different from Grantor(s)</b>	<b>Doc. 2 – Owner(s) of Record, if Different from Grantor(s)</b>

<b>8</b>	<b>Transferred To</b>	<b>Doc. 1 – Grantee(s) Name(s)</b>	<b>Doc. 2 – Grantee(s) Name(s)</b>
		THE CITY OF SALISBURY	
		<b>New Owner's (Grantee) Mailing Address</b>	
		125 N. DIVISION ST., ROOM 305, SALISBURY, MD 21801	

<b>9</b>	<b>Other Names to Be Indexed</b>	<b>Doc. 1 – Additional Names to be Indexed (Optional)</b>	<b>Doc. 2 – Additional Names to be Indexed (Optional)</b>

<b>10</b>	<b>Contact/Mail Information</b>	<b>Instrument Submitted By or Contact Person</b>		<input checked="" type="checkbox"/> Return to Contact Person
		Name: JOHN P. CUSTIS/ MICHELLE LONG		<input type="checkbox"/> Hold for Pickup  <input type="checkbox"/> Return Address Provided
		Firm LONG BADGER & SELLER LLP		
		Address: 124 E. MAIN ST., SALISBURY, MD 21801		
		Phone: (410) 749-2356		

<b>11</b>	<b>IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</b>
	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Will the property being conveyed be the grantee's principal residence?

# LONG BADGER & SELLER LLP

*Attorneys at Law*

JOHN B. LONG II  
JEFFREY E. BADGER  
J. GARRETT SELLER  
ANGELA D. DIPIETRO  
JOHN P. CUSTIS

124 EAST MAIN STREET  
P. O. Box 259  
SALISBURY, MARYLAND 21803-0259

PHONE: (410) 749-2356  
FAX: (410) 749-8731

E-MAIL: [mlong@longbadger.com](mailto:mlong@longbadger.com)

JOHN WILLIAM LONG  
-1914-1986-

WEBSITE:  
[WWW.LONGBADGER.COM](http://WWW.LONGBADGER.COM)

March 16, 2018

The City of Salisbury  
125 N. Division St., Room 305  
Salisbury, MD 21801

RE: 6351 Fitzwater St., Salisbury, MD

Ladies and Gentlemen:

Enclosed, please find the original recorded Gift Deed which transfers the above-referenced property from Salisbury Development Group, LLC to The City of Salisbury.

Please feel free to contact me if you have any questions.

Sincerely,

  
Michelle Long

Enclosure