

RESOLUTION NO. 2871

A RESOLUTION OF THE CITY OF SALISBURY FOR THE PURPOSE OF SURPLUSING AND DONATING THE CITY-OWNED REAL PROPERTY LOCATED ON WEST ZION ROAD, SALISBURY, MARYLAND TO TOP NOTCH METAL FRAMING, LLC, AND CHARLES HOLLAND.

WHEREAS, the City of Salisbury desires to donate the real property located on the west side of and binding on West Zion Road, deeded to the City May 2, 1989, as shown on Exhibit A, in Salisbury, Maryland; and

WHEREAS, the vacant land was for the future widening of West Zion Road which now ends in a cul-de-sac abutting the Salisbury Bypass, as shown in Exhibit B; and

WHEREAS, the City has no future plans for developing this land or widening West Zion Road due to the Bypass; and

WHEREAS, the square footage of this vacant land is approximately 13,360, and the City of Salisbury does not wish to maintain a property that holds no development potential or value; and

WHEREAS, the City of Salisbury wishes to return this property to the tax rolls; and

WHEREAS, upon the recommendation of the Director of Procurement, the City of Salisbury hereby declares the vacant lot, identified as Lots 12 and 13 on Tax Map 0101, Parcel 5457, as surplus property; and

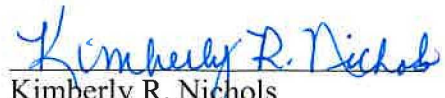
WHEREAS, the City of Salisbury, pursuant to SC 16-8 et seq. and Chapter 2.36 of the City Code, has the right to offer at public sale surplus property and make awards in the best interest of the City; and

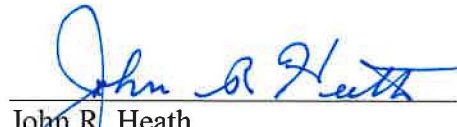
WHEREAS, Top Notch Metal Framing, LLC and Charles Holland own the property next to this vacant land, Map 0101, Parcel 5457, Lots 12 and 13 as shown on Exhibit C and have agreed to accept the said property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salisbury, Maryland does hereby surplus the property on West Zion Road as shown on Exhibit C and approves the transfer of the real property located on West Zion Road, Salisbury, Maryland from the City of Salisbury to the adjoining land owners, Top Notch Metal Framing, LLC and Charles Holland contingent upon approval of the legal description of said property by the City Solicitor.

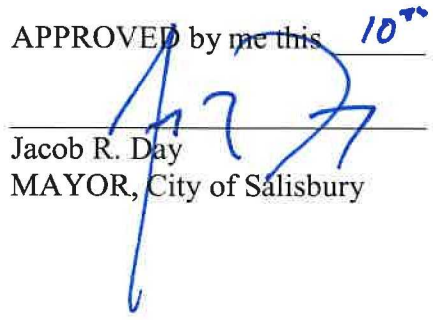
THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 8<sup>th</sup> day of October, 2018 and is to become effective immediately upon adoption.

ATTEST:

  
Kimberly R. Nichols  
CITY CLERK

  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 10<sup>th</sup> day of OCTOBER, 2018

  
Jacob R. Day  
MAYOR, City of Salisbury



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

To: Julia Glanz, City Administrator  
From: Anne Roane, City Planner *AR*  
Date: September 18, 2018  
Re: Resolution to allow the City to donate property located on West Zion Road

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This proposed Resolution will allow the City to donate real property located on West Zion Road to Top Notch Metal Framing. The property consists of a 30' wide strip of land adjacent to the West Zion Road right-of-way. The City was deeded this property in 1989 for the future widening of West Zion Road. Since that time the Rt. 50 Bypass was constructed. This resulted in creating a cul-de-sac at the end of West Zion Road. There is no need to widen this roadway since it is no longer a thoroughfare. The 30' strip of land has no development potential or value to the City, however it does to Top Notch Metal Framing, as they are developing the adjacent two lots. We recommend declaring the property to have no value to the City and donating it to the adjunct property owner.

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

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THIS DEED, made this 2nd day of

May, 1989, by NORTHWOOD LIMITED PARTNERSHIP, a Maryland limited partnership, MORRIS A. BOZMAN and CHARLES A. BRUCE, JR., TRUSTEES FOR PENINSULA BANK, and PENINSULA BANK, a corporation organized under the laws of the State of Maryland, "GRANTORS".

## WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of No Dollars and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said NORTHWOOD LIMITED PARTNERSHIP, MORRIS A. BOZMAN and CHARLES A. BRUCE, JR., TRUSTEES FOR PENINSULA BANK, and PENINSULA BANK, do hereby grant and convey unto the CITY OF SALISBURY, a municipal corporation of the State of Maryland, its successors and assigns, in fee simple, all those parcels of land situate, lying and being in the City of Salisbury, Salisbury Election District, Wicomico County, State of Maryland, on the Westerly side of and binding upon West Zion Road and more particularly shown and designated as "Reserved for Future Dedication" and on the Westerly side of and binding upon West Zion Road on a plat entitled "Resubdivision For Northwood Limited Partnership", made by Oswald Hilderson, dated September 6, 1988, and recorded among the Land Records of Wicomico County, Maryland, in Plat Cabinet A.J.S. No. 9, Folio 21/82; being a part of the same property conveyed unto Northwood Limited Partnership by Jane A. Trescot Slingerland, et al., by deeds dated December 23, 1986, and recorded among the Land Records aforesaid in Liber A.J.S. No. 1089, Folio 864 and 868.

REFERENCE to said deed, plat and to precading deeds of the property hereby conveyed and to the references therein

*RJD*  
LAW OFFICES  
EATON & WIDDOWSON,  
P.A.  
121 East Market Street  
P.O. Box 41  
Salisbury, MD 21801  
(301) 749-1530

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3709CLIK  
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WICOMICO COUNTY CIRCUIT COURT Land Records WSB-1219, p. 0006-WSA, CE-100-1193 Date available 07/11/2005. Printed 09/7/2018.

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contained 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 wise appertaining.

TO HAVE AND TO HOLD the parcels of land hereinbefore described unto and to the use of the said the CITY OF SALISBURY, a municipal corporation of the State of Maryland, its successors and assigns, forever in fee simple.

AND the said NORTHWOOD LIMITED PARTNERSHIP hereby covenants that it has done no act to encumber said land; that it will warrant specially the property hereby conveyed and that it will execute such other and further assurances of the same as may be requisite.

AS WITNESS the due execution hereof the day and year first above written.

ATTEST:

Pat A. Quinn  
Asst. Sec.

NORTHWOOD LIMITED PARTNERSHIP

BY: BTR Northwood, Inc.  
General Partner

By: Vernon D. Kalkman (SEAL)  
Vernon D. Kalkman  
President

WITNESS: As to Trustees

Donnie A. Dine

Morris A. Bozman (SEAL)

Charles A. Bruce, Jr. (SEAL)  
Charles A. Bruce, Jr.  
Trustees

ATTEST:

Victor H. Dryden

PENINSULA BANK

By: Victor H. Dryden (SEAL)  
Victor H. Dryden  
Vice President

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

April I HEREBY CERTIFY, that on this 27th day of April, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Vernon D. Kalkman who acknowledged himself to be the President of BTR Northwood, Inc., General Partner of Northwood Limited Partnership, and that he, on behalf of such General Partner, being authorized so to do, executed the forgoing instrument

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PA  
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(301) 746-1630

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for the purposes therein contained by signing the name of the partnership by himself, as President of the General Partner of Northwood Limited Partnership, and, at the same time, the said Vernon D. Kalkman, as President of BTR Northwood, Inc., General Partner of Northwood Limited Partnership, certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all, or substantially all, of the property and assets of said corporation; and, at the same time, the said Vernon D. Kalkman certified 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 "NONE".

IN WITNESS WHEREOF, I hereunto set my hand and  
Notarial Seal.



Notary Public

My commission expires 7/1/90

STATE OF MARYLAND, COUNTY OF SOMERSET:

ON THIS, the 11th day of May, 1989, before me, the undersigned officer, personally appeared Morris A. Bozman and Charles A. Bruce, Jr., of the State and County aforesaid, known to me, or satisfactorily proven, to be the persons described in the foregoing instrument and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and  
Notarial Seal.



Notary Publ

My commission expires 7/1/90

I HEREBY CERTIFY THAT TAXES ARE PAID ON  
THE PROPERTY COVERED BY THIS DEED IN MARYLAND, COUNTY OF SOMERSET:  
WELL AS ANY OTHER TAXES WHICH SHOULD  
BE COLLECTED BEFORE TRANSFER OF SAME. ON THIS, the 11th day of  
PURSUANT TO SECTION 11-103 OF THE  
ANNOTATED CODE OF MARYLAND, I, James H. Pearson, who acknowledged

ANNOTATED CODE OF MARYLAND  
§ 5-106  
C. JOSEPH SCHILLER, President of Peninsula Bank, a body corporate, and  
DIRECTOR OF PENINSULA BANK, he, as such Vice President, being authorized  
WICOMICO COUNTY MARYLAND  
to do, executed the foregoing instrument for the purposes  
therein contained by signing the name of the corporation by  
himself, as Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and  
Notarial Seal.



Notary Public

My commission expires 7/1/90

RECEIVED FOR THE  
State Department of  
Assessments & Taxation  
for Wilcox County

MS 5/25/96

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APPROVAL OF  
CITY ENGINEER  
CITY OF SALISBURY  
NON-APPLICABLE

FOR RELEASE SEE LIBER M.S.B. NO. 74278, FOLIO 656.

Received for Record 1/24/99 and recorded in the  
Lend Records of Wicomico County, Maryland in Liber M.S.B.  
No. 1019 Folios 8-10

Franklin, N. Eaton. Atty 7-19. Mark S. Brown Clerk





