

**RESOLUTION NO. 3186**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY TO  
AUTHORIZE THE MAYOR TO ENTER INTO, ON BEHALF OF THE CITY OF  
SALISBURY, A DEED FOR THE ABANDONMENT OF AN UNIMPROVED  
PAPER ROAD AND A CORRESPONDING EASEMENT**

**WHEREAS**, SC11-2 of the Charter of the City of Salisbury (the “**Charter**”) grants the City of Salisbury (the “**City**”) exclusive authority over all public ways located within the municipal boundaries of the City; and

**WHEREAS**, the City, is the owner of a certain piece or parcel of land described as the “Relocated Johnson Road” by deed from JWC Johnson Road, LLC, et al., by deed dated April 15, 2010, and recorded among the Land Records of Wicomico County, Maryland, in Liber M.S.B. No. 3184, Folio 46, et seq., said parcel of land being more particularly shown as the “Relocated Johnson Road” on the plat entitled “Subdivision of Parcel II and Dedication Plat for JWC Johnson Road, LLC, et al., T/C” made by Parker & Associates, Inc. dated January 3, 2008 and revised March 2, 2009 and recorded among the Plat Records of Wicomico County, Maryland in Plat Cabinet M.S.B. No. 15, Folio 891; and

**WHEREAS**, the City was granted certain permanent and perpetual utility easements by the Deed of Easement granted by JWC Johnson Road, LLC, et al. dated March 15, 2010 and recorded among the aforesaid Land Records in Liber M.S.B. No. 3184, Folio 54 et seq.; and

**WHEREAS**, the land originally conveyed to the City to serve as “Relocated Johnson Road” as aforesaid was never improved by the construction of street improvements, curb and gutter, storm drainage, paving or other improvements and hence amounted only to a “paper road”; and

**WHEREAS**, pursuant to the authority granted the City under SC11-2 of the Charter, the City deems it necessary and appropriate to abandon the unimproved roads identified above and terminate the corresponding easement; and

**WHEREAS**, the City’s abandonment of the roads identified above will not affect any public access to public roadways; additionally, the Road constitutes a mere “paper road” as it was never constructed or operational; and

**WHEREAS**, the Grantee identified on the attached Deed and Termination of Easement, Vantage Point Salisbury Partners I, LLC, desires that the attached Deed be executed, conveying the property identified above to Vantage Point Salisbury Partners I, LLC; and

**WHEREAS**, by this Resolution, the Council hereby authorizes the Mayor’s execution of the attached Deed on behalf of the City; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, as follows:

**Section 1.** The Mayor is hereby authorized to execute, on behalf of the City of Salisbury, the Deed and Termination of Easement, attached hereto and incorporated herein as **Exhibit A.**

**Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

**Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove and **Exhibit A** attached hereto are incorporated into this section of the Ordinance as if such recitals and **Exhibit A** were specifically set forth at length in this Section 4.

**THE ABOVE RESOLUTION** was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 12<sup>th</sup> day of September, 2022 and is to become effective immediately upon adoption.

**ATTEST:**

  
\_\_\_\_\_  
**Kimberly R. Nichols, City Clerk**

  
\_\_\_\_\_  
**John R. Heath, City Council President**

Approved by me, this 20th day of September, 2022.

  
\_\_\_\_\_  
**Jacob R. Day, Mayor**

THIS DEED AND TERMINATION OF EASEMENT, made this 20th day of September, 2022, by **THE CITY OF SALISBURY**, a body politic and corporate of the State of Maryland, hereinafter called "Grantor", witnesseth:

WHEREAS, the Grantor, the City of Salisbury, was conveyed a certain piece or parcel of land located in The City of Salisbury, Nutters Election District, Wicomico County, State of Maryland and being described as the "Relocated Johnson Road" by deed from JWC Johnson Road, LLC, et al., by deed dated April 15, 2010, and recorded among the Land Records of Wicomico County, Maryland, in Liber M.S.B. No. 3184, Folio 46, et seq., said parcel of land being more particularly shown as the "Relocated Johnson Road" on the plat entitled "Subdivision of Parcel II and Dedication Plat for JWC Johnson Road, LLC, et al., T/C" made by Parker & Associates, Inc. dated January 3, 2008 and revised March 2, 2009 and recorded among the Plat Records of Wicomico County, Maryland in Plat Cabinet M.S.B. No. 15, Folio 891; and

WHEREAS, the Grantor, the City of Salisbury, was granted certain permanent and perpetual utility easements by the Deed of Easement granted by JWC Johnson Road, LLC, et al. dated March 15, 2010 and recorded among the aforesaid Land Records in Liber M.S.B. No. 3184, Folio 54 et seq.; and

WHEREAS, the land originally conveyed to the City of Salisbury to serve as "Relocated Johnson Road" as aforesaid was never improved by the construction of street improvements, curb and gutter, storm drainage, paving or other improvements and hence amounted only to a "paper street"; and

WHEREAS, the City of Salisbury has agreed to abandon and reconvey to the within Grantee the paper street known as the "Relocated Johnson Road" as shown on the plat entitled "Resubdivision Plan – Relocated Johnson Road & Parcel 282" made by Parker & Associates, Inc. dated February 1, 2022, last revised March 3, 2022 and recorded or intended to be recorded among the Plat Records of Wicomico County contemporaneously with this deed; and

WHEREAS, the City of Salisbury has also agreed to terminate the easement and to abandon and reconvey to the within Grantee all its right, title and interest in and to the utility easements aforesaid; and

WHEREAS, the within Grantee is the owner of the lands on both sides of "Relocated Johnson Road" as a result of the deed from H&D Johnson Road, LLC to Vantage Point Salisbury Partners I, LLC dated April 16, 2019 and recorded among the aforesaid Land Records in Liber J.B.M. No. 4464, Folio 383, et seq.

**Return to: Laws, Insley & Benson, P.A.**  
**209 East Main Street**  
**Salisbury, Maryland 21801**  
**File No. 43,096**

THAT FOR AND IN CONSIDERATION of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration in hand paid, receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto **VANTAGE POINT SALISBURY PARTNERS I, LLC**, a Maryland limited liability company (hereinafter referred to as “Grantee”), its successors and assigns, the following described property:

ITEM ONE: ALL that piece or parcel of land situate, lying and being in The City of Salisbury, Nutters Election District, Wicomico County, State of Maryland, being shown as the “Relocated Johnson Road” on a plat entitled “Subdivision of Parcel II and Dedication Plat for JWC Johnson Road, LLC, et al, T/C” made by Parker & Associates, Inc. dated January 3, 2008, last revision dated March 2, 2009 and recorded among the aforesaid Land Records in Plat Cabinet M.S.B. No. 15, Folio 891, and consisting of 34,700 square feet..

BEING all and the same land conveyed to The City of Salisbury, by JWC Johnson Road, LLC, et al. by Item One of that certain Deed of Dedication dated April 15, 2010 and recorded as aforesaid in Liber M.S.B. No. 3184, Folio 46, et seq.

ITEM TWO: ALL of Grantor’s right, title and interest in and to those certain permanent and perpetual utility easements more particularly shown and depicted as “Proposed 10’ Wide City of Salisbury Utility Easement” on the plat previously referred to and recorded among the aforesaid Plat Records in Plat Cabinet M.S.B. No. 15, Folio 891.

BEING all and the same easement interests conveyed to the City by the Deed of Easement granted by JWC Johnson Road, LLC, et al. dated March 15, 2010 and recorded among the aforesaid Land Records in Liber M.S.B. No. 3184, Folio 54, et seq.

REFERENCE to said deeds, plats and instruments, and to preceding deeds to the property and the references contained therein, is hereby made for a better description of the property hereby conveyed.

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 above granted property unto the said Grantee, its successors and assigns, forever in fee simple.

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

WITNESS:

THE CITY OF SALISBURY

Kimberly R. Nichols

By: J.R.D. (SEAL)  
Jacob R. Day, Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY that on this 20th day of September, 2022, before me, the undersigned officer, personally appeared **Jacob R. Day**, Mayor of the City of Salisbury, Maryland, known to me or satisfactorily proven to be the person which name is subscribed to the within instrument, and he acknowledged that he, being duly authorized to do so, executed the same, in said capacity, for the purposes therein contained.

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

My Commission Expires:

05/28/25



Julie Ann English  
Notary Public


CERTIFICATION

I HEREBY CERTIFY that the within and foregoing instrument has been prepared by or under the supervision of the undersigned attorney authorized to practice in the State of Maryland.

\_\_\_\_\_  
Victor H. Laws, III



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

To: Julia Glanz, City Administrator  
From: Richard D. Baldwin, Director of Infrastructure and Development   
Date: August 12, 2022  
Re: Closing Paper Street - Johnson Rd  
Closing Paper Street - Summersgate

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The attached resolutions and deeds have been prepared and reviewed by legal to close the paper streets for the extension of Johnson Rd. and paper streets in the unfinished and previously platted section of Summersgate. The deeds will transfer the right of ways for Johnson Rd realignment and the unfinished section of Summersgate back to Vantage Point Partners. Legal Council discussed with the City Clerk that the closure and deeds would need to go to Council for their approval.

The closure of these paper street will not affect public access to any public roadways.

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

encl: (4)

Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
[www.salisbury.md](http://www.salisbury.md)