

RESOLUTION NO. 3218

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

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 Milton Drive (the “**Road**”), as shown on a plat entitled “Northwood”, made by Filbert M. Hitch, Registered Surveyor, dated June 11, 1949 and recorded among the Land Records for Wicomico County J.W.T.S. No. 304, Folio 41; and

WHEREAS, the land originally conveyed to the City to serve as the 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 Road identified above; and

WHEREAS, the City’s abandonment of the Road 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, Columbia Drive of America, LLC, desires that the attached Deed be executed, conveying the property identified above to Columbia Drive of America, 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, 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 13th day of February, 2023 and is to become effective immediately upon adoption.

ATTEST:


Kimberly R. Nichols, City Clerk


Muir W. Boda, City Council President

Approved by me, this 27th day of February, 2023.


John R. Heath, Acting Mayor

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: John R. Heath (SEAL)
John R. Heath, Acting Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY that on this 29th day of February, 2023, before me, the undersigned officer, personally appeared **John R. Heath**, 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: 2/28/26

Jessica M. Turner
Notary Public

Jessica M. Turner
NOTARY PUBLIC
Wicomico County
MARYLAND
MY COMMISSION EXPIRES -

Return: Cockey, Brennan
D + Maloney, P.C

THIS QUIT CLAIM DEED, made this 29 day of February, 2023, by **THE CITY OF SALISBURY**, a body politic and corporate of the State of Maryland, hereinafter called "Grantor", witnesseth:

WHEREAS, a certain road named Milton Drive ("Road") is shown on a plat entitled "Northwood", made by Filbert M. Hitch, Registered Surveyor, dated June 11, 1949 and recorded among the Land Records for Wicomico County J.W.T.S. No. 304, Folio 41; ("Northwood Plat"); and

WHEREAS, the Road, although plated, was never constructed and/or dedicated to the City of Salisbury; and

WHEREAS, the City of Salisbury has agreed to abandon and convey any interest it may have in that portion of the Road described herein to Grantee; and

WHEREAS, Grantee intends to record a Boundary Line Adjustment Plat combining Lots 1-20 of block G as shown on the Northwood Plat.

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, convey and Quit Claim unto **Columbia Drive of America, LLC**, a Maryland limited liability company (hereinafter referred to as "Grantee"), its successors and assigns, the following described property:

Beginning at a point on the northerly right of way line of Arlington Road (50' r/w) at its intersection with the westerly right of way line of Milton Drive (50' r/w).

- (1) Thence by and with the said line of Milton Drive North $2^{\circ}22'35''$ East a distance of 500.00 feet to a point on the southerly right of way line of Columbia Drive (50' r/w).
- (2) Thence by and with the said line of Columbia Drive South $87^{\circ}37'30''$ East a distance of 25.00 feet to a point at the centerline of the aforesaid Milton Drive.
- (3) Thence by and with the said centerline of Milton Drive South $2^{\circ}22'35''$ West a distance of 500 feet to a point on the aforesaid line of Arlington Road.
- (4) Thence by and with the said line of Arlington Road North $87^{\circ}37'25''$ West a distance of 25.00 feet to the point of beginning.

BEING the westerly half of Milton Drive and containing 12,500.00 square feet, more or less.

BEING more particularly shown and designated as "12,500.00 Sq. Ft. 0.29 ac. Milton Drive to be conveyed to Lots 1-20 to become Lot 1A" on a survey prepared by Parker & Associates entitled "Exhibit for Road Closure, 1803 Raymond Drive, as shown on "Northwood" for Columbia Drive of America, LLC," to be recorded among the Plat Cabinet Records simultaneously herewith, a copy of which is attached and incorporated herein.

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: John R. Heath (SEAL)
John R. Heath, Acting Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY that on this 29th day of February, 2023, before me, the undersigned officer, personally appeared **John R. Heath**, 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: 2/28/26

Jessica M. Turner
Notary Public

Jessica M. Turner
NOTARY PUBLIC
Wicomico County
MARYLAND
MY COMMISSION EXPIRES -

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.
PAMELA B. OLAND
DIRECTOR OF FINANCE
WICOMICO COUNTY, MARYLAND
7/17/23 KS DATE

APPROVAL OF
CITY ENGINEER
CITY OF SALISBURY
NON-APPLICABLE

I hereby certify that Personal Property, Real Estate Taxes billed starting FY2020 and thereafter and all municipal obligations are paid on the property covered by this deed in accordance with the Annotated Code of Maryland.
7/17/2023 Keith Cadney
Finance Director, Salisbury MD

✓ Land
Water Dept. Act. Land
Date 7/17/2023 Per KS
Keith Cadney
Finance Director, Salisbury MD



Recordation Tax Paid
Department of Finance
Date KS
Initials 7/17/23

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.



Laura E. Hay, Esquire

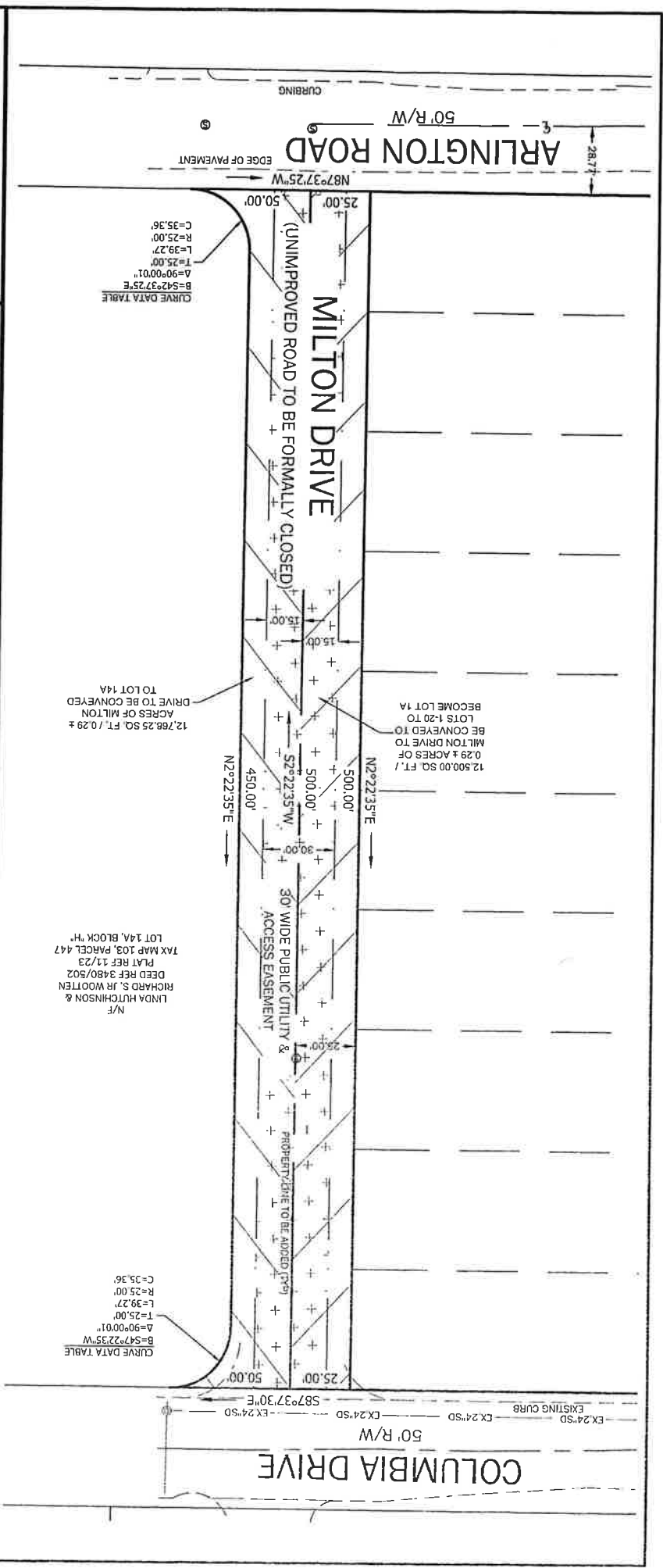


EXHIBIT FOR ROAD CLOSURE
1803 RAYMOND DRIVE
AS SHOWN ON "NORTHWOOD"
FOR COLUMBIA DRIVE OF AMERICA LLC

SALISBURY ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND

SCALE: 1" = 30'

DATE: 8/1/2022

DRAWN BY: T.J.W.

JOB NO.: S2280-EXHIBIT

TAX MAP: 103

PARCEL: 484 - 499

CIVIL ENGINEERING INC. SITE PLANNING

NOTES:
BOUNDARY LINES AS SHOWN HEREON ARE PER DEED REFERENCE 4814/402. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHT OF WAY THAT MAY BE REVEALED BY A THOROUGH TITLE SEARCH.

AUG 03, 2022-2:07pm



EXHIBIT
A

DOCUMENT VALIDATION

James B McAllister, 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: city/columbia
Ref:
LR - Deed (No-Taxes)
Surcharge 40.00
=====
SubTotal: 60.00
=====
Total: 240.00
07/20/2023 10:30
CC22-TC
#17422150 CC0103 -
Wicomico
County/CC01.03.01 -
Register 01

Received for Record JUL 20 2023
and Recorded in the Land Records of
Wicomico County, Maryland



Clerk

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Wicomico

Information provided is for the use of the Clerk's Office and State Department of Assessments and Taxation, and the County Finance Office only.

(Type or Print in Black Ink Only All Copies Must Be Legible)

1	Type(s) of Instruments	(<input type="checkbox"/> Check Box if Addendum Intake Form is Attached.)								
		1	Deed		Mortgage		Other			
			Deed of Trust		Lease		Other			
2	Conveyance Check Box	<input type="checkbox"/> Improved Sale	<input type="checkbox"/> Unimproved Sale	<input type="checkbox"/> Multiple	<input checked="" type="checkbox"/> Not an Arms- Length Sale [9]					
		<input type="checkbox"/> Arms-Length [1]	<input type="checkbox"/> Arms-Length [2]	<input type="checkbox"/> Arms Length [3]						
3	Tax Exemptions (if Applicable) Cite or Explain Authority	Recordation								
		State Transfer								
		County Transfer								
4	Consideration and Tax Calculations	Consideration		Amount		Finance Office Use Only				
		Purchase Price/Consideration		\$	0.00	Transfer and Recordation Tax Consideration				
		Any New Mortgage		\$	0.00	Transfer Tax Consideration		\$		
		Balance of Existing Mortgage		\$		x () %		=	\$	
		Other:		\$		Less Exemption Amount		-	\$	
		Other:		\$		Total Transfer Tax		=	\$	
		Full Cash Value		\$	0.00	Recordation Tax Consideration		\$		
				x () per \$500		=	\$			
				TOTAL DUE		\$				
5	Fees	Amount of Fees		Doc. 1		Doc. 2		Agent:		
		Recording Charge		\$	40.00	\$			Tax Bill:	
		Surcharge		\$	20.00	\$				
		State Recordation Tax		\$	0.00	\$			C.B. Credit:	
		State Transfer Tax		\$	0.00	\$				
		County Transfer Tax		\$	0.00	\$			Ag. Tax/Other:	
		Other		\$		\$				
Other		\$		\$						
6	Description of Property <small>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).</small>	District	Property Tax ID No.(1)	Grantor Liber/Folio		Map		Parcel No.	Var. LOG	
		09	055495	3480/502		103		491	(5)	
		Subdivision Name			Lot (3a)	Block(3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage(4)	
		0000			11-13	G			22,500 sq. ft.	
		Location/Address of Property Being Conveyed (2)								
		Other Property Identifiers (if applicable)					Water Meter Account No.			
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/>				Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/>			Amount: S/N/A	
		Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Description/Amt. of SqFt/Acreage Transferred:			N/A	
		If Partial Conveyance, List Improvements Conveyed: N/A								
7	Transferred From	Doc. 1 – Grantor(s) Name(s)				Doc. 2 – Grantor(s) Name(s)				
		The City of Salisbury								
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)				Doc. 2 – Owner(s) of Record, if Different from Grantor(s)				
8	Transferred To	Doc. 1 – Grantee(s) Name(s)				Doc. 2 – Grantee(s) Name(s)				
		Columbia Drive of America, LLC								
		New Owner's (Grantee) Mailing Address								
200 Columbia Drive, Salisbury, MD 21801										
9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)				Doc. 2 - Additional Names to be Indexed (Optional)				
10	Contact/Mail Information	Instrument Submitted By or Contact Person						<input checked="" type="checkbox"/> Return to Contact Person		
		Name: Peter J. Golba, Esquire						<input type="checkbox"/> Hold for Pickup		
		Firm: Cockey, Brennan & Maloney, P.C.								
		Address: 313 Lemmon Hill Lane, Salisbury, MD 21801								
		Phone: Telephone: 410-546-1750 Fax: 410-546-1811						<input type="checkbox"/> Return Address Provided		
11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER										

INTAKE SHEET ATTACHMENT

TAX ID #	MAP	PARCEL	LOT	ADDRESS
09-044922	103	490	14	1808 Milton Drive
09-044930	103	489	15	1810 Milton Drive
09-044949	103	488	16	1808 Milton Drive
09-044957	103	487	17	1806 Milton Drive
09-049819	103	486	18	1804 Milton Drive
09-049827	103	485	19	1802 Milton Drive
09-049835	103	484	20	Milton Drive