

ORDINANCE NO. ORD-2018-02

**AN ORDINANCE TO DECLARE CERTAIN REAL PROPERTY  
AS SURPLUS PROPERTY AND TO APPROVE THE CONVEYANCE OF SAID  
REAL PROPERTY**

BE IT ORDAINED by the County Commissioners of Washington County, Maryland (the "County"), as follows:

1. It is hereby established and declared that the real property described on Exhibit A (the "Property") is no longer needed for a public purpose or a public use.
2. The County believes that it is in the best interest of the citizens of Washington County to convey the Property, and Notice of Intention of Washington County To Convey Land was duly advertised pursuant to Section 1-301, Code of the Public Local Laws of Washington County, Maryland, in *The Herald-Mail*, a daily newspaper of general circulation, on December 12, 19, and 26, 2017.
3. The President of the Board of County Commissioners of Washington County, Maryland, and the County Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the County, a deed conveying the Property to Javed Aizaz, or assignee, for the sum of Five Hundred Thousand Dollars (\$500,000.00).

ADOPTED this 16th day of January 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

Vicki C. Lumm  
Vicki C. Lumm, Clerk

BY: Terry L. Baker  
Terry L. Baker, President

Approved as to form  
and legal sufficiency:

Kirk C. Downey  
Kirk C. Downey  
Deputy County Attorney

After recording - mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740

## EXHIBIT A

All the following described parcels of ground, together with any improvements thereon and all rights, ways, privileges, waters and appurtenances thereunto belonging or in anywise and being more particularly described as follows:

**Parcel No. 1:** All the following described tract or parcel of land situate along the South side of U.S. Route No. 40 approximately 4.5 miles Westward from the Corporate Boundary of the City of Hagerstown, in District No. 23, Washington County, Maryland.

BEGINNING at an iron pipe in the South margin of said Highway, said pipe being at the Northeast corner of the parcel of land conveyed by Walter H. Frush and Alma A. Frush, his wife, to Charles Leon Turner and wife by deed dated September 15, 1956, and recorded in Liber No. 339, folio 197, one of the Land Records of Washington County, and running thence along the margin of said Highway South 67 degrees 51 minutes East 60.67 feet to an iron pipe, thence leaving the Highway and running back therefrom parallel with the Eastern boundary of the said Turner property South 30 degrees 41 minutes West 919.80 feet to a concrete monument, thence North 58 degrees 00 minutes West 783.00 feet to a concrete monument in the Western boundary of the lands of Walter H. Frush and wife, thence with a portion of said Western boundary North 30 degrees 40 minutes East 583.87 feet to a concrete monument, thence leaving said Western boundary and running South 67 degrees 43 minutes East 477.80 feet to a concrete monument, thence South 67 degrees 30 minutes East 100.0 feet to an iron pipe, thence South 67 degrees 51 minutes East 153.0 feet to a concrete monument, thence North 30 degrees 41 minutes East 202.20 feet to the place of beginning, containing 12.0 acres of land, more or less; more particularly described in a survey by Joseph H. Seibert, prepared September 15, 1959.

**Parcel No. 2:** All the following described tract or parcel of ground situate along the Southwest side of U.S. Route No. 40 approximately 4.6 miles Westward from the Corporate Boundary of the City of Hagerstown, in District No. 23, Washington County, Maryland:

BEGINNING at a concrete monument at the Northwest corner of the parcel of land conveyed by Robert L. Frush and Ruby J. Frush, his wife, to the Grantor herein by deed dated October 5, 1959 and recorded in Liber 351, folio 580, among the Land Records of Washington County, Maryland, and running thence with a portion of the Northeastern boundary of said parcel of land South 67 degrees 43 minutes East 353.75 feet to a concrete monument, thence leaving the outlines of

said lands and binding on the parcel of land conveyed to Kenneth E. Hofe and wife by deed dated January 14, 1956 and recorded in Liber No. 306, folio 281, among the Land Records of Washington County, Maryland, North 29 degrees 28 minutes East 54.27 feet to a post at the Southeast corner of the parcel of land conveyed by Harry E. Stotler to Robert L. Willman and wife by deed dated October 5, 1944 and recorded in Liber No. 227, folio 598, among the Land Records of Washington County, Maryland, thence binding on said parcel of land North 72 degrees 32 minutes West 200.0 feet, and North 29 degrees 08 minutes East 180.5 feet into U. S. Route No. 40, thence along said Highway North 72 degrees 10 minutes West 153.12 feet, more or less, to intersect the existing fence line, thence leaving the Highway and running back therefrom along said fence line and the projection thereof South 30 degrees 40 minutes West 206.59 feet, more or less, to the place of beginning; containing 1.0 acre of land, more or less.

The above described parcels of land being all of the same property conveyed to the Board of County Commissioners of Washington County, Maryland, by the Board of Education of Washington County, Maryland, by deed dated June 30, 2016, and recorded in the Land Records of Washington County, Maryland, in Liber 5275, folio 439.

**SAVING AND EXCEPTING THEREFROM** that parcel of land containing 1.2596 acres conveyed to the Board of County Commissioners of Washington County, Maryland, dated July 6, 1982 and recorded in Liber 731, folio 85 among the Land Records of Washington County, Maryland