

ORDINANCE NO. ORD-2017-07

**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 certain real property consisting of 63 acres of land, more or less, located within the Cascade Development District and along the north side of the former Fort Ritchie Military Reservation (the "Property"), is surplus and 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 May 16, 23, and 30, 2017.

3. It has been determined that the Property will be conveyed in two parts. The first conveyance will consist of 42.29 acres of land, more or less, and is more fully described in Exhibit A attached hereto. The second conveyance will be for the remaining 20.71 acres of land, more or less, and will take place after a simplified subdivision process has occurred.

4. 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 any and all deeds conveying the Property to Cascade Town Centre Development, LLC for no monetary consideration.

ADOPTED this 13th day of June, 2017.

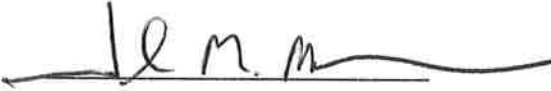
WITNESS:

Vicki L. Grimm

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

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

Approved as to form
and legal sufficiency:

A handwritten signature in black ink, appearing to read 'J.M.M.', written over a horizontal line.

John M. Martirano
County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

EXHIBIT A

Description of Surplus Property (42.29 acres)

All those two (2) parcels of land situate in Election District 14, Washington County, Maryland, and more particularly described as follows:

PARCEL NO. 1:

Beginning at a point where the westerly boundary of lands now or formerly of the United States of America (Liber 265, folio 475 Parcel No. 1) intersects the southwest margin of the CSX Railroad right of way, thence with said right of way with a curve to the right having a radius of 1,112.53 feet, an arc length of 286.62 feet and a chord bearing and distance of S33°44'59"E 285.83 feet to a point where said right of way intersect the northern boundary of lands now or formerly of Washington County Sanitary District (Liber 1109, folio 138), thence with the same S63°17'16"W 180.20 feet to a point, thence S00°50'13"E 120.04 feet to a point, thence S25°57'35"E 189.03 feet to a point, thence leaving said lands and crossing Penn Mar Road S02°18'02"E 34.04 feet to a point, thence S08°27'15"W 191.06 feet to a point at or near the shoreline of Lake Royer, thence with said shoreline S26°34'25"W 62.34 feet to a point, thence S10°18'31"W 103.90 feet to a point, thence S06°04'29"W 87.85 feet to a point, thence S11°29'36"W 96.43 feet to a point, thence S33°27'23"W 80.94 feet to a point, thence S18°00'37"W 130.29 feet to a point, thence S10°43'54"W 119.33 feet to a point, thence leaving said shoreline S41°42'28"W 140.15 feet to a point, thence N48°48'23"W 138.12 feet to a point, thence S40°42'43"W 366.68 feet to a point, thence N48°22'04"W 23.27 feet to a point, thence S52°11'20"W 431.50 feet to a point, thence N73°04'22"W 255.37 feet to a point, thence with a curve to the left having a radius of 82.06 feet, an arc length of 141.03 feet and a chord bearing and distance of S47°05'37"W 124.30 feet to a point, thence N79°06'23"W 281.41 feet to a point, thence N69°04'54"W 262.59 feet to a fence post in the western boundary of lands now or formerly of the United States of America (Liber 265, folio 475 Parcel No. 1), thence with said western boundary N31°42'28"E 117.08 feet to a concrete monument, thence N44°12'06"E 672.75 feet to a concrete monument, thence N47°51'32"E 548.56 feet to a fence post, thence N54°15'38"E 252.25 feet to a fence post, thence N39°19'33"E 352.87 feet to a fence post, thence N40°26'53"E 141.24 feet to a drill hole in a boulder, thence N38°17'07"E 517.79 feet to the place of beginning;
Containing 35.63 acres of land more or less.

PARCEL NO. 1 being all of Phase 1, Parcel No. 1 in the Quitclaim Deed from PenMar Development Corporation, a Maryland corporation, to the Board of County Commissioners of Washington County, Maryland, dated September 20, 2016 and recorded among the Land Records of Washington County, Maryland, in Liber 5329, folio 232.

PARCEL NO. 2:

Beginning at a point, said point being S74°16'04"E 541.92 feet from the end of the forty fifth or S55°10'E 735 feet line of lands now or formerly of the United States of America (Liber 265, folio 475 Parcel No. 1) as surveyed by R.F. Gauss & Associates, Inc. dated July 16, 2001 thence running through said lands with a curve to the right having a radius of 82.06 feet, an arc length of 141.03 feet and a chord bearing and distance of N47°05'37"E 124.30 feet to a point, thence S73°04'22"E 255.37 feet to a point, thence N52°11'20"E 431.50 feet to a point, thence S48°22'04"E 23.27 feet to a point, thence N40°42'43"E 366.68 feet to a point, thence S48°48'23"E 138.12 feet to a point, thence N41°42'28"E 140.15 feet to a point, thence S01°05'05"W 147.36 feet to a point, thence S39°16'23"W 251.46 feet to a point, thence S06°00'56"E 112.00 feet to a point, thence S48°28'23"W 146.32 feet to a point, thence S54°36'12"E 124.03 feet to a point, thence S37°42'20"W 231.07 feet to a point, thence N55°56'24"W 310.04 feet to a point, thence N68°20'35"W 81.19 feet to a point, thence with a curve to the left having a radius of 66.79 feet, an arc length of 113.43 feet and a chord bearing and distance of S52°06'38"W 100.28 feet to a point, thence S09°51'58"W 120.19 feet to a point, thence S12°48'34"E 74.42 feet to a point. thence S85°13'41"W 90.51 feet to a point, thence S05°43'03"E 224.41 feet to a point, thence S84°04'18"W 226.47 feet to a point. thence N05°23'36"W 413.20 feet to a point, thence N29°29'26"W 167.62 feet to the place of beginning; **Containing 10.16 acres of land more or less.**

PARCEL NO. 2 being all of Phase IV, Parcel No. 1 of the Quitclaim Deed from PenMar Development Corporation, a Maryland corporation, to the Board of County Commissioners of Washington County, Maryland, dated September 20, 2016 and recorded among the Land Records of Washington County, Maryland, in Liber 5329, folio 232.

EXCEPTING AND RESERVING: The County, hereby reserves unto itself, in fee simple, 3.50 acres more or less, being a portion of the former Fort Ritchie Military Reservation, situate along the northerly margin for Pen Mar Road that, said 3.50 acres being a naturally subdivided portion of Phase I Parcel 1 by said road more particularly described as follows:

Beginning for the outline hereof at a point on the northerly right of way line for Pen Mar Road where it intersects the twenty seventh (27) or N40°26'53"E 141.24 foot line of the grantors deed described as Parcel I Phase I in the Grantors deed dated September 20th, 2016 and recorded among the Land Records of Washington County Maryland in Liber 5329 at folio 232, and its intersection of the northerly right of way line for Pen Mar Road. Said point also being S40°26'53"E 101.98 feet from a drill hole in a boulder for the End of the aforementioned line, thence with the existing outline for Parcel 1 Phase 1 on bearings to agree with Maryland Grid (NAD83-91) in accordance with a survey performed by the Division of Engineering and Construction Management dated April 27, 2017

1. North 40 degrees 26 minutes 53 seconds East 101.98 feet to a drill hole in a boulder, thence
2. North 38 degrees 17 minutes 07 seconds East 517.79 feet to a point in the southwest margin of the CSX Railroad Right-of-Way; thence with the said right of way with a curve to the right, having a radius of 1,112.53 feet, a length of 277.70 feet, and a chord bearing and distance of
3. South 34 degrees 04 minutes 44 seconds East 276.74 feet to a point being the end of the North 63 degree 17 minute 47 second East 180.20 foot line of Tract "B" of a deed for the Washington County Sanitary District dated August 18, 1993 and recorded among the said land records in Liber 1109 at folio 160, thence running with the said Sanitary District for three (3) courses
4. South 63 degrees 17 minutes 16 seconds West 180.20 feet to a capped rebar
5. South 00 degrees 50 minutes 13 seconds East 120.04 feet to a capped rebar, and
6. South 25 degrees 51 minutes 20 seconds East 187.83 feet to a point on the northerly right of way line for Pen Mar Road; thence with said right of way line for two (2) courses
7. North 86 degrees 34 minutes 50 seconds West 119.15 feet, and by a curve to the right having radius of 732.63 feet, a length of 366.10 feet, and a chord bearing and distance of
8. North 72 degrees 38 minutes 11 seconds West 362.30 feet to the place of beginning encompassing an area of 152,304 square feet or **3.50 acres of land**, more or less,

Being portions of the property that was conveyed unto the **Board of County Commissioners of Washington County, Maryland**, from **Penmar Development Corporation, a Maryland corporation**, by a Quitclaim Deed dated September 20, 2016 and recorded among the Land Records of Washington County, Maryland in Liber 5329 at folio 232.