

ORDINANCE NO. ORD-2020-22

AN ORDINANCE TO APPROVE THE PURCHASE OF REAL PROPERTY

*(Frog Eye Road Bridge Rehabilitation Project:
Property acquisition – situate along the South side of Frog Eye Road,
Washington County, Maryland)*

RECITALS

1. The Board of County Commissioners of Washington County, Maryland (the "County") believes that it is in the best interest of the citizens of Washington County to acquire certain real property identified on the attached Exhibit A (the "Property") to be used for public purposes.
2. The County approved the acquisition of the Property on July 14, 2020.
3. A public hearing was not required by Section 1-301, Code of the Public Local Laws of Washington County, Maryland, as the funds utilized to purchase of the Property are not to be expended from the General Fund of the County.
4. The acquisition of the Property is necessary for the Frog Eye Road Bridge Rehabilitation Project in Washington County, Maryland.
5. The County has agreed to pay the sum of approximately Three Thousand Three Hundred Fifty Dollars and No Cents (\$3,350.00) to the Property Owners.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the acquisition of the Property be approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the acquisition of the Property.

ADOPTED this 14th day of July, 2020.

ATTEST:


Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
Jeffrey A. Cline, President

Approved as to legal sufficiency:

A handwritten signature in blue ink, appearing to read "B. Andrew Bright", written over a horizontal line.

B. Andrew Bright
Assistant County Attorney

Mail to:

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

EXHIBIT A--DESCRIPTION OF PROPERTY

PROPERTY ACQUISITION:

Situate along the South side of Frog Eye Road, Knoxville, Maryland

All that strip of land, together with the appurtenances thereto belonging, or in anywise appertaining, lying between the lines designated "Existing Private Right-of-Way Lines hereby Vacated" and the outermost lines designated "Right-of-Way Line & Existing Right-of-Way Line" as shown and/or indicated on the hereinafter mentioned plat, all of which plat is made a part hereof, so far as the Grantors' property and/or rights may be affected by the proposed culvert and supporting structural improvements and the appurtenances thereto belonging, or anywise appertaining, situate along the South side of Frog Eye Road, in Election District No. 11 of Washington County, Maryland, and more particularly described as follows:

Beginning for the outline hereof at a 5/8-inch rebar and cap set in the existing 30 foot Right-of-Way for Frog Eye Road, said point being in the 4th or South 59 Degrees West 10 perches line of a deed dated February 6, 1877, and recorded among the Land Records of Washington County, Maryland in Liber 75, folio 297, as referenced in the Grantors' deed as "TRACT NO. 1", recorded among the Land Records in Liber 5837, folio 65, said point being 15 feet left of and perpendicular to Baseline of Right-of-Way Station 16+49.88 as graphically depicted on a plat prepared by the Division of Engineering for Washington County, Maryland, titled "FROG EYE ROAD Bridge Replacement Project #14-255", dated June 15, 2020, and intending to be recorded among the Land Records of Washington County, Maryland, in the Washington County Lands and Right-of-Way Plat Book as Right-of-Way Plat Nos. 100-10-608 and 100-10-609; thence running with a portion of the aforementioned line, reversed and on a bearing to agree with a recent survey performed by the Division of Engineering for Washington County, Maryland:

1. North 57 Degrees 57 Minutes 54 Seconds East 12.85 feet, passing through a 5/8-inch rebar found at 3.43 feet along the line, to a point in the South marginal line of a private Right-of-Way for Frog Eye Road, intending to be vacated as shown on the aforementioned plat; thence with a portion thereof for the following 3 courses
2. South 71 Degrees 02 Minutes 58 Seconds East 16.67 feet to a point; by a tangent curve to the right having a radius of 1168.71 feet, an arc length of 105.97 feet, and subtended by a chord with a bearing and distance of
3. South 68 Degrees 27 Minutes 07 Seconds East 105.93 feet to a point;
4. South 65 Degrees 51 Minutes 16 Seconds East 468.86 feet to a point in the western marginal line of Right-of-Way for Maryland Route 67, AKA Rohrsersville Road; thence leaving the aforesaid private Right-of-Way and back therefrom and binding on said Right-of-Way for Rohrsersville Road and running with a portion thereof
5. South 35 Degrees 26 Minutes 19 Seconds West 10.20 feet to a point in the South marginal line of the 30-foot prescriptive Right-of-Way for Frog Eye Road; thence

leaving the aforesaid Right-of-Way for Rohrersville Road and running back therefrom, with the existing 30 foot prescriptive Right-of-Way for Frog Eye Road and across the Grantors' land by 4 lines of Right-of-Way now established

6. North 65 Degrees 51 Minutes 16 Seconds West 466.86 feet to a point; by a tangent curve to the left having a radius of 1158.71 feet, an arc length of 105.06 feet, and subtended by a chord with a bearing and distance of
7. North 68 Degrees 27 Minutes 07 Seconds West 105.03 feet to a point;
8. North 71 Degrees 02 Minutes 58 Seconds West 21.61 feet to a point; by a tangent curve to the right having a radius of 415.52 feet, an arc length of 3.16 feet, and subtended by a chord with a bearing and distance of
9. North 70 Degrees 49 Minutes 55 Seconds West 3.16 feet to the point of beginning, containing an area of 5,941 square feet or 0.1364 acres of land, more or less

Being a portion of a tract of land referred to as "TRACT NO. 1" as conveyed unto the Grantors herein by Julia Rebecca Parody FKA Julia Rebecca Tritapoe and Dean Richard Tritapoe by a deed dated September 12, 2018, and recorded among the Land Records of Washington County, Maryland, in Liber 5837, folio 65.

Together with the right to use the area designated as Temporary Easement to be Used Only during the Period of Construction, encompassing 825 square feet or 0.0189 acre of land, more or less, the outline of which is graphically depicted on the said Right-of-Way Plat No. 100-10-608. The purpose of the Temporary Easement shall be to provide working space for grading and access upon the Grantor's property during the performance of the impending Washington County Department of Public Works Contract No. _____. The Temporary Easement shall revert to the Grantors by operation of law upon the completion and acceptance of the Project by the County.