

ORDINANCE NO. ORD-2021-12

AN ORDINANCE TO APPROVE THE PURCHASE OF REAL PROPERTY

(Program Open Space – Portion of Cumberland Street)

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 purchase certain real property identified on the attached Schedule A (the "Property") to be used for public purposes.

2. The County approved the purchase of the Property on July 13, 2021.

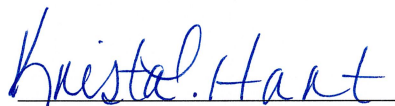
3. A public hearing was not required by Section 1-301, Code of the Public Local Laws of Washington County, Maryland as the funds utilized to purchase the Property are not to be expended from the General Fund of the County.

4. The Property will be purchased using funds granted to the County through Program Open Space and will be used to store maintenance and seasonally-used equipment for Clear Spring Park and other western County parks.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase 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 purchase of the Property.

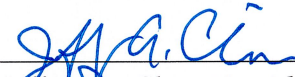
ADOPTED this 13th day of July, 2021.

ATTEST:

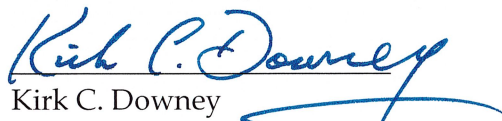


Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
Jeffrey A. Cline, President

Approved as to legal sufficiency:


Kirk C. Downey
County Attorney

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

SCHEDULE A--DESCRIPTION OF PROPERTY

All that portion of land situate approximately 200' South of Cumberland Street, along the East margin of the alleyway known as Hawbaker Circle, and contiguous with the northerly boundary of the County Park in Clear Spring, Maryland, Election District No. 4 of Washington County, Maryland, and more particularly described as follows:

BEGINNING for outline hereof at a concrete monument found at or near the end of the third (3rd) or South 34 Degrees 38 Minutes West 85.82 foot line of a Deed from Janis K. Davenport, Personal Representative of the Estate of Robert G. Davenport, to Janis K. Davenport dated July 22, 2014, and recorded among the Land Records of Washington County, Maryland, in Liber 4796, folio 176; thence with and binding upon said lands for the following two (2) courses, reversed and on a bearing to agree with a recent survey by the Division of Engineering for Washington County, Maryland ,

1. North 35 Degrees 29 Minutes 00 Seconds East 85.57 feet to a 5/8" Rebar found Northeast of a 3" Iron Pipe post; thence with the same
2. South 67 Degrees 25 Minutes 11 Seconds East 109.53 feet to a point in the margin of a 16.5-foot alleyway known as Hawbaker Circle, passing a 5/8" Rebar found along said line at 98.81 feet from the beginning point of said line; thence with said margin of the alleyway
3. South 02 Degrees 01 Minute 55 Seconds East 41.89 feet to a 5/8" Rebar set in the fifth (5th) or South 84 Degrees 15 Minutes 55 Seconds East 169.48-foot line of a Deed dated July 1, 1983, from the Board of Education of Washington County to the Board of County Commissioners of Washington County, and recorded among said Land Records in Liber 746, folio 225; thence with and binding upon a portion thereof, reversed and on a corrected bearing
4. North 84 Degrees 39 Minutes 24 Seconds West 152.95 feet to the place of beginning, containing an area of 7,745 square feet or 0.18 acre of land, more or less.

BEING all that tract of land described and conveyed in a Confirmatory Deed from CKW Properties, LLC, to Dixie Englehart, Personal Representative of the Estate of Donald F. Yeakle, said Confirmatory Deed dated June 24, 2021, recorded among said Land Records in Liber 6675 at folio 370. Further being that parcel which was described as "Together with all right and title to small tract or parcel of ground West of the Southern end of the above-mentioned lot," and erroneously conveyed to CKW Properties, LLC, from Donald F. Yeakle, surviving Tenant by the Entirety, by a deed dated May 11, 2017, recorded among said Land Records in Liber 5503 at folio 307. Said land also being part of the lands conveyed from Thelma Salome Clopper to Donald F. Yeakle and Shirley A. Yeakle, husband and wife, by a deed dated May 31, 1990, recorded among said Land Records in Liber 956 at folio 751.

SUBJECT to all easements, rights-of-way, covenants, conditions, and restrictions of record applicable thereto.