

ORDINANCE NO. ORD-2022-13

AN ORDINANCE TO APPROVE THE PURCHASE OF AN EASEMENT INTEREST  
IN REAL PROPERTY

*(Dogstreet Road Culvert Project-19823 Dogstreet Road)*

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 an easement interest in real property identified on the attached Exhibit A (the "Easement") to be used for public purposes.

2. The County approved the purchase of the Easement on July 26, 2022.

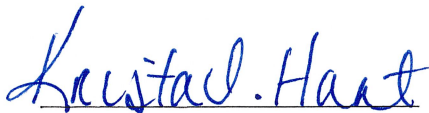
3. A public hearing was not required by Section 1-301, Code of the Public Local Laws of Washington County, Maryland, as the funds utilized to purchase the Easement are not to be expended from the General Fund of the County.

4. The purchase of the Easement is necessary for the Dogstreet Road Culvert Project in Washington County, Maryland.

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

ADOPTED this 26<sup>th</sup> day of July, 2022.

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

## EXHIBIT A--DESCRIPTION OF PROPERTY

All those two (2) tracts of easement situate along both sides of N/F Dogstreet Road, approximately 1200' West of its intersection with N/F Nicodemus Mill Road, Election District No. 19 of Washington County, Maryland, and more particularly described as follows:

### TRACT NO. 1 (PERPETUAL RIGHT-OF-WAY EASEMENT)

Beginning for the outline hereof at a point in the existing Northernmost Right-of-Way line for N/F Dogstreet Road, said point being 15.00 feet left of and perpendicular to Baseline of Right-of-Way Station 14+40.79 for Dogstreet Road, as graphically depicted on a plat prepared by the Division of Engineering for Washington County, Maryland, titled "DOGSTREET ROAD RIGHT-OF-WAY PLAT – CULVERT REPLACEMENT (W5932)," and intending to be recorded among the Land Records of Washington County, Maryland, in the County Road Plat Book as Right-of-Way Plat No. 100-10-599; said point also being at or near the beginning of the seventeenth (17<sup>th</sup>) or North 32 Degrees 07 Minutes East 281.52 foot line as described for deed Parcel No. 2 of Grantors' deed dated March 19, 2018, and recorded among said Land Records in Liber 5712, folio 472; thence leaving said Right-of-Way line and going back therefrom and with said line, binding thereon for a portion thereof, on a bearing to agree with a recent survey by the Division of Engineering for Washington County, Maryland,

1. North 31 Degrees 45 Minutes 01 Seconds East 17.55 feet to a point; thence leaving said line and going back therefrom, and across lands of Grantors by two (2) new lines of Right-of-Way now established, by a curve to the left having a radius of 4,225.13 feet, an arc length of 41.62 feet, and subtended by a chord with a bearing and distance of
2. South 89 Degrees 52 Minutes 40 Seconds East 41.62 feet to a 5/8" Rebar & Cap set;
3. South 00 Degrees 09 Minutes 36 Seconds East 15.00 feet to a 5/8" Rebar & Cap set in the existing Northernmost Right-of-Way line for Dogstreet Road; thence along said Right-of-Way line and with a portion thereof, by a curve to the right having a radius of 4,240.13 feet, an arc length of 50.90 feet, and subtended by a chord with a bearing and distance of
4. North 89 Degrees 48 Minutes 58 Seconds West 50.89 feet to the point of beginning, containing an area of 694 square feet or 0.01593 acre of land, more or less.

### TRACT NO. 2 (PERPETUAL RIGHT-OF-WAY EASEMENT)

BEGINNING for the outline hereof at a point in the existing Southernmost Right-of-Way line for N/F Dogstreet Road, said point being 15.00 feet right of and perpendicular to Baseline of Right-of-Way Station 14+72.38 for Dogstreet Road, as graphically depicted on said plat as aforementioned TRACT NO. 1; thence leaving said Right-of-Way line and going back therefrom and across lands of Grantors by three (3) new lines of Right-of-Way now established

5. South 00 Degrees 06 Minutes 08 Seconds West 10.00 feet to a 5/8" Rebar & Cap set; by a curve to the right having a radius of 4,280.13 feet, an arc length of 115.00 feet, and subtended by a chord with a bearing and distance of
6. North 89 Degrees 07 Minutes 41 Seconds West 114.99 feet to a 5/8" Rebar & Cap set;
7. North 01 Degree 38 Minutes 30 Seconds East 10.00 feet to a 5/8" Rebar & Cap set in the Southernmost Right-of-Way line for Dogstreet Road; thence with said Right-of-Way line for a portion thereof; thence by a curve to the left having a radius of 4,270.13 feet, an arc length of 114.73 feet, and subtended by a chord with a bearing and distance of
8. South 89 Degrees 07 Minutes 41 Seconds East 114.72 feet to the point of beginning, containing an area of 1,149 square feet or 0.2637 acre of land, more or less.

TOGETHER with the right to use the area designated as TEMPORARY EASEMENT NO. 1 TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION, encompassing 6,553 square feet of 0.15044 acre of land, more or less, as well as the area designated as TEMPORARY EASEMENT NO. 2 TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION, encompassing 9,630 square feet or 0.22107 acre of land, more or less, the outlines of which are graphically depicted on the aforementioned Right-of-Way Plat No. 100-10-599. The purpose of the Temporary Easements shall be to provide working space for grading and access upon Grantors' property during the performance of the impending Washington County Division of Engineering Contract No. BR-DS-220-14. The Temporary Easements shall revert to Grantors by operation of law upon the completion and acceptance of the Project by the County.

BEING a portion of the lands known as deed "Parcel No. 2" as described in a deed dated March 19, 2018, and recorded among the Land Records of Washington County, Maryland, in Liber 5712, folio 472; further shown on said Right-of-Way Plat No. 100-10-599 as aforementioned.

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