

ORDINANCE NO. ORD-2023-11

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

(Maryland Metals Property Acquisition and Conveyance of Perpetual Drainage Easement)

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 and acquire fee simple title to certain parcels of real property, identified as Tract No. 1 and Tract No. 2 (collectively, the "Property") on the attachment to Exhibit A, to be used for public purposes, attached hereto, and to grant an easement interest in real property identified and more particularly described on the attached Exhibit A (the "Easement").

2. The County approved the purchase of the Property and granting of the Easement on July 25, 2023.

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.

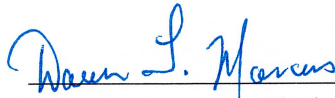
4. The purchase of the Property and granting of the Easement is necessary as part of a project to develop the Antietam Creek Water Trail to improve public recreational access for non-motorized water activities and fishing on the Antietam Creek.

5. The County has entered into a Memorandum of Understanding with Antietam Creek Water Trail and Maryland Metals, Inc., the record owner of the Property, to purchase the Property from Maryland Metals, Inc., to benefit the Antietam Creek Water Trail, and to convey the Easement to Maryland Metals, Inc.

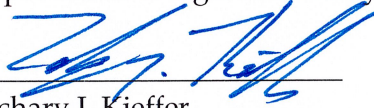
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of the Property and conveyance of the Easement be approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively,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

ADOPTED this 25 day of July, 2023.

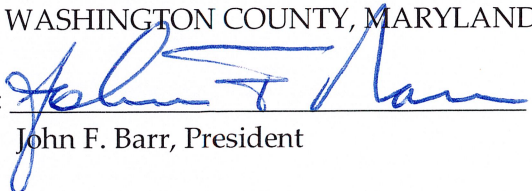
ATTEST:


Dawn L. Marcus, Clerk

Approved as to legal sufficiency:


Zachary J. Kieffer
Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
John F. Barr, President

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

EXHIBIT A--DESCRIPTION OF PROPERTY FOR EASEMENT

ALL that tract of easement situate along the East side of Antietam Drive approximately 300 feet South of its intersection with Security Road in Hagerstown, Election District No. 18 of Washington County, Maryland, and more particularly described as follows:

BEGINNING for the outline hereof in the last or North 69 Degrees 11 Minutes 39 Seconds West 70.00-foot line of Grantor's deed, dated August 17, 2021, and recorded among the Land Records of Washington County, Maryland, in Liber 6731, folio 431, said point being 12.21 feet from a 5/8" Rebar & Cap previously set for the end thereof, said point also being in the existing Right-of-Way line labeled as "PROPOSED RIGHT-OF-WAY DEDICATION LINE" on a plat previously prepared by the Division of Engineering for Washington County, Maryland, and recorded among said Land Records as Subdivision Plat No. 11293-11294; thence with said Right-of-Way line for the following two (2) courses, by a curve to the right having a radius of 722.48 feet, an arc length of 12.75 feet, and subtended by a chord with a bearing and distance of

1. North 21 Degrees 04 Minutes 32 Seconds East 12.75 feet to a point; by a reverse curve to the left having a radius of 664.78 feet, an arc length of 35.02 feet, and subtended by a chord with a bearing and distance of
2. North 21 Degrees 03 Minutes 34 Seconds East 35.02 feet to a point; thence leaving said Right-of-Way line and going back therefrom and across lands of Grantor by two (2) new lines of Perpetual Easement hereby established
3. South 22 Degrees 43 Minutes 04 Seconds East 45.08 feet to a point;
4. South 37 Degrees 13 Minutes 41 Seconds West 15.72 feet to a point in the last or North 69 Degrees 11 Minutes 39 Seconds West 70.00-foot line of Grantor's deed as aforementioned; thence with said line for a portion thereof
5. North 69 Degrees 11 Minutes 39 Seconds West 26.81 feet to the point of beginning, containing an area of 942 square feet or 0.02163 acre of land, more or less.

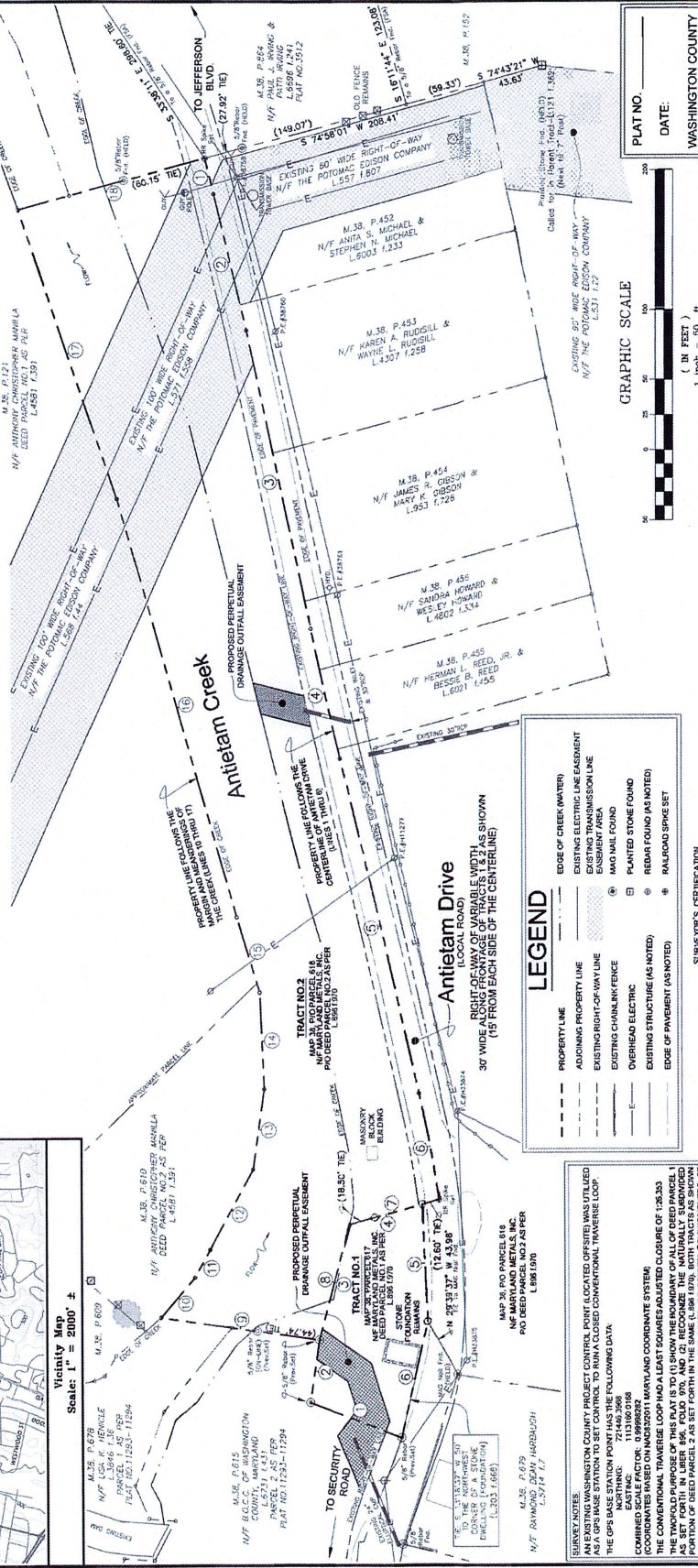
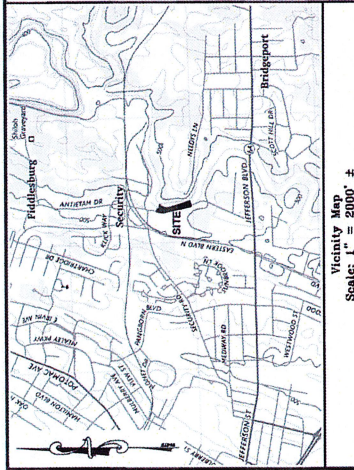
BEING over a portion of the lands of Grantor herein by a deed dated August 17, 2021, and recorded among the Land Records of Washington County, Maryland, in Liber 6731, folio 431, Further being labeled as "PERPETUAL DRAINAGE EASEMENT" and graphically depicted on the attached deed exhibit.

See ATTACHMENT 'A'

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

MO GRID NORTH
NAD 83/2011 EPOCH

TRACT NO. 1		
LINE	BEARING	LENGTH
1	S 69°11'39" E	70.00'
2	S 08°15'49" W	45.00'
3	S 15°03'07" W	85.00'
4	S 74°42'25" W	54.08'
5	N 02°37'46" W	93.00'
6	N 12°58'39" E	85.00'
TRACT NO.1 AREA = 9,886 SQ. FT. OR 0.22885 ACRES±		

[illegible]

WASHINGTON COUNTY, MARYLAND
DIVISION OF ENGINEERING
Washington County Administrative Annex Building

BOUNDARY PLAT
ACQUISITION BY THE B.O.C.C. OF WASHINGTON COUNTY, MD.
LANDS OF MARYLAND METALS, INC.



Garrett E. Cull 9-28-2023 (DATE)
GARRETT EUGENE CULLER, PROFESSIONAL LAND SURVEYOR
MD REG. NO. 21974 (EXPIRATION/RENEWAL DATE: DEC. 18, 2023)

(LIBER 898 FOLIO 970)
SITUATE ALONG THE EAST SIDE OF ANTIETAM DRIVE
APPROXIMATELY 300' SOUTH OF ITS INTERSECTION WITH
SECURITY ROAD IN HAGERSTOWN, MARYLAND

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