

ORDINANCE NO. ORD-2023-16

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

(Hopewell Road Realignment Project)

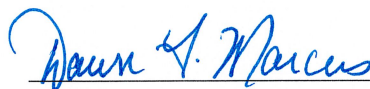
RECITALS

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 certain real property identified on the attached Schedule A (the "Easement Property") to be used for public purposes.
2. The County approved the purchase of the Easement Property on September 19, 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 Easement Property are not to be expended from the General Fund of the County.
4. The purchase of the Easement Property is necessary for the Hopewell Road Realignment Project.

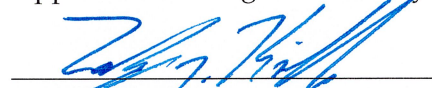
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of the Easement Property be approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents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

ADOPTED this 19th day of September, 2023.

ATTEST:


Dawn L. Marcus, County 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

SCHEDULE A--DESCRIPTION OF EASEMENT PROPERTY

Parcel No. 31

All that portion of land lying between the outermost lines labeled as "RIGHT-OF-WAY LINE" and the innermost lines labeled as "EXISTING RIGHT-OF-WAY LINE HEREBY VACATED", as shown or indicated on a plat prepared by the Division of Engineering for Washington County, Maryland, entitled, "HOPEWELL ROAD REALIGNMENT (NORTHEAST OF WRIGHT ROAD)", 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. 100-10-618, all of which plat is made a part hereof, so far as the property and/or rights may be affected by the proposed improvements, and the appurtenances thereto belonging, or in anywise appertaining, situate along the Northwesterly side of Hopewell Road approximately 900 feet Northeast of its intersection with the realigned portion of Wright Road, in Election District No. 2 of Washington County, Maryland, and more particularly described as follows:

BEGINNING for the outline hereof at a point in the existing Right-of-Way line for the said Hopewell Road, said point being 3.35 feet left of and perpendicular to Baseline of Right-of-Way Station 50+28.66, as shown on the said Right-of-Way Plat 100-10-618 as aforementioned, said point also being in the last or North 31-1/2 Degrees West 33 perch line of Deed Parcel No.2 of Grantor's deed, dated September 8, 1994 and recorded among said Land Records in Liber 1177 at folio 398; thence with said line for a portion thereof on a bearing to agree with a recent survey by the Division of Engineering for Washington County, Maryland,

1. North 30 Degrees 40 Minutes 29 Seconds West 26.92 feet to a 5/8" Rebar & Cap set; thence leaving said line and going back therefrom and across lands of Grantor herein by three (3) new lines of Right-of-Way hereby established, by a curve to the right having a radius of 430.00 feet, an arc length of 252.12 feet, and subtended by a chord with a bearing and distance of
2. North 84 Degrees 03 Minutes 43 Seconds East 248.52 feet to a 5/8" Rebar & Cap set;
3. South 79 Degrees 08 Minutes 28 Seconds East 131.86 feet to a 5/8" Rebar & Cap set; by a tangent curve to the left having a radius of 370.00 feet, an arc length of 94.92 feet, and subtended by a chord with a bearing and distance of
4. South 86 Degrees 29 Minutes 26 Seconds East 94.66 feet to a 5/8" Rebar & Cap set in the eleventh (11th) or South 40 Degrees 05 Minutes West 175.2 foot line of Deed Parcel No.1 of Grantor's deed as aforementioned; thence with said line for a portion thereof, reversed,
5. South 42 Degrees 07 Minutes 31 Seconds West 71.52 feet to a point in the existing Right-of-Way line for Hopewell Road, said point being 22.85 feet right of and perpendicular to Baseline of Right-of-Way Station 54+45.22, as shown on the said Right-of-Way Plat 100-10-618 as aforementioned; thence with said Right-of-Way line and binding thereon for the following seven (7) courses

6. North 84 Degrees 13 Minutes 58 Seconds West 7.99 feet to a point; by a tangent curve to the right having a radius of 351.08 feet, an arc length of 48.38 feet, and subtended by a chord with a bearing and distance of
7. North 80 Degrees 17 Minutes 06 Seconds West 48.34 feet to a point;
8. North 76 Degrees 20 Minutes 14 Seconds West 175.16 feet to a point; by a tangent curve to the left having a radius of 349.96 feet, an arc length of 96.83 feet, and subtended by a chord with a bearing and distance of
9. North 84 Degrees 15 Minutes 49 Seconds West 96.52 feet to a point; by a compound curve to the left having a radius of 170.00 feet, an arc length of 55.49 feet, and subtended by a chord with a bearing and distance of
10. South 78 Degrees 27 Minutes 48 Seconds West 55.24 feet to a point;
11. South 69 Degrees 06 Minutes 46 Seconds West 6.14 feet to a point; by a tangent curve to the left having a radius of 365.38 feet, an arc length of 30.22 feet, and subtended by a chord with a bearing and distance of
12. South 66 Degrees 44 Minutes 37 Seconds West 30.21 feet to the point of beginning, containing an area of 17,761 square feet or 0.40774 acres of land, more or less.

TOGETHER with the right to use the area designated **TEMPORARY EASEMENT to be Used Only during the Period of Construction**, encompassing 11,273 square feet or 0.25879 acres of land, more or less; the outline of which is graphically depicted on the said Right-of-Way Plat No. 100-10-618. The purpose of the Temporary Easement shall be to provide working space for grading and access upon Grantor's property during the performance of the impending Washington County Division of Engineering Contract No. RD-WR-276-10. The Temporary Easement shall revert to the Grantors by operation of law upon the completion and acceptance of the Project by the County.

BEING a portion of the lands of Grantor herein known and described as Parcel No.2 in a deed dated September 8, 1994 and recorded among said Land Records in Liber 1177 at folio 398 as aforementioned. Further being shown on the Right-of-Way Plat No. 100-10-618 as aforementioned, a reduced copy of which is attached hereto and made a part hereof.

See **ATTACHMENT 'A'**

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

Parcel No. 32

All that portion of land lying between the outermost lines labeled as "RIGHT-OF-WAY LINE" and the innermost lines labeled as "EXISTING RIGHT-OF-WAY LINE HEREBY VACATED", as shown or indicated on two (2) plats prepared by the Division of Engineering for Washington County, Maryland, entitled, "HOPEWELL ROAD REALIGNMENT (NORTHEAST

OF WRIGHT ROAD)", and intending to be recorded among the Land Records of Washington County, Maryland, in the County Road Plat Book as Right-of-Way Plat Nos. 100-10-618 and 100-10-619, all of which plats are made a part hereof, so far as the property and/or rights may be affected by the proposed improvements, and the appurtenances thereto belonging, or in anywise appertaining, situate along the Northwestern side of Hopewell Road approximately 1,200 feet Northeast of its intersection with the realigned portion of Wright Road, in Election District No. 2 of Washington County, Maryland, and more particularly described as follows:

BEGINNING for the outline hereof at a point in the existing Right-of-Way line for the said Hopewell Road, said point being 22.85 feet right of and perpendicular to Baseline of Right-of-Way Station 54+45.22, as shown on the said Right-of-Way Plat 100-10-618 as aforementioned, said point also being in the eleventh (11th) or South 40 Degrees 05 Minutes West 175.2 foot line of Deed Parcel No.1 of Grantor's deed, dated September 8, 1994 and recorded among said Land Records in Liber 1177 at folio 398; thence with said line for a portion thereof on a bearing to agree with a recent survey by the Division of Engineering for Washington County, Maryland,

1. North 42 Degrees 07 Minutes 31 Seconds East 71.52 feet to a 5/8" Rebar & Cap set in said line; thence leaving said line and going back therefrom and across the lands of Grantor herein by three (3) lines of Right-of-Way now established, by a curve to the left having a radius of 370.00 feet, an arc length of 163.46 feet, and subtended by a chord with a bearing and distance of
2. North 73 Degrees 30 Minutes 13 Seconds East 162.14 feet to a 5/8" Rebar & Cap set;
3. North 60 Degrees 50 Minutes 50 Seconds East 128.87 feet to a 5/8" Rebar & Cap set;
4. South 29 Degrees 09 Minutes 10 Seconds East 20.00 feet to a 5/8" Rebar & Cap set in the existing Right-of-Way line for Hopewell Road; thence with said Right-of-Way line and binding thereon for the following five (5) courses
5. South 60 Degrees 50 Minutes 50 Seconds West 256.74 feet to a point; by a tangent curve to the right having a radius of 160.00 feet, an arc length of 14.87 feet, and subtended by a chord with a bearing and distance of
6. South 63 Degrees 30 Minutes 37 Seconds West 14.87 feet to a point;
7. South 66 Degrees 10 Minutes 22 Seconds West 12.71 feet to a point; by a tangent curve to the right having a radius of 116.64 feet, an arc length of 60.25 feet, and subtended by a chord with a bearing and distance of
8. South 80 Degrees 58 Minutes 12 Seconds West 59.58 feet to a point;
9. North 84 Degrees 13 Minutes 58 Seconds West 17.82 feet to the point of beginning, containing an area of 9,616 square feet or 0.22075 acres of land, more or less.

TOGETHER with the right to use the area designated **TEMPORARY EASEMENT to be Used Only during the Period of Construction**, encompassing 4,161 square feet or 0.09552 acres of land, more or less; the outline of which is graphically depicted on the said Right-of-Way Plat Nos. 100-10-618 and 100-10-619. The purpose of the Temporary Easement shall be to provide working space for grading and access upon Grantor's property during the performance of the

impending Washington County Division of Engineering Contract No. RD-WR-276-10. The Temporary Easement shall revert to the Grantors by operation of law upon the completion and acceptance of the Project by the County.

BEING a portion of the lands of Grantor herein known and described as Parcel No.1 in a deed dated September 8, 1994 and recorded among said Land Records in Liber 1177 at folio 398 as aforementioned. Further being shown on the Right-of-Way Plat Nos. 100-10-618 & 100-10-619 as aforementioned, a reduced copy of which is attached hereto and made a part hereof.

See ATTACHMENT 'A' and ATTACHMENT 'B'

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

SEE PLAT 100-10-619
FOR ADDITIONAL NOTES



[illegible]

STATION 25.22			
P/O DSD BASED ON 1/1/17 01:02:54			
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SEE SAMPLE AREA - 0.870 SQ. FT. 0.2205 KG/CM ²			
SHOW THIS			

SECTION 04100 - PAINTS				
P/PO DESCRIPTION, QUANTITY, UNIT, PRICE PER UNIT, TOTAL PRICE				
LINE/COURSE	QUANTITY	UNIT	PRICE PER UNIT	TOTAL PRICE
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235	1	EA	1.00	1.00
236	1	EA	1.00	1.00
237	1	EA	1.00	1.00
238	1	EA	1.00	1.00
239	1	EA	1.00	1.00
240	1	EA	1.00	1.00
241	1	EA	1.00	1.00
242	1	EA	1.00	1.00
243	1	EA	1.00	1.00
244	1	EA	1.00	1.00
245	1	EA	1.00	1.00
246	1	EA	1.00	1.00
247	1	EA	1.00	1.00
248	1	EA	1.00	1.00
249	1	EA	1.00	1.00
250	1	EA	1.00	1.00
251	1	EA	1.00	1.00
252	1	EA	1.00	1.00
253	1	EA	1.00	1.00
254	1	EA	1.00	1.00
255	1	EA	1.00	1.00
256	1	EA	1.00	1.00
257	1	EA	1.00	1.00
258	1	EA	1.00	1.00
259	1	EA	1.00	1.00
260	1	EA	1.00	1.00
261	1	EA	1.00	1.00
262	1	EA	1.00	1.00
263	1	EA	1.00	1.00
264	1	EA	1.00	1.00
265	1	EA	1.00	1.00
266	1	EA	1.00	1.00
267	1	EA	1.00	1.00
268	1	EA	1.00	1.00
269	1	EA	1.00	1.00
270	1	EA	1.00	1.00
271	1	EA	1.00	1.00
272	1	EA	1.00	1.00
273	1	EA	1.00	1.00
274	1	EA	1.00	1.00
275	1	EA	1.00	1.00
276	1	EA	1.00	1.00
277	1	EA	1.00	1.00
278	1	EA	1.00	1.00
279	1	EA	1.00	1.00
280	1	EA	1.00	1.00
281	1	EA	1.00	1.00
282	1	EA	1.00	1.00
283	1	EA	1.00	1.00
284	1	EA	1.00	1.00
285	1	EA	1.00	1.00
286	1	EA	1.00	1.00
287	1	EA	1.00	1.00
288	1	EA	1.00	1.00
289	1	EA	1.00	1.00
290	1	EA	1.00	1.00
291	1	EA	1.00	1.00
292	1	EA	1.00	1.00
293	1	EA	1.00	1.00
294	1	EA	1.00	1.00
295	1	EA	1.00	1.00
296				

PROPERTY MAP NO. 48, PARCEL NO. 31
 14F STEVEN DEWITT FULTON
 DEED PARCEL NO. 2 AS PER
 LIBER 1177 FOLIO 368

PROPERTY MAP NO. 48, PARCEL NO. 12
 INF STEVEN DEWITT FULTON

MAP NO. 43, PARCEL NO. 635
 RE DONALD M. BOWMAN
 DEED PARCEL NO. 2 AS PER LIBER 1429 FOLIO 74E
 FORMERLY P10 PARCEL "B" AS PER PLAT NO. 442
 SEE ALSO REPLAT NO. 11179-11180

PROPERTY MAP NO. 43, P.O. PARCEL NO. 248
N/F DONALD M. BOWMAN, TRUSTEE
LIBER 5210 FOLIO 33
LOT 4 AS PER PLAT NO. 6462-6483

PROPERTY MAP NO. 48, PVO PARCEL NO. 346
N/F DONALD M. BOWMAN, TRUSTEE
LIBER 5310 FOLIO 33
LOT 3 AS PER PLAT NO. 5462-6463

NOTES

THE EXISTING UTILITY MAPS IDENTIFIED AS "A" ARE TO BE SET UPON THE COMPLETION OF THE PROJECT.

THE GPS BASE STATION POINT HAS THE FOLLOWING DATA:

EASTING: 1024426.790
NORTHING: 711354.870

THE COORDINATES FOR THIS PROJECT ARE STATE PLANE GROUND BASE STATION. THE GROUND SCALE FACTOR IS 0.999994533.

EXISTING PROPERTY MARKERS IDENTIFIED AS "B" ARE TO BE SET UPON THE COMPLETION OF THE PROJECT.

THE PLANT AND ALL REGENERATION AND GROWTH OF THE PLANT IS BEING INFLUENCED BY IT HAS BEEN IDENTIFIED AS A SPECIES OF THE GENUS *STYRACIS*. THE REGENERANTS ARE NOT YET IDENTIFIED AS TO WHICH IN ANNOTATED CODE OF MATERIALS (COMAT) THEY BELONG.

IT IS CERTAIN THAT THE PLANT SHOWN HEREON IS CORRECT; THAT THE PROPERLY Labeled SHOWN HEREON WAS OBTAINED BASED UPON THE LOCAL INFORMATION FOUND IN THE REFERENCE DEEDS OF THE COUNTY OF WAYNE, MICHIGAN. THERE HAS BEEN IDENTIFICATION BASED UPON THE EXTENTURE OF LEAVES AS IT NOW APPEARS TO BE IDENTICAL TO THE PLANT SHOWN HEREON.

IN ACCORDANCE WITH REGISTRATION CONTAINMENT AND RECORDS OF THE COUNTY OF WAYNE, MICHIGAN, THE PLANT SHOWN HEREON IS IN ACCORDANCE WITH THE DEEDS AND AS INDICATED HEREIN.


Shirley F. Allen

CORRECTIONAL INSTITUTION AND SOCIETY
NO REC. NO. 2087A (PROBATION/HANDLING DATE: DEC. 16, 2022)
JULY 26-2022

GRAPHIC SCALE
(IN FEET)
1 2 3 4 5 6 7 8 9 10 11 12

	TEMPORARY CONSTRUCTION EASEMENT
	FEE SIMPLE RIGHT-OF-WAY

9-28-2022 (DATE)
 Margaret E. Call
 CARRETT EUGENE COLLIER PROFESSIONAL AND SURVEYOR
 NO REG. NO. 23874 (EXPIRATION/RENEWAL DATE: DEC. 18, 2023)



Washington County, Maryland
 Division of Engineering
 HOPEWELL ROAD REALIGNMENT
(NORTHWEST OF WAGNER ROAD)

DRAWN BY: G. CHILLER DATE: 7-15-2022 SCALE: 1"=240'

PROJECT NO: 18-276 **DATE NO. 100-10-619**