

ORDINANCE NO. ORD-2024-06

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

*(Crystal Falls Drive Project – City of Hagerstown Property)*

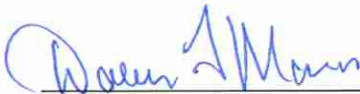
RECITALS

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 (the "Property") and 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 Property and Easement on February 27, 2024.
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 and Easement are not to be expended from the General Fund of the County.
4. The purchase of the Easement is necessary for the Crystal Falls Drive road project in Washington County, Maryland.

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

ADOPTED this 27th day of February, 2024.

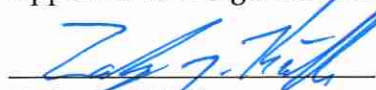
ATTEST:

  
Dawn L. Marcus, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

BY:   
John F. Barr, President

Approved as to legal sufficiency:

  
Zachary J. Kieffer  
Interim County Attorney

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

## EXHIBIT A--DESCRIPTION OF PROPERTY

All that land lying between the outermost lines labeled "RIGHT-OF-WAY LINE" and the innermost lines labeled "Existing Right-of-Way lines hereby vacated", as shown or indicated on a plat prepared by the Division of Engineering for Washington County, Maryland, titled "CRYSTAL FALLS DRIVE – Bridge Replacement (W3051)" 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. 100-10-616, 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 West side of Crystal Falls Drive approximately 1,300 feet Northerly from its intersection with Cavetown Church Road, South of the Corporate Limits of Smithsburg, in Election District No. 7 of Washington County, Maryland, and more particularly described as follows:

**BEGINNING** for the outline hereof at a 5/8" Rebar found in the Westernmost Right-of-Way line for Crystal Falls Drive, said point being 15.00 feet left of and perpendicular to Baseline of Right-of-Way Station 19+94.02 for Crystal Falls Drive, as graphically depicted on said Plat No. 100-10-616 as aforementioned; thence with said Right-of-Way line, for a portion thereof and on a bearing to agree with a recent survey performed by the Division of Engineering for Washington County, Maryland,

1. South 26 Degrees 13 Minutes 19 Seconds West 78.47 feet to a 5/8" Rebar & Cap to be set; thence leaving said Right-of-Way line and going back therefrom and across lands of Grantor by two (2) new lines of Right-of-Way now established;
2. North 63 Degrees 46 Minutes 41 Seconds West 10.00 feet to a 5/8" Rebar & Cap to be set;
3. North 26 Degrees 13 Minutes 19 Seconds East 78.57 feet to a 5/8" Rebar & Cap to be set in the Seventh (7<sup>th</sup>) or South 61-1/2 Degrees West 33.56-perch line of a deed recorded among said Land Records in Liber 81 at folio 263, as referenced in deed Parcel No. 1 of Grantor's deed, the same being the existing property line and line of division between Grantor herein and the adjoining lands of N/F Geraldine Patricia Wolfe, by a deed dated November 27, 2002, and recorded among the Land Records of Washington County, Maryland, in Liber 1888 at folio 169; thence with said line for a portion thereof;
4. South 63 Degrees 13 Minutes 33 Seconds East 10.00 feet to the point of beginning, containing an area of 785 square feet or 0.01803 acre 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 5,197 square feet of land, more or less; the outline of which is graphically depicted on the said Right-of-Way Plat No. 100-10-616. 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. BR-CF-139-14. The Temporary Easement shall revert to the Grantor by operation of law upon the completion and acceptance of the Project by the County.

BEING a portion of the lands described as "Parcel No. 1" in a deed dated May 31, 1918, and recorded among said Land Records in Liber 153 at folio 436; further shown on Right-of-Way Plat No. 100-10-616, as aforementioned, a reduced copy of which is attached hereto and made a part hereof in ATTACHMENT 'A'.

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