

ORDINANCE NO. ORD-2025-15

AN ORDINANCE TO APPROVE THE PURCHASE OF REAL PROPERTY

(Wright/Hopewell Road Improvements – Byrd Properties)

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 acquire certain real properties identified on the attached Exhibit A (the "Properties") to be used for public purposes.
2. The County approved the acquisition of the Properties on June 24, 2025.
3. A public hearing was not required by Section 1-301(b)(2), of the Code of the Public Local Laws of Washington County, Maryland, as the funds utilized to purchase the Properties are not to be expended from the General Fund of the County.
4. The acquisition of the Properties is necessary for improvements to Wright and Hopewell Road(s) in Washington County, Maryland.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the acquisition 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 acquisition of the Properties.

ADOPTED this 24th day of June, 2025.


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
County Attorney

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

EXHIBIT A--DESCRIPTION OF PROPERTY

Election District No. 02

Parcel 552

Situate along the east side of Hopewell Road in District 02 in Washington County, Maryland,

Fee Area:

Beginning at the intersection of northern boundary of the lands of Donald M. Bowman and Jone L. Bowman as described in a deed dated April 14, 1983, and being recorded among the Land Records of Washington County, Maryland in Liber 741 at folio 884 and the eastern margin of the existing Right of Way line observed to be ten (10) foot offset from the centerline in accordance with a deed recorded in the said Land Records in Road Book 1 on Pages 247-249, Said point being fifteen (10) feet right of and perpendicular to *Existing* centerline of Hopewell Road's station 18+95.20 thence with the existing Right of Way line for the following three (3) courses, the first being a curve to the right having a radius of 1323.50 feet, a length of 56.05 feet, a delta of 2° 25' 35" and a bearing and distance of

- 1) North 07° 37' 25" East 56.04 feet, thence
- 2) North 08° 50' 12" East 32.55 feet, thence by a reverse curve to the right having a radius of 204.74 feet, a length of 55.90 feet, a delta of 15° 38' 42" and a bearing and distance of
- 3) North 16° 39' 33" East 55.73 feet thence by a reverse curve to the left having a radius of 686.74 feet, a length of 18.84 feet, a delta of 1° 34' 20" and a bearing and distance of
- 4) North 24° 54' 58" East 18.84 feet, to a point in the southern boundary of the lands of the lands of Richard A. Byrd and Peggy L. Byrd (Liber 528, folio 568), thence departing the said existing right of way line with the southern boundary of the lands of Richard A. Byrd and Peggy L. Byrd (Liber 528, folio 568)
- 5) North 84° 16' 11" East 9.19 feet, thence departing the southern boundary of the lands of Richard A. Byrd and Peggy L. Byrd (Liber 528, folio 568) over and across the lands of the grantor, Richard A. Byrd and Peggy L. Byrd (Liber 478, folio 595) by a new of Right of Way course hereby established, the being a non-tangent curve to the left having a radius of 438.49 feet, a length of 166.17 feet, an delta of 21° 42' 46" and a bearing and distance of

- 6) South 14°37' 53" West 165.18 feet to a point in the norther line of the land of Donald M. Bowman and Jone L. Bowman (Liber 741, folio 884), thence with the northern boundary of the lands of Donald M. Bowman and Jone L. Bowman (Liber 741, folio 884)
- 7) North 79°21' 06" West 3.84 feet, feet to the point of beginning containing 943 Square feet or 0.02165 acre of land more or less.

Being part of the lands conveyed from Bernadene Zombro Voorhees and Edward A. Voorhees to Richard A. Byrd and Peggy L. Byrd by deed dated October 7, 1968, and recorded among the land records of Washington County, Maryland in Liber 478 at folio 595.

TOGETHER with the right to use the area designated **TEMPORARY EASEMENT to be Used Only during the Period of Construction**, encompassing 4,869 square feet or 0.11178 acre of land, more or less; the outline(s) of which are graphically depicted on the said Right-of-Way Plat No.100-10-621.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. 515000-30-11620-DNG040-MGMT-000000 Hopewell Road Culvert 02/02. The Temporary Easement shall revert to the Grantors by operation of law upon the completion and acceptance of the Project by the County.

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

Parcel 704

Situate along the east side of Hopewell Road in District 02 in Washington County, Maryland,

Perpetual Easement Area:

Beginning at a point in the northern boundary of the lands of Richard A. Byrd and Peggy L. Byrd as described in a deed dated October 7, 1968, and recorded among the Land Records of Washington County, Maryland in Liber 478 at folio 595, Said point being fifteen and eighty-nine hundredths (15.89) feet right of and perpendicular to *Existing* centerline of Hopewell Road's station 20+64.86 thence with the existing western platted boundary of the lands of the Grantor, (Liber 478, folio 595)

- 1) North 19°04' 32" East 170.00 feet to a point in the southern boundary of the lands of Cleonica A. Sutch (Liber 1584, folio 899), thence

with the southern boundary of the lands of Cleonica A. Sutch (Liber 1584, folio 899)

- 2) South 80°53' 05" East 10.44 feet thence departing the southern boundary of the lands of Cleonica A. Sutch (Liber 1584, folio 899) over and across the lands of the grantor, Richard A. Byrd and Peggy L. Byrd (Liber 528, folio 568) by a new of lines of easement hereby established, the first being a non-tangent curve to the left having a radius of 6377.00 feet, a length of 101.37 feet, an delta of 0°54' 39" and a bearing and distance of
- 3) South 18°28' 05" West 101.37 feet thence by a reverse curve to the right having a radius of 480.00 feet, a length of 44.65 feet, a delta of 5°19' 48" and a bearing and distance of
- 4) South 21°34' 27" West 44.64 feet, thence
- 5) South 24°14' 21" East 22.52 feet to a point in the northern boundary of the lands of Richard A. Byrd and Peggy L. Byrd (Liber 478, folio 595), thence with the northern boundary of the lands of Richard A. Byrd and Peggy L. Byrd (Liber 478, folio 595)
- 6) South 84°16' 11" West 8.14 feet to the point of beginning containing 1,754 Square feet or 0.02165 acre of land more or less.

Being part of the lands conveyed from Herbert S. Robins and Ingeborg W. Robins to Richard A. Byrd and Peggy L. Byrd by deed dated July 15, 1971, and recorded among the land records of Washington County, Maryland in Liber 528 at folio 568.

TOGETHER with the right to use the area designated **TEMPORARY EASEMENT to be Used Only during the Period of Construction**, encompassing 3,146 square feet or 0.07222 acre of land, more or less; the outline(s) of which are graphically depicted on the said Right-of-Way Plat No.100-10-621.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. 515000-30-11620-DNG040-MGMT-000000 Hopewell Road Culvert 02/02. The Temporary Easement shall revert to the Grantors by operation of law upon the completion and acceptance of the Project by the County.

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