

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1119 concerning Approving a Deed Transferring Surplus Property to Habitat for Humanity Susquehanna (Public Hearing)**

Date: **8/22/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by September 5, 2023**
 - In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment
Comment: _____

Casi Boyer Yes No No Comment
Comment: _____

Vicki Jones Yes No No Comment
Comment: _____

Jim Ringsaker Yes No No Comment
Comment: _____

Jason Robertson Yes No No Comment
Comment: _____

Tammy Lynn Schneegas Yes No No Comment
Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1119

Introduced by _____ Council President Ringsaker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER SECTION 75 TO APPROVE A DEED TRANSFERRING SURPLUS PROPERTY TO HABITAT FOR HUMANITY SUSQUEHANNA, INC.

On: August 21, 2023
at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for September 5, 2023 at 7:00 p.m.

EXPLANATION
Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

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33 **WHEREAS**, the City has authority to sell, transfer, or convey any City-owned real estate or
34 interest therein by following procedures set forth in Charter Section 75 when city-owned property
35 is no longer needed for a public purpose; and
36

37 **WHEREAS**, by Ordinance 1097 adopted March 20, 2023, the City Council declared that City
38 properties designated as lots 22, 23, and 24 on Parcel 20 of Harford County Tax map 605 are
39 surplus properties and no longer needed for a public purpose and therefore could be transferred to
40 Habitat for Humanity Susquehanna, Inc. (“Habitat”) for the purpose of providing affordable
41 housing in the community; and
42

43 **WHEREAS**, by Resolution 2023-03 the City Council approved a ballot question to be submitted
44 at the next regular election for approval by referendum of the transfer of the surplus property to
45 Habitat for the purposes therein expressed; and
46

47 **WHEREAS**, a majority of registered voters who voted on May 2, 2023 approved the transfer of
48 the surplus property to Habitat as described in the ballot question.
49

50 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that the Mayor
51 is authorized to execute a deed (substantially in the form attached hereto as Exhibit A) transferring
52 the surplus property described in Ordinance 1097 to Habitat for Humanity Susquehanna, Inc. for
53 the purposes aforesaid, and that the Director of Administration has authority to take action and
54 sign all documents needed to facilitate such transfer, and that all actions taken in that regard are
55 hereby ratified and approved.
56

57 **ADOPTED** by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.
58

59 **SIGNED** by the Mayor and attested by the Director of Administration this ____ day of
60 _____, 2023.
61

62
63 **ATTEST:**

**MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE**

64
65
66
67 _____
68 Stephen J. Gamatoria
69 Director of Administration

William T. Martin
Mayor

70
71 Introduced/First Reading: 8/21/2023
72 Public Hearing:
73 Second Reading/Adopted:
74
75 Effective Date:

EXHIBIT A

7926
Recordation Tax and Transfer Tax
To be based on the total assessed value
of \$6,000.00

Tax ID Nos. 06-010091, 06-010105 and 06-010113
429, 427 and 425 Village Drive

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this ___ day of August, 2023, by and between the **MAYOR AND CITY COUNCIL OF HAVRE DE GRACE**, a municipal corporation of the State of Maryland, Party of the First Part, Grantor; and **HABITAT FOR HUMANITY SUSQUEHANNA, INC.**, a Maryland corporation of the State of Maryland, Party of the Second Part, Grantee.

WHEREAS the Mayor and City Council of the City of Havre de Grace desires to sell, transfer, authorize, and approve the three lots on Village Drive, in BATTERY VILLAGE hereinafter described to Habitat for Humanity Susquehanna, Inc. for the purpose of construction of townhomes on the said lots.

WHEREAS, Habitat for Humanity Susquehanna, Inc. desires to acquire the three lots on Village Drive, in BATTERY VILLAGE hereinafter described for the purpose of construction of townhomes on the said lots.

WHEREAS, pursuant to a ballot question presented to voters during a regular City election held at a Public Hearing on Tuesday May 2, 2023 by the City of Havre de Grace, wherein voter approval was confirmed,

NOW, THEREFORE, WITNESSETH, That in Maryland, beingf the sum of Thirty Dollars and no cents (\$30.00) which is the actual consideration paid or to be paid, and other good and valuable consideration, the receipt of which the Grantor does hereby acknowledge, the said Party of the First Part does grant and convey to the said Party of the Second Part, its successors and assigns, in fee simple, all those lots or parcels of property situate and lying in the City of Havre de Grace, in the SIXTH ELECTION DISTRICT, Harford County, State of Maryland, being more particularly described as:

BEING KNOWN AND DESIGNATED as Lot Nos. 22, 23, and 24, as shown on the Plat entitled, "BATTERY VILLAGE" which Plat is recorded among the Plat Records of Harford County in Plat Book HDC No. 24, folio 53. The improvements thereon respectively being known as Nos: 429, 427

Return to:
Home Title Co. of Md., Inc.
39 E. Churchville Road, Suite 200
Bel Air, MD 21014
File No: 7926

and 425 Village Drive, Havre de Grace, MD 21078; Tax ID Nos. 06-010091, 06-010105 and 06-010113.

BEING part of the same property which by Deed dated September 27, 1984 recorded among the Land Records of Harford County in Liber HDC No. 1245, folio 158, which was granted and conveyed by The Colonial Company unto The Mayor and City Council of Havre de Grace, a municipal corporation, the within named Grantor.

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said property and premises above described to the said Party of the Second Part, its successors and assigns, in fee simple.

AND the Grantor does hereby covenant that it has not done or suffered to be done any act, matter, or thing whatever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted, and it will execute such further assurances as may be requisite.

WITNESS the hand and seal of the said Party of the First Part.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE,
a Municipal corporation**

Stephen J. Gamatoria,
Director of Administration

By: _____
William T. Martin, Mayor

STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

I HEREBY CERTIFY, that on this ____ day of August, 2023, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared WILLIAM T. MARTIN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged himself to be the duly elected Mayor authorized to execute this document on behalf of the Mayor and City Council of Havre de Grace and who, in my presence, signed and sealed the foregoing Deed and acknowledged it to be his act and deed in the capacity therein stated, for the uses and purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____

Notary Public

Approved for legal sufficiency:

Recommended for approval:

April C. Ishak, City Attorney
of the City of Havre de Grace

Stephen J. Gamatoria,
Director of Administration of the
City of Havre de Grace

This is to certify that the instrument has been prepared by, or under the supervision, of the undersigned Maryland Attorney, or by a party to this instrument.

Diane L. Sengstacke, Esquire