

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1131 concerning Accepting Deed of Dedication for Property between Bulle Rock Circle & Scenic Manor (Public Hearing)**

Date: **11/22/2023**

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 December 4, 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. 1131

Introduced by _____ Council President Ringsaker

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33, 34, 65, 66 AND 73 CONCERNING ACQUISITION OF 0.202 ACRES (MORE OR LESS) AND ACCEPTANCE OF A DEED OF DEDICATION REGARDING REAL PROPERTY LOCATED BETWEEN THE BULLE ROCK CIRCLE ON CHAPEL ROAD AND SCENIC MANOR

On: 11/20/2023
at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for December 4, 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

34 **WHEREAS**, BR Landholder LLC is the owner (“Owner”) of approximately 0.202 acres
35 (more or less) of unimproved land recorded among the Land Records of Harford County, identified
36 by Tax ID No. 06-067069 and designated as Parcel A as shown on that certain plat entitled
37 “Revised Final Plat One, Bulle Rock” recorded on February 9, 2005 amount the Land Records of
38 Harford County, Maryland at Plat Book J.J.R. 117, page 93 (“Property”); and

39
40 **WHEREAS**, the Owner has offered to dedicate the Property to the City for zero (“0”)
41 consideration in exchange for the City covering costs associated with the transfer of such property,
42 including recording a deed in the land records; and

43
44 **WHEREAS**, the City has expressed an interest in acquiring the Property for a public
45 purpose as a City right of way given its proximity to Chapel Road, the Bulle Rock circle at Bulle
46 Rock Parkway, and Scenic Manor Drive; and

47
48 **NOW THEREFORE**, it is this ____ day of _____ 2023, determined,
49 decided, and ordained by a majority of the City Council members that the acquisition for a public
50 purpose Property defined above is approved, and the Mayor is authorized, in consultation with the
51 City Attorney, to executed a deed in substantially similar form as attached hereto as Exhibit A to
52 achieve such purpose.

53
54 The foregoing Ordinance is hereby approved by the City Council.

55
56 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of _____,
57 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: 11/20/2023
72 Public Hearing:
73 Second Reading/Adopted:
74
75 Effective Date:

Exhibit A

FS-OS23-1573
Tax ID # 06-067069
Deed prepared without the benefit of a title exam.
This Deed is exempt from Recordation TPA 12-108(a)(1)(iv) and Transfer TPA 13-207(a)(1) taxes.

This Deed, made this ____ day of November, 2023, by and between BR Landholder, LLC, GRANTOR, and The Mayor and City Council of Havre de Grace, a Municipal Corporation, GRANTEE.

~Witnesseth~

That in consideration of the sum of No and 00/100 Dollars (\$.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, in fee simple, all that lot of ground situate in the County of Harford, State of Maryland and described as follows, that is to say:

All that certain parcel of land known and designated as "Parcel A" as shown on that certain plat entitled "Revised Final Plat One, Bulle Rock", recorded on February 9, 2005 among the Land Records or Plat Records of Harford County, Maryland in Plat Book JJR 117, Folio 93. Consisting of 0.202 acres more or less.

The improvements thereon being commonly known as Chapel Road, Havre de Grace, MD 21078 (for informational purposes only).

Tax ID Number: 06-067069

BEING the fee simple property which, by Deed dated January 8, 2021, and recorded March 17, 2021, in the Land Records of the County of Harford, Maryland, in Liber 14586, Folio 383, was granted and conveyed by Bulle Rock Investments, LLC unto BR Landholder, LLC.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said The Mayor and City Council of Havre de Grace, as sole owner, in fee simple.

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant Specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

BR LANDHOLDER, LLC

By: _____
Robert C. Ward, Manager

Witness

STATE OF MARYLAND }
COUNTY OF HARFORD } ss

I hereby certify that on this ____ day of November, 2023 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert C. Ward, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all, or substantially all, of the property and assets of the limited liability company, giving oath under penalties of perjury that the consideration recited herein is correct.

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

Notary Public
My Commission Expires: _____

In Witness Whereof, Grantee has accepted this Deed and acknowledged it to be properly executed and sealed the day and year first above written.

BUYER:
Mayor and City Council of Havre de Grace,
A Municipal Corporation

Witness

By: _____(SEAL)
William T. Martin, Mayor

STATE OF MARYLAND }
COUNTY OF HARFORD } ss

I hereby certify that on this ____ day of November, 2023, before me, the subscriber, a Notary Public of the State and County 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 the same for the purposes therein contained, and further acknowledged the acceptance of the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

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

Notary Public
My Commission Expires: _____

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

April C. Ishak, Esq.

AFTER RECORDING, PLEASE RETURN TO:
AC Ishak Law, LLC
224 N. Washington Street
Havre de Grace, MD 21078
443-502-5558