

## REQUIRED MOTION

### MAYOR & CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: September 27, 2022

TOPIC: Approval of a Resolution: Reverting Unimproved Property to Central Chemical Corporation

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	<u>  X  </u>
Other	_____

MOTION: I hereby move for the approval of a resolution authorizing a written declaration that 0.58 acres of unimproved property deeded to the City in 1987 will not be used as a public roadway and therefore reverts to the ownership of the grantor, Central Chemical Corporation.

I further authorize staff to begin the process to convey 0.63 acres of unimproved "Central Avenue" between the railroad and Florida Avenue to the adjoining land owner(s).

Date of Passage: September 27, 2022  
Effective Date: September 27, 2022

**CITY OF HAGERSTOWN, MARYLAND**

**A RESOLUTION AUTHORIZING A WRITTEN  
DECLARATION THAT A CERTAIN 0.58 ACRE PARCEL  
OF UNIMPROVED PROPERTY DEEDED TO THE CITY IN 1987 IS  
NOT USED, AND SHALL NOT BE USED AS A PUBLIC ROADWAY AND  
THEREFORE SHALL REVERT TO THE OWNERSHIP OF THE GRANTOR**

**RECITALS**

WHEREAS, the City of Hagerstown, Maryland is a Municipal Corporation existing under and by virtue of the laws of the State of Maryland ("the City"); and

WHEREAS, by deed dated October 19, 1987, and recorded among the Land Records of Washington County, Maryland at Liber 859, folio 366 ("the Deed"), Central Chemical Corporation, formerly known as Central Chemical Corporation of Maryland, a Maryland corporation (the "Grantor"), conveyed to the City, for no monetary consideration a 0.58 acre parcel of unimproved real property located in the City of Hagerstown ("the Property"), as more particularly described by metes and bounds in the Deed;

WHEREAS, the Deed provided that the Property is subject to the terms and conditions of a right of reverter, whereby the Property would automatically revert to the Grantor upon the occurrence of any of several events including the City declaring its intention in writing to abandon the Property and/or declaring its intention in writing to cease to use the Property as a public roadway;

WHEREAS, the Property has never been used as a public roadway, and it is unlikely, in light of expense and feasibility, that it ever would be;

WHEREAS, Grantor has requested that the City declare in writing that the Property has not been since its conveyance to the City been used as a public roadway, the plans for which having been abandoned, and furthermore that the City has no intention of ever using said Property as a public roadway; and

WHEREAS, the City's Planning Commission on September 14, 2022 determined that the land is no longer needed for a public purpose.

WHEREAS, the Mayor and Council deem it in the best interests of the citizenry to acknowledge that by operation of the right of reverter set forth in the Deed, the Property shall revert to the representatives of the former Central Chemical property~~Grantor~~, its heirs, successors and assigns in fee simple.

**NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body, as follows:

1. That the foregoing Recitals be and are hereby incorporated herein as if set forth *verbatim*.
2. That the Mayor and City Council do hereby declare and affirm that the subject Property conveyed to the City by the Deed dated October 19, 1987, and recorded among the Land Records of Washington County, Maryland at Liber 859, folio 366, has not been since that time used as a public roadway, the plans for which having been abandoned, and furthermore that the City has no intention of ever using said property as a public roadway from and after the date of this Resolution.
3. The City recognizes and agrees that, as a result of this written declaration, the subject 0.58 acre Property shall automatically revert to the Grantor, Central Chemical Corporation, formerly known as Central Chemical Corporation of Maryland, a Maryland corporation, and its heirs, ~~his~~, successors and assigns in fee simple.
4. That the Mayor and City Staff be and are hereby authorized to act as signatory on behalf of the City on any other documentation necessary to effectuate the purpose of this Resolution.
5. The Mayor and City Council acknowledge that this Resolution may be recorded among the Land Record of Washington County, Maryland,

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED THAT** this Resolution shall become effective upon its approval.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

\_\_\_\_\_  
Donna K. Spickler, City Clerk

MAYOR AND COUNCIL OF THE  
CITY OF HAGERSTOWN, MARYLAND

By: \_\_\_\_\_  
Emily N. Keller, Mayor

Date of Introduction: September 27, 2022  
Date of Passage: September 27, 2022  
Effective Date: September 27, 2022

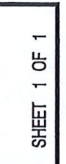
PREPARED BY:  
SALVATORE & MORTON, LLC  
CITY ATTORNEY

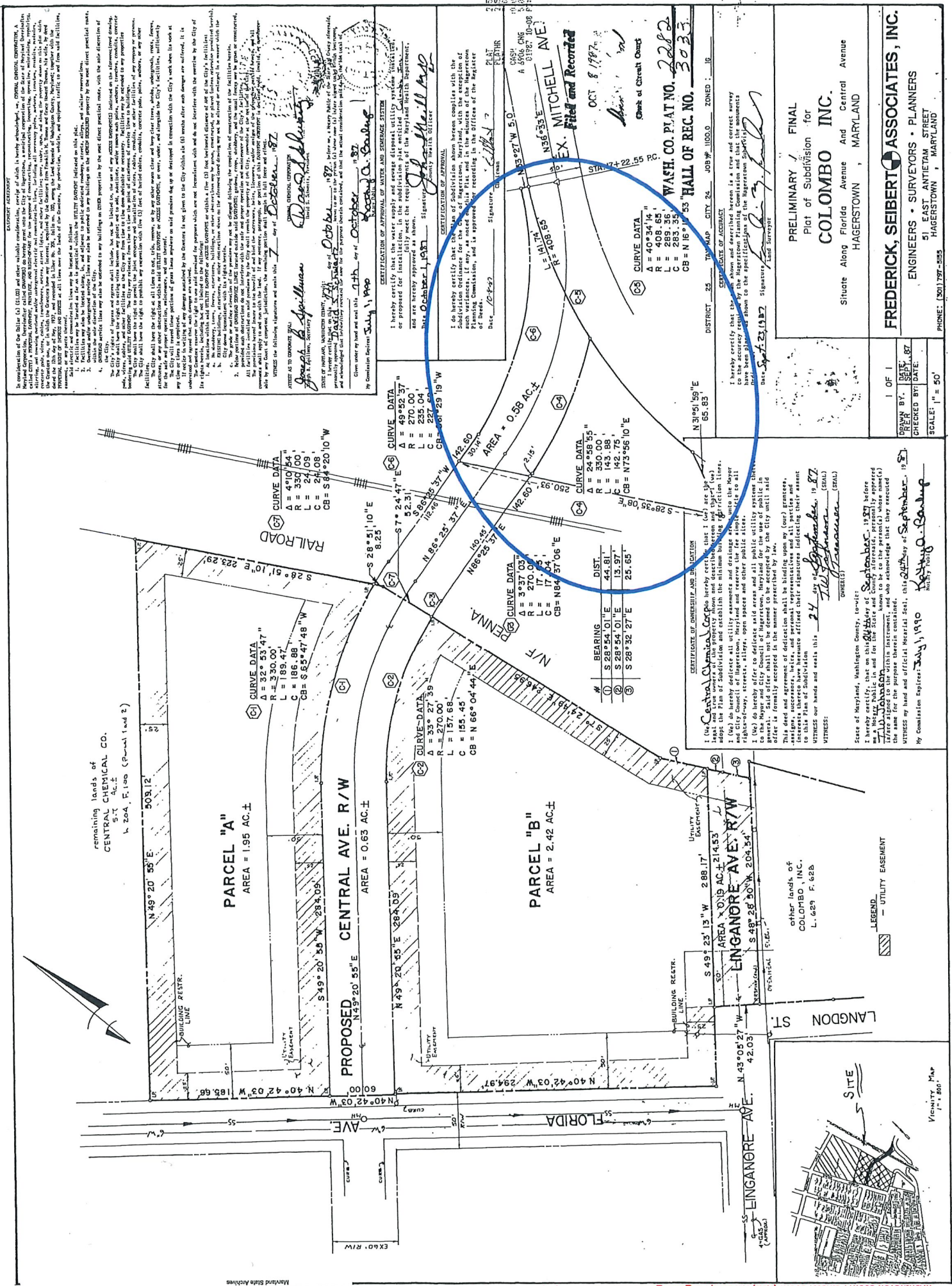




SCALE: 1"= 200'

# PROPOSED CENTRAL AVENUE QUIT CLAIM





**EXHIBIT A - CERTIFICATE OF APPROVAL**

I, the undersigned, being a duly qualified and licensed Surveyor of the State of Maryland, do hereby certify that the foregoing plat is a true and correct representation of the survey and subdivision of the land shown thereon, and that the same conform to the provisions of the Subdivision Control Act of the State of Maryland, and to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

I do hereby certify that the water supply and sewage disposal utility system shown on the plat is in accordance with the requirements of the City of Hagerstown, Maryland, and that the same conform to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

I do hereby certify that the plat is in accordance with the requirements of the City of Hagerstown, Maryland, and that the same conform to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

**EXHIBIT B - CERTIFICATE OF APPROVAL**

I, the undersigned, being a duly qualified and licensed Surveyor of the State of Maryland, do hereby certify that the foregoing plat is a true and correct representation of the survey and subdivision of the land shown thereon, and that the same conform to the provisions of the Subdivision Control Act of the State of Maryland, and to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

I do hereby certify that the water supply and sewage disposal utility system shown on the plat is in accordance with the requirements of the City of Hagerstown, Maryland, and that the same conform to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

I do hereby certify that the plat is in accordance with the requirements of the City of Hagerstown, Maryland, and that the same conform to the provisions of the Ordinance of the City of Hagerstown, Maryland, relating to the subdivision of land.

**PRELIMINARY / FINAL**

**Plat of Subdivision for**

**COLOMBO INC.**

Situate Along Florida Avenue And Central Avenue

**HAGERSTOWN, MARYLAND**

**FREDERICK, SEIBERT ASSOCIATES, INC.**

**ENGINEERS • SURVEYORS • PLANNERS**

51 EAST ANTIETAM STREET

HAGERSTOWN, MARYLAND

PHONE: (301) 797-5955

**DATE: 7/1/90**

**BY: [Signature]**

**CHECKED BY: [Signature]**

**SCALE: 1" = 50'**

**LEGEND**

— UTILITY EASEMENT

other lands of COLOMBO, INC. L. 629 F. 628

**VICINITY MAP**

1" = 800'