

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 24-O-02 (Emergency)

Date Introduced: January 8, 2024

Sponsored by: Council President Adam Hiob and Councilwoman Tandra Ridgley

Public Hearing: None

Amendments Adopted: None

Date Adopted: January 8, 2024

Date Effective: January 9, 2024

AN ORDINANCE concerning

WATER TANK SITE PROPERTY ACQUISITION AUTHORIZATION
Emergency

FOR the purpose of approving the acquisition, for no monetary consideration, of a 14,196 square feet (0.326 acres)+/- , parcel of land in the vicinity of Technology Drive and MD Route 22, owned by Maryland Transportation Authority, as a site for the construction of a west side water tank; and matters generally related to the acquisition of a site for the erection of a water tank for the City of Aberdeen.

* * * * *


EXPLANATORY STATEMENT: The Maryland Transportation Authority (“MDTA”) owns the 14,196 square feet (0.326 acres)+/- , parcel of land in the vicinity of Technology Drive and MD Route 22 as described in the Quit Claim Deed attached hereto as Exhibit 1 (“Parcel 1-A”). The City has determined that Parcel 1-A would be a suitable and appropriate location for the construction of a water tank to serve properties on the west side of Aberdeen. MDTA is willing to convey Parcel 1-A to the City for no monetary consideration by the attached Quit Claim Deed. The Mayor and Council believe that the City’s acquisition of Parcel 1-A from MDTA is in the long-term interests of the City and its residents. Now, therefore,

SECTION 1. BE IT ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF ABERDEEN that the acquisition of the Parcel from MDTA for no monetary consideration, pursuant to the attached Quit Claim Deed, as a site for the construction of a water tank is in the interests of the City of Aberdeen and is hereby authorized; and the Mayor is hereby authorized to execute the Quit Claim Deed and any other usual and customary documents to effectuate the conveyance and acceptance of the Parcel.

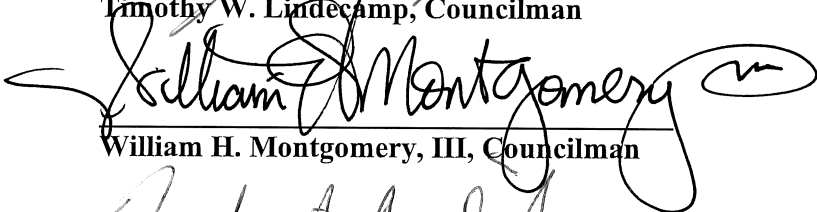
SECTION 2. BE IT FURTHER ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF ABERDEEN that this Ordinance shall become effective on the day following its adoption by the Council.

COUNCIL OF THE CITY OF ABERDEEN


Patrick L. McGrady, Mayor


Adam M. Hiob, Council President


Timothy W. Lindecamp, Councilman


William H. Montgomery, III, Councilman


Tandra A. Ridgley, Councilwoman

ATTEST:


Monica A. Correll, City Clerk

SEAL:

Date January 8, 2024

EXHIBIT 1

Quit Claim Deed

From the Maryland Transportation Authority
of the Department of Transportation and
the Board of Public Works of Maryland

THIS DEED, made this ____ day of _____ in the year 2024, from MARYLAND TRANSPORTATION AUTHORITY (MDTA), an agency of the Maryland Department of Transportation, acting for and on behalf of the STATE OF MARYLAND, party of the first part; and the BOARD OF PUBLIC WORKS OF MARYLAND, party of the second part, hereinafter sometimes collectively called the "GRANTORS," unto the CITY OF ABERDEEN, a municipal corporation of the State of Maryland, hereinafter sometimes called the "GRANTEE."

WHEREAS, MDTA has prepared, or caused to be prepared Right of Way Plat designated as State Highway Administration Plat numbered 62108 (the "Plat"), which plat has been or is intended to be filed for record with and electronically recorded by the Maryland State Archives; all of which plat is made a part hereof, and which is duly recorded, or intended to be recorded among the Land Records of the aforesaid County being a portion of the parcel of land identified as Harford County Tax Number 02-060167 and all of the parcel of land identified as Harford County Tax Number 02-056321.

WHEREAS, under the provisions of Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland, it is necessary for the Board of Public Works of Maryland to join in this conveyance.

WHEREAS, transferors certify under penalties of perjury that the transferors are resident entities of the State and that no tax is due under Tax-General, § 10-912(c).

BEING a part of the same property conveyed by a deed dated May 17, 1989 and recorded among the Land Records of Harford County in CGH Liber 1468 Folio 356 from Leonard McGrady to MDTA. BEING all of the same property conveyed by a deed dated February 7, 2000 and recorded among the Land Records of Harford County in CGH Liber 3201 Folio 133 from Alvah H. Johnson Jr. to MDTA.

NOW, THEREFORE, THIS DEED WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the said parties of the first and second parts do hereby quit claim unto the CITY OF ABERDEEN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, all that property designated as Parcel 1-A (containing 0.326 acres, more or less) on the reduced copy of the aforesaid Plat which is attached hereto and incorporated herein as Exhibit No. 1.

Subject to an agreement between the City of Aberdeen and MARYLAND TRANSPORTATION AUTHORITY (MDTA) named the Water and Sanitary Sewer Facilities Ownership Agreement dated June 25, 2001, attached hereto and incorporated herein as Exhibit No. 2, which agreement is merged into this deed and of no further force or effect.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining, but SUBJECT TO encumbrances, easements, and restrictions of record.

SUBJECT, HOWEVER, TO EACH AND EVERY RESERVATION, RESTRICTION, CONDITION, COVENANT, AND CONTROL SET FORTH IN THIS INSTRUMENT OF WRITING.

The conveyance of the herein described property is not based on any monetary consideration but is a transfer between two governmental entities.

The remainder of this page was purposely left blank.

IN WITNESS WHEREOF, the Grantors have duly executed this Deed the date written above.

IN THE PRESENCE OF:
MARYLAND TRANSPORTATION AUTHORITY

_____, Witness

By: _____ (Seal)
Percy E. Dangerfield, Acting Executive Director

STATE OF MARYLAND -- COUNTY OF _____, To Wit:

I HEREBY CERTIFY that on this _____ day of _____ 20____, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Percy E. Dangerfield, Acting Executive Director, Maryland Transportation Authority, and acknowledged the foregoing Quit Claim Deed to be the act of the Maryland Transportation Authority, and at the same time made oath in due form of law that he is fully authorized to execute and acknowledge the same.

WITNESS MY HAND AND NOTARIAL SEAL

_____, Notary Public

My Commission Expires:

IN THE PRESENCE OF:
City of Aberdeen

_____, Witness

By: _____ (Seal)
Patrick L. McGrady, Mayor
City of Aberdeen

STATE OF MARYLAND -- COUNTY OF _____, To Wit:

I HEREBY CERTIFY that on this _____ day of _____ 20____, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Patrick L. McGrady, Mayor of Aberdeen and acknowledged the foregoing Quit Claim Deed to be the act of the City of Aberdeen, and at the same time made oath in due form of law that he is fully authorized to execute and acknowledge the same.

WITNESS MY HAND AND NOTARIAL SEAL

_____, Notary Public

My Commission Expires:

Approved as to form and legal sufficiency

Ryan Bounds, Assistant Attorney General
Maryland Transportation Authority

Execution of this Deed is hereby authorized and approved by the Board of Public Works of Maryland at a meeting held on the ____ day of _____, 20____, as Maryland Transportation Authority's agenda item number _____.

BOARD OF PUBLIC WORKS OF MARYLAND

WITNESS (as to each):

_____(SEAL)

Wes Moore
Governor

John Gontrum
Executive Secretary
Board of Public Works

_____(SEAL)

Brooke E. Lierman
Comptroller

Date of Execution: _____

_____(SEAL)

Dereck E. Davis
Treasurer

STATE OF MARYLAND -- COUNTY OF _____, To Wit:

BEFORE ME, THE UNDERSIGNED Notary Public of the State of Maryland, in and for the aforesaid County, personally appeared this ____ day of ____ 20____, before me, Wes Moore, known to me or satisfactorily proven to me to be the person set forth herein, who acknowledged himself to be the Governor of the State of Maryland, and that holding such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by himself in the foregoing capacity.

WITNESS MY HAND AND NOTARIAL SEAL

_____(SEAL)

, Notary Public

My Commission Expires:

STATE OF MARYLAND -- COUNTY OF _____, To Wit:

BEFORE ME, THE UNDERSIGNED Notary Public of the State of Maryland, in and for the aforesaid County, personally appeared this ____ day of ____ 20____, before me, Brooke E. Lierman, known to me or satisfactorily proven to me to be the person set forth herein, who acknowledged herself to be the Comptroller of the State of Maryland, and that holding such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by herself in the foregoing capacity.

WITNESS MY HAND AND NOTARIAL SEAL

_____(SEAL)

, Notary Public

My Commission Expires:

STATE OF MARYLAND -- COUNTY OF _____, To Wit:

BEFORE ME, THE UNDERSIGNED Notary Public of the State of Maryland, in and for the aforesaid County, personally appeared this _____ day of _____ 20____, before me, Dereck E. Davis, known to me or satisfactorily proven to me to be the person set forth herein, who acknowledged himself to be the Treasurer of the State of Maryland, and that holding such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by himself in the foregoing capacity.

WITNESS MY HAND AND NOTARIAL SEAL

_____(SEAL)
, Notary Public

My Commission Expires:

I hereby certify that this instrument has been prepared by an attorney admitted to practice law in Maryland.

Date: _____

Ryan Bounds
Assistant Attorney General