

**Mayor and Town Council
Town of Friendsville**

P.O. Box 9
Friendsville, Maryland 21531

Founded 1765

ORDINANCE NO. 2012-03

**Sale of Three and Two-Fifths (3.4) Acres of City Water Company, Inc,
by Auction, by the Mayor and Town Council of Friendsville**

AN ORDINANCE AUTHORIZING THE MAYOR AND TOWN COUNCIL OF FRIENDSVILLE, to sell by auction, and to deliver a deed of, certain real property owned by the Mayor and Town Council, in consideration of payment to the Mayor and Town Council of an amount equal to or greater than the reserve placed on the sale.

WHEREAS, the Mayor and Town Council of Friendsville are constituted as a municipal corporation under the laws of the State of Maryland; and

WHEREAS, the Mayor and Town Council of Friendsville purchased, as part of purchasing all assets of the city Water Company, Inc., a certain piece of real estate on or about November 1, 1973, from the City Water Company, Inc., by Deed recorded in Book number 344, folio 167, among the Land Records of Garrett County, Maryland, and more particularly described in the deed dated October 11, 1922, and recorded in Book 84, Page 60, among the Land Records of Garrett County, Maryland,; and

WHEREAS, since the said purchase, the three and two-fifths (3.4) acres, more particularly described in the deed dated October 11, 1922, and recorded in Book 84, Page 60, among the Land Records of Garrett County, Maryland, has been unused; and

WHEREAS, the Town has determined that said one (1) acre parcel above referenced is no longer needed for any public purpose; and

WHEREAS, the Mayor and Town Council of Friendsville by its Resolution No. 2012-6, adopted on the 10th day of September, 2012, declared the said three and two-fifths (3.4) acre parcel no longer needed for any public purpose and authorized the Mayor and Town Council to sell the property at auction; and

WHEREAS, the Mayor and Town Council of Friendsville have determined that would be beneficial to the Town and the residents thereof as the funds derived from said sale could be better utilized for the benefit of the Town, the building being of no further use to the Town; and

WHEREAS, the Mayor and Town Council of Friendsville have determined that the said property shall be conveyed to the highest bidder who has bid an amount equal to or more than the reserve; and

WHEREAS, the Mayor and Town Council of Friendsville have determined that the mineral interests and rights of said property may be retained by the Mayor and Town Council of Friendsville.

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED by the Mayor and Town Council of Friendsville as follows:

1. That the Mayor and Town Council of Friendsville, by its Resolution No. 2012-6, adopted on the 10th day of September, 2012, determined that a certain piece of real property, more fully described in paragraph 2 hereof, should be sold at auction and authorized and appointed the Mayor and Town Council to carry out such sale in accordance with Section 2(24) of Article 23 A of the Annotated Code of Maryland.

2. That the property to be deeded is described as follows:

All that certain piece or parcel of ground situated in Garrett County, in the State of Maryland, being a part of Military Lot Number 2783 and beginning for the portion of said lot hereby intended to be conveyed at a stone pile at the Northwest corner of said lot and running thence West sixteen perches to a stone, thence South thirty four perches, thence East, sixteen perches, thence North thirty four perches to the beginning and containing three and two fifths acres, more or less, and being a portion of the same land which was conveyed to the said Norval

Speelman, by Edward J. Stuck and wife, by deed dated the 24th day of June, 1922, and recorded in Liber E.Z.T. No 82, folio 450 etc , one of the Land Records of Garrett County, Maryland.

3. That the three and two-fifths (3.4) acre parcel, more particularly described in the deed dated October 11, 1922, and recorded in Book 84, Page 60, among the Land Records of Garrett County, Maryland, acquired by the Mayor and Town Council of Friendsville on February 20, 1998, is no longer needed for any public purpose by the Town.

4. That the Mayor and Town Council shall sell, pursuant to Article 23A, Section 2 (24) of the Annotated Code of Maryland, the three and two-fifths (3.4) acre parcel, at public auction, with a reserve to be matched by the highest bidder.

5. That the Mayor and Town Council may reserve the mineral interests and rights in and to the said three and two-fifths (3.4) acre parcel upon conveyance of the surface.

6. That the terms of the sale shall be cash upon delivery of the deed to the purchasers. The buyers shall be responsible for the payment of all costs, excepting the preparation of the deed, associated with said sale, including but not limited to, any state or county transfer taxes and the cost of recording said deed.

7. That this Ordinance shall be advertised according to the Town's policy for advertising Ordinances, and that the Mayor and Town Council shall give at least twenty (20) days public notice prior to its action upon this Ordinance, pursuant to Article 23A, Section 2 (24) as aforesaid.

BE IT FURTHER RESOLVED, that this Ordinance shall be adopted in conformance with the procedure for adopting ordinances as provided for by the Mayor and Town Council of Friendsville.

THIS ORDINANCE introduced this 5th day of November, 2012.

SECOND READING AND ADOPTION this 7th day of January , 2013.

THIS ORDINANCE SHALL BECOME EFFECTIVE the 7th day of January, 2013.

ATTEST:

APPROVED:

Karen S. Benedict
Town Clerk

Spencer R. Schlang (Mayor)

Julia Sines (Council)

Bonnie Artie (Council)

[Signature] (Council)

Catherine M. Hase (Council)

Pamela A. Humberston (Council)

_____ (Council)

APPROVED as to form and legal sufficiency this _____ day of _____, 2013.

MIRIAM SINCELL
Town Attorney

Posted December 6, 2012