

ORDINANCE NO. 3792

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING CERTAIN SURPLUS PROPERTY LOCATED AT 106 W. FIRST STREET IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND TO CAITLYN D. RODENHAUSER."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain unimproved parcel of real property located at 106 W. First Street, in the City of Cumberland, Allegany County, Maryland;

WHEREAS, the said property was declared to be surplus under the terms of Order No. 25,882, passed by the Mayor and City Council on October 6, 2015;

WHEREAS, Caitlyn D. Rodenhauser offered to purchase the said property for the sum of \$500.00; and

WHEREAS, the Mayor and City Council deem the acceptance of that offer to be in the interest of the City.

NOW, THEREFORE

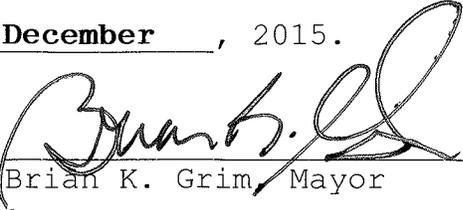
SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Mayor and City Council accepts Caitlyn D. Rodenhauser's offer to purchase the real property located at 106 W. First Street, Cumberland, MD 21502 for the purchase price of \$500.00, provided that all costs of effecting the transfer and all recordation and transfer taxes shall be borne by Ms. Rodenhauser and she shall be responsible for the payment of a prorated portion of the current year real estate taxes;

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute a deed in the form attached hereto as Exhibit A or in a

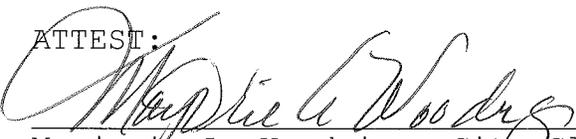
similar form, conveying the aforesaid real property to Ms. Rodenhauser in exchange for the payment of the aforesaid purchase price;

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 1st day of December, 2015.



Brian K. Grim, Mayor

ATTEST:


Marjorie A. Woodring, City Clerk

1st reading: November 17, 2015

2nd reading: December 1, 2015

3rd reading: December 1, 2015

Passed 4-0

EXHIBIT A

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this 17th day of November, 2015, by and between **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **CAITLYN D. RODENHAUSER**, of Allegany County, Maryland, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Hundred Dollars (\$500.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto the party of the second part, her personal representatives, heirs and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

ALL that piece or parcel of ground situated on the northerly side of First Street in the City of Cumberland, Allegany County, Maryland, and being part of Lot No. 27 of the sub-division of Mary Ann O'Neal Estate, and more particularly described as follows, to-wit:

BEGINNING for the same at a point on the northerly side of First Street at the end of the fifth line of the parcel of ground conveyed by George Burns, et ux, to Julius Linaburg, dated June 26, 1899, and recorded among the Land Records of Allegany County, in Liber 86, folio 321, said point of beginning being also distant 19.46 feet, measured in a westerly direction along the northerly side of First Street from where it is intersected by the extension northerly of the westerly side of Springdale Street and running thence with the northerly side of First Street, North 75 degrees 13 minutes 20 seconds West 44.97 feet to the parcel of land conveyed by George Burns, et ux, to Mary C. Beck by deed dated October 6, 1898, and recorded in Liber 84, folio 238 of the Land Records of Allegany County (a confirmatory deed of the last mentioned deed being made by Burns and wife, to said Beck, July 31, 1909) thence with a line of said deed from Burns to Beck and at right angles to First Street, North 14 degrees 33 minutes East 74.41 feet to the southerly side of Dogwood Alley, thence with the southerly side of said alley, South 75 degrees 8 minutes 20 seconds East 44.53 feet to the end of the fourth line of the aforesaid deed from Burns to Linaburg, and thence with the fifth line thereof, South 14 degrees 54 minutes West 74.38 feet to the place of beginning

IT BEING the same property which was conveyed from Craig A. Robertson, Sheriff of Allegany County, Maryland to the Mayor and City Council of Cumberland by deed dated August 1, 2012 and recorded among the Land Records of Allegany County, Maryland in Book 1944, Page 55.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the party of the second part, her personal representatives, heirs and assigns, in fee simple forever.

WITNESS the hand and seal of the party of the first part the day and year first above written.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Woodring, City Clerk

By: _____ (SEAL)
Brian K. Grim, Mayor

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this _____ day of _____, 2015, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$500.00. He further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN