

**ORDINANCE NO. 3771**

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 316 BROADWAY IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND TO AUTUMN DATRI."

**WHEREAS**, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 316 Broadway in the City of Cumberland, Allegany County, Maryland;

**WHEREAS**, the said property was declared to be surplus property under the terms of Order No. 25,761, passed by the Mayor and City Council on December 2, 2014;

**WHEREAS**, Autumn Datri desires to purchase the said property for the sum of \$500.00; and

**WHEREAS**, the Mayor and City Council of Cumberland deem it to be in the interest of the City to accept Ms. Datri's offer.

**NOW, THEREFORE**

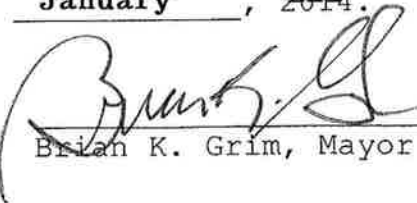
**SECTION 1:** BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept Autumn Datri's offer to purchase the real property located at 316 Broadway, Cumberland, MD 21502 for the purchase price of \$500.00, provided that all costs of effecting the transfer shall be borne by Ms. Datri 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 Autumn Datri in exchange for the payment of the aforesaid purchase price;

**SECTION 4:** AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 6th day of January, <sup>2015</sup>2014.

  
\_\_\_\_\_  
Brian K. Grim, Mayor

ATTEST.  
  
\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

1st reading: 12/16/14  
2nd reading: 1/6/15  
3rd reading: 1/6/15  
Passed 5-0

# **EXHIBIT A**

## **DEED ONLY – NO TITLE SEARCH**

**THIS DEED**, made this \_\_\_\_ day of December, 2014, by and between **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **AUTUMN DATRI**, 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 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 lot or parcel of ground situated on the northerly side of Broadway, in the City of Cumberland, Allegany County, Maryland, known and designated as part of Lot No. 5 in Broadway Addition to Cumberland, and particularly described as follows, to-wit:

**BEGINNING** for the same on the northerly side of Broadway at a point distant South 82-1/2 degrees East 56 feet from the intersection of the easterly side of Althea Alley with the northerly side of Broadway, said point of beginning being also at the end of the first line of the lot conveyed by Marshall G. Wilson and wife to John Rhoades by deed dated January 19, 1921, and recorded in Liber 135, folio 406, Allegany County Land Records, and running then with the northerly side of Broadway, South 82-1/2 degrees East 29 feet, then North 71-1/2 degrees East 85 feet to an alley six feet wide, then with said alley, North 82-1/2 degrees West 29 feet to the second line of said Rhoades lot, and running with said second line, South 71-1/2 degrees West 85 feet to the place of beginning.

**BEING** the same property conveyed from Lisa Kay Federline, Personal Representative of the Estate of Patty Joan Boggs (A.K. A. P. Joan Boggs) to Mayor and City Council of Cumberland by deed dated April 2, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2053, Page 259.

**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 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. Eirich, City Clerk**

By: \_\_\_\_\_(SEAL)  
**Brian K. Grim, Mayor**

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

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, 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 and that the total payment made to the grantor was \$500.00 and 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 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**