

ORDINANCE NO. 3609

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 TO ALLEGANY COUNTY HUMAN RESOURCES DEVELOPMENT COMMISSION, INC. CERTAIN SURPLUS PROPERTY LOCATED IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, the Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property and the improvements located at 125 Virginia Avenue, in the City of Cumberland, Allegany County, Maryland;

WHEREAS, by Order No. 24,367, passed by the Mayor and City Council of Cumberland on May 16, 2006, the Mayor was authorized to sign a letter of intent authorizing the pledge of MPA Lot #9 located at 125 Virginia Avenue to Allegany County Human Resources Development Commission, Inc. for its use as the building site for the development of a new facility for its offices;

WHEREAS, the Mayor executed the said letter of intent, and it was submitted to the Allegany County Human Resources Development Commission, Inc.;

WHEREAS, this Order effects the commitment of the Mayor and City Council of the City of Cumberland to transfer the real property and the improvements thereon located at 125 Virginia Avenue to Allegany County Human Resources Development Commission, Inc.; and

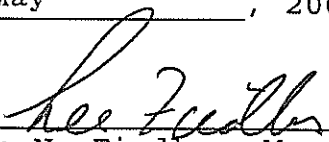
WHEREAS, the Mayor and City Council of Cumberland deems it to be in the interest of the City to grant the said conveyance.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Clerk, be and they are hereby authorized to execute a deed, as more particularly described in the Exhibit A attached hereto, effecting the conveyance of the real property and the improvements thereon located at 125 Virginia Avenue, Cumberland, Maryland to HRDC; and

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 13th day of May, 2008.



Lee N. Fiedler, Mayor

ATTEST 

Marjorie A. Eirich, City Clerk

COPY

**CITY OF CUMBERLAND
MARYLAND
~ORDER~**

ORDER NO. 24,756

DATE: May 13, 2008

ORDERED, By the Mayor and City Council of Cumberland, Maryland

WHEREAS, the Mayor and City Council of Cumberland is the record owner of a certain parcel of property located at 125 Virginia Avenue in the City of Cumberland; and

WHEREAS, said property has been determined to be surplus property by the Mayor and City Council;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT:

1. The following described property is hereby declared to be surplus property in accordance with the provisions of Section 1 of the Charter of the City of Cumberland by the Mayor and City Council:

•Tax Account No. 04-007417

•Legal Description: VIRGINIA AVENUE LOTS 6-7 96x139

•Deed Reference: 479/107

BE IT FURTHER ORDERED THAT, the Mayor and City Council will convey the property at 125 Virginia Avenue to the Human Resources Development Commission, Inc., to be used as the building site for the development of a new HRDC facility.



MAYOR LEE N. FIEDLER

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this 13th day of May, 2008, by and between **THE MAYOR AND CITY COUNCIL OF CUMBERLAND**, party of the first part, and **ALLEGANY COUNTY HUMAN RESOURCES DEVELOPMENT COMMISSION, INC.**, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Zero Dollars (\$0.00) 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 to the party of the second part, its successors and assigns, all of the party of the first part's right, title, interest and estate in and to the following described piece or parcel of real estate lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

ALL those pieces or parcels of ground situate and lying in South Cumberland, County of Allegany and State of Maryland, and known as Lots Nos. 6 and 7 in "Hobrock's Addition to Cumberland", more particularly described as follows:

PARCEL I: All that piece or parcel of ground situate and lying in South Cumberland, state of Maryland, on Commerce Lane and known as Lot No. 7 of Hobrock's Addition to Cumberland, fronting 48 feet on Commerce Lane with a depth of 136 feet throughout.

PARCEL II: BEGINNING at the end of the first line of Lot No. 5 in said Addition to Cumberland and running thence South 17 degrees West 48 feet; thence North 75 degrees West 136 feet to Brodel's Alley; thence North 17 degrees East 48 feet; thence by a straight line to the **BEGINNING**.


IT BEING the same property conveyed from the County Commissioners of Allegany County unto the Mayor and City Council of Cumberland by Deed dated May 9, 1975 and recorded among the Land Records of Allegany County, Maryland in Deed Liber 479, folio 107.

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, its successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, the Mayor and City Council of Cumberland has caused these presents to be executed in its name and under its seal and duly attested all on the day and date first above written.

WITNESS/ATTEST:



Marjorie A. Eirich
City Clerk

**THE MAYOR AND CITY COUNCIL OF
CUMBERLAND**

By:  (SEAL)

Lee N. Fiedler, Mayor

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

I HEREBY CERTIFY, that on this 13th day of May, 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Lee N. Fiedler**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of the City 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 \$0.00 and that the total payment made to the grantor was \$0.00 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: January 1, 2009

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