

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 30

Bill No. 96-20

Introduced by Ms. Pickard, Chair  
(by request of the County Executive)

and by Ms. Pickard

By the County Council, November 2, 2020

Introduced and first read on November 2, 2020  
Public Hearing set for and held on December 7, 2020  
Bill AMENDED and VOTED on December 7, 2020  
Bill Expires on February 5, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Approval of private disposition of County-owned property  
2 formerly known as the Papa John’s Farm, located along New Cut Road in Severn,  
3 Maryland  
4

5 FOR the purpose of approving the terms and conditions under which the County may  
6 convey certain County-owned property to the Board of Education of Anne Arundel  
7 County.  
8

9 WHEREAS, in December of 2017, the County acquired property formerly known  
10 as the Papa John’s Farm, located along New Cut Road in Severn, Maryland, as  
11 described in ~~Exhibit A~~ Exhibit A-1, which is attached hereto and made a part  
12 hereof, and more particularly described in a deed recorded in the County Land  
13 Records in Book 31902, page 256 (the “Property”), to provide for the construction  
14 by the Board of Education of Anne Arundel County (“BOE”) of the Old Mill West  
15 High School (“School”); and  
16

17 WHEREAS, the BOE desires to acquire the Property from the County for the sum  
18 of Zero Dollars (\$0) to begin construction of the School; and  
19

20 WHEREAS, pursuant to Section 8-3-204(g) of the Code, the County may negotiate  
21 and make a private disposition of property if the County Executive determines that  
22 the public interest will be furthered by a private disposition of property, and if the

EXPLANATION: Underlining indicates amendments to bill.  
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 terms and conditions of such private disposition are first approved by ordinance of  
2 the County Council; and

3  
4 WHEREAS, the County Executive has determined that the public interest will be  
5 furthered by this private disposition of Property; and

6  
7 WHEREAS, by this Ordinance, the County Council approves the private  
8 disposition of the Property in accordance with the terms and conditions as set forth  
9 herein; now therefore,

10  
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
12 That a private disposition of all those certain lots or parcels of land situate, lying and being  
13 in the Fourth Assessment District of Anne Arundel County, Maryland, and described in  
14 ~~Exhibit A~~ Exhibit A-1, to the BOE is hereby approved upon the following terms and  
15 conditions:

- 16  
17 1. the sale price shall be Zero Dollars (\$0);  
18  
19 2. the grantee of the Property shall be the BOE;  
20  
21 3. the conveyance shall be in the form of a deed without warranties;  
22  
23 4. any expenses associated with the sale and conveyance of the Property to the  
24 BOE shall be borne by grantee; and  
25  
26 5. the sale and conveyance shall be in accordance with any other reasonable  
27 conditions determined by the County Executive to be necessary for the protection of the  
28 County's interest.

29  
30 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45  
31 days from the date it becomes law.


AMENDMENTS ADOPTED: December 7, 2020

READ AND PASSED this 7<sup>th</sup> day of December, 2020

By Order:

  
JoAnne Gray  
Administrative Officer

PRESENTED to the County Executive for his approval this 8<sup>th</sup> day of December, 2020

  
JoAnne Gray  
Administrative Officer

APPROVED AND ENACTED this 18<sup>th</sup> day of December, 2020



Steuart Pittman  
County Executive

EFFECTIVE DATE: February 1, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 96-20. THE ORIGINAL OF WHICH IS RETAINED IN THE  
FILES OF THE COUNTY COUNCIL.



JoAnne Gray  
Administrative Officer

TAX ID NOS.  
04-000-05133050  
04-000-05132900  
04-000-06001875  
04-000-90234004  
04-000-06002100

Legal Description  
Property Formerly Known as Papa John's Farm  
Fourth Assessment District  
Anne Arundel County, Maryland

Being the same property conveyed to Anne Arundel County, Maryland, described in a deed dated December 5, 2017, and recorded among the Land Records of Anne Arundel County, Maryland, in Book 31902, page 256.

Beginning for the same at a point on the southern Right-of-way line of New Cut Road (a variable width public right of way) at the division line with the property now or formerly in the name of Calvin O. Wade Jr. as recorded among the Land Records of Anne Arundel County, Maryland in Liber 3669, Folio 623 and the property now or formerly in the name of James D. Schillinger Sr. Et Al as recorded among the Land Records of Anne Arundel County, Maryland in Liber 27011, Folio 130, thence running with said Right-of-way line the following course and distance;

1. North 25°34'45" East, 215.27 feet to a point in common with the southwestern Right-or-way line of Maryland Interstate Route 97 (a variable width public right of way), thence running with said Right-of-way the following two (2) courses and distances
2. North 89°27'33" East, 204.18 feet a point, thence
3. South 42°19'02" East, 89.78 feet to a point in common with the aforesaid James D. Schillinger Sr. and Calvin O. Wade Et Al property, thence leaving said Right-of-way and running with the line of division between the James D. Schillinger Sr. and Calvin O. Wade Et Al property and the James D. Schillinger Sr. Et Al property the following course and distance.
4. South 46°25'14" West, 292.73 feet to a point in common with the aforesaid James D. Schillinger Sr. and Calvin O. Wade Et Al property and the Calvin O. Wade Jr.

property, thence running with the line of division between the aforesaid Calvin O. Wade Jr. and James D. Schillinger Et Al properties the following course and distance

5. North  $61^{\circ}08'46''$  West, 162.50 feet to a point and place of beginning.

Containing in all the above described 57,221 square feet of land or 1.31 acres of land more or less as surveyed by Messick and Associates in November, 2017.

Being the same Land conveyed by Jack C. Pumphrey, Jr., Personal Representative of the Estate of Donna Kay Pumphrey, deceased to Jack C. Pumphrey, Jr. — one half, Jack C. Pumphrey, III — one sixth, Kristy Lynn Dulin — one sixth, Laurie Kay Pumphrey — one sixth by deed dated September 11, 2013 and recorded among the aforesaid land records in Liber 27011, Folio 130. Further Being the same Land conveyed by Ruth J. Bowers and Donna K. Pumphrey, Trustees of the Ruth C. Schillinger 1999 Irrevocable trust agreement dated October 12, 1999 and to John A. Schillinger, Jr. Ruth J. Bowers, Donna K. Pumphrey, Carol A. Brong, Betty L. Russell, and James D. Schillinger, Sr. by deed dated October 25, 2006 and recorded among the aforesaid land records in Liber 18524, Folio 14.

Further Being the same Land conveyed by John A. Schillinger, Jr. and to James D. Schillinger, Jr., by deed dated October 31, 2006 and recorded among the aforesaid land records in Liber 18819, Folio 143.

Beginning for the same at a point on the southern Right-of-way line of New Cut Road (a variable width public right of way) at the division line with the property now or formerly in the name of James D. and Gina Schillinger as recorded among the Land Records of Anne Arundel County, Maryland in Liber 27011, Folio 125 and the property now or formerly in the name of Calvin O. Wade Jr. as recorded among the Land Records of Anne Arundel County, Maryland in Liber 3669, Folio 623, and the property now or formerly in the name of James D. Schillinger and Calvin O. Wade Et Al as recorded among the aforesaid Land Records in Liber 27011, folio 125 thence running with said Right-of-way line the following two (2) courses and distances;

6. North  $31^{\circ}18'35''$  East, 103.58 feet to a point, thence
7. North  $27^{\circ}26'13''$  East, 126.77 feet a point in common with the property now or formerly in the name of James D. Schillinger Sr. as recorded among the

aforesaid Land Records in Liber 27011, folio 130, thence running with the line of division between the aforesaid properties

8. South 61°08'46" East, 162.50 feet to a point in common with the aforesaid James D. Schillinger Sr. and Calvin O. Wade Et Al property, thence running with the line of division between the James D. Schillinger Sr. and Calvin O. Wade Et Al property and the Calvin O. Wade Jr property the following two (2) courses and distances.
9. South 46°19'58" West, 269.53 feet to a point, thence
10. North 47°05'46" West, 84.94 feet to a point and place of beginning.

Containing in all the above described 30,148 square feet of land or 0.69 acres of land more or less as surveyed by Messick and Associates in November, 2017.

Being the same Land conveyed by Calvin Olin Wade, Jr. and Carol M. Wade to Calvin Olin Wade, Jr. by deed dated September 16, 1983 and recorded among the aforesaid land records in Liber 3669, Folio 623.

Beginning for the same at a point on the southern Right-of-way line of New Cut Road (a variable width public right of way) at the division line with the property now or formerly in the name of James D. and Gina Schillinger as recorded among the Land Records of Anne Arundel County, Maryland in Liber 23268, Folio 403 and the property now or formerly in the name of James D. and Gina Schillinger as recorded among the Land Records of Anne Arundel County, Maryland in Liber 8472, Folio 464, thence leaving said Right-of-way line and running with and binding part of said division line as now surveyed;

11. South 29°01'12" East, 188.88 feet to the northern Right-of-way line of Grover Road (a variable width public right of way), thence leaving said line of division and running with the aforesaid Grover Road Right-of-way the following two (2) courses and distances
12. North 59°01'02" West, 106.79 feet a point, thence
13. North 17°39'16" West, 69.15 feet to a point in common with the Right-of-way line for the aforesaid New Cut Road, thence running with said Right-of-way the following course and distance
14. North 25°15'43" East, 48.98 feet to a point and place of beginning

Containing in all the above described 6,196 square feet of land or 0.14 acres of land more or less as surveyed by Messick and Associates in November, 2017.

Being the same Land conveyed to James D. Schillinger and Gina L. Schillinger, as tenants by the entirety, described in deed dated February 5, 2011 and recorded among the aforesaid land records in Liber 23268, Folio 403.

Beginning for the same at a point on the southern Right-of-way line of New Cut Road (a variable width public right of way) at the division line with the property now or formerly in the name of James D. and Gina Schillinger as recorded among the Land Records of Anne Arundel County, Maryland in Liber 23268, Folio 403 and the property now or formerly in the name of James D. and Gina Schillinger as recorded among the Land Records of Anne Arundel County, Maryland in Liber 8472, Folio 464, thence running with said Right-of-way line and running with and binding part of said division line as now surveyed; the following four (4) courses and distances

15. North 24°47'54" East, 601.02 feet to a point, thence
16. North 48°18'00" East, 54.62 feet a point, thence
17. North 14°43'13" East, 50.80 feet to a point, thence
18. North 17°31'08" East, 35.41 feet to a point in common with the property now or formerly in the name of James D. Schillinger Sr. and Calvin O. Wade Et Al. as recorded among the aforesaid Land Records in Liber 27011, folio 125, thence running with the line of division with the aforesaid Schillinger Sr. and Wade property the following course and distance
19. South 30°11'09" East, 1908.74 feet to a point in common with the property now or formerly in the name of Daniel's Purchase as recorded among the aforesaid Land Records in Plat Book 227, page 12, thence running with the line of division with the aforesaid Daniel's Purchase subdivision the following course and distance
20. South 61°14'21" West, 358.46 feet to a point in common with Right-of-way line of Grover Road (a variable width public right of way), thence running with said right of way with a curve to the right with a radius of 700.00 feet having an arc distance of 562.16 feet with a chord of
21. North 50°00'29" West 547.18 feet, thence continuing with the said right of way the following four (4) courses and distances

22. North 27°24'01" West, 379.04 feet to a point, thence
23. North 33°46'51" West, 196.42 feet to a point, thence
24. North 46°47'13" West, 163.49 feet to a point, thence
25. North 59°01'02" West, 56.32 feet to a point in common with the aforesaid James D. and Gina Schillinger property, thence running with the line of division with the aforesaid property the following course and distance
26. North 29°01'12" West, 188.88 feet to a point and place of beginning.

Containing in all the above described 921,122 square feet of land or 21.15 acres of land more or less as surveyed by Messick and Associates in November, 2017.

Being the same parcels of ground which were granted and conveyed unto the Grantors, James D. Schillinger and Gina L. Schillinger, as tenants by the entirety, by Deed dated December 9, 1987 and recorded among the Land Records of Anne Arundel County in Liber 4521, folio 743 and dated December 9, 1987 and recorded in Liber 4521, folio 746; dated January 4, 1988 recorded in Liber 4562, folio 809 and dated January 4, 1988 recorded in Liber 4562, folio 813; dated January 5, 1989 recorded in Liber 4791, folio 694 and dated January 5, 1989 recorded in Liber 4791, folio 698; dated January 21, 1992 recorded in Liber 5522, folio 847 and dated January 21, 1992 recorded in Liber 5522, folio 851; dated January 15, 1993 recorded in liber 5986, folio 107 and dated January 15, 1993 recorded in Liber 5986, folio 111; dated January 25, 1994 recorded in Liber 6489, folio 12 and dated January 25, 1994 recorded in Liber 6489, folio 16; dated January 4, 1995 recorded in Liber 6924, folio 756 and dated January 4, 1995 recorded in Liber 6939, folio 71; dated December 30, 1996 recorded in Liber 7731, folio 388; dated January 20, 1997 recorded in Liber 7849, folio 98; dated November 4, 1997 recorded in Liber 8194, folio 397; and dated January 6, 1998 recorded in Liber 8472, folio 456 dated January 6, 1998 recorded in Liber 8472, folio 464 and dated January 6, 1998 recorded in Liber 8472, folio 470. Saving and excepting therefrom a Deed to the State of Maryland, to the use of the State Road Commission dated March 24, 1988 and recorded in Liber 4599, folio 404. Beginning for the same at a point on the southwestern Right-of way line of Maryland Interstate Route 97 (a variable width public right of way) at the division line with the property now or formerly in the name of James D. Schillinger Sr. Et Al as recorded among the Land Records of Anne Arundel County, Maryland in Liber 27011, Folio 130 and the property now or formerly in the name of James D. Schillinger Sr. and Calvin O. Wade Et Al as recorded among the Land Records of Anne Arundel County, Maryland in Liber



27011, Folio 125, thence running with said Right-of-way line and running with and binding part of said division line as now surveyed; the following five (5) courses and distances

27. South 41°08'52" East, 18.05 feet to a point, thence
28. South 21°38'24" East, 700.80 feet to a point, thence
29. South 11°29'17" East, 49.39 feet to a point, thence
30. South 20°47'09" East, 380.56 feet to a point, thence
31. South 45°33'25" East, 19.14 feet to a point in common with the property now or formerly in the name of State Highway Administration as recorded among the aforesaid Land Records in Liber 1296, folio 200, thence running with the line of division with the aforesaid State Highway Administration as recorded among aforesaid Land Records in Liber 1296, folio 200, thence running with the line of division with the aforesaid State Highway Administration property the following two (2) course's and distance's
32. South 01°26'32" West, 44.04 feet to a point, thence
33. South 02°19'11" West, 149.74 feet to a point in common with the property now or formerly in the name of State Highway Administration as recorded among the aforesaid Land Records in Liber 1631, folio 442, thence running with the aforesaid properties line of division the following two (2) course's and distance's
34. South 04°03'49" West, 115.45 feet to a point, thence
35. South 21°27'47" East, 97.32 feet to a point in common with the property now or formerly in the name of State Highway Administration as recorded among the aforesaid Land Records in Liber N/A, folio N/A, thence running with the aforesaid Land Records in Liber N/A, folio N/A, thence running with the aforesaid properties line of division the following three (3) course's and distance's
36. South 70°16'49" West, 49.05 feet to a point, thence
37. South 21°14'56" East, 206.81 feet to a point, thence
38. North 70°16'49" East, 64.71 feet to a point in common with the aforesaid Maryland Interstate Route 97 Right-of-way, thence running with said right of way the following two (2) course's and distance's
39. South 39°12'55" West, 83.84 feet to a point, thence

40. South 20°12'30" East, 281.12 feet to a point in common the property now or formerly in the name of Daniels Purchase as recorded among the aforesaid Land Records in Plat Book 227, page 12, thence running with the line of division with the aforesaid property the following course and distance
41. South 44°47'56" West, 301.73 feet to a point in common with the property now or formerly in the name of James D. & Gina Schillinger as recorded among the aforesaid Land Records in Liber 8472, folio 464, thence running with said properties line of division the following course and distance
42. North 30°11'09" West, 1908.74 feet to a point in common with the Right-of-way line of New Cut Road (a variable width public right of way), thence running with said right of way the following three (3) course's and distance's
43. North 17°31'08" East, 11.45 feet to a point, thence
44. North 17°30'59" East, 53.98 feet to a point, thence
45. North 30°47'01" East, 197.08 feet to a point in common with the property now or formerly in the name of Calvin O. Wade Jr. as recorded among the aforesaid Land Records in Liber 3669, folio 623, thence running with the aforesaid properties line of division the following two (2) course's and distance's
46. North 47°05'46" West, 84.94 feet to a point, thence
47. North 46°19'58" East, 269.53 feet to a point in common with the aforesaid James D. Schillinger Sr. Et Al property, thence running with the aforesaid properties line of division the following course and distance
48. North 46°25'14" East, 292.73 feet to a point and place of beginning

Containing in all the above described 1,119,970 square feet of land or 25.71 acres of land more or less as surveyed by Messick and Associates in November, 2017.

**TOGETHER WITH** the buildings and improvements thereupon erected made or being, and all and every the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.