

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 20

Bill No. 91-21

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

By the County Council, October 18, 2021

Introduced and first read on October 18, 2021
Public Hearing set for and held on November 15, 2021
Bill Expires January 21, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Approval of private disposition of County-owned property
2 consisting of approximately 37.50 +/- acres, known as 1127 Bragers Road in Odenton,
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 (“BOE”).

8
9 WHEREAS, in March of 2020, following approval by the County Council pursuant
10 to Resolution No. 3-20, the County acquired property known as 1127 Bragers Road
11 in Odenton, Maryland, as described in Exhibit A, a copy of which is attached
12 hereto, and more particularly described in a deed recorded in the County Land
13 Records in Book 34716, page 3 (the “Property”), to provide a potential site for a
14 school, as well as other possible public educational, recreational, or civic uses; and

15
16 WHEREAS, the BOE desires to acquire the Property from the County for the sum
17 of Zero Dollars (\$0) for the construction of an elementary school; and

18
19 WHEREAS, pursuant to § 8-3-204(g) of the County Code, the County may
20 negotiate and make a private disposition of property if the County Executive
21 determines that the public interest will be furthered by a private disposition of
22 property, and if the terms and conditions of such private disposition are first
23 approved by ordinance of the County Council; and

24
25 WHEREAS, the County Executive has determined that the public interest will be
26 furthered by this private disposition of Property; and

1 WHEREAS, by this Ordinance, the County Council approves the private
2 disposition of the Property in accordance with the terms and conditions as set forth
3 herein; now therefore,
4


5 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
6 That a private disposition of the Property, as described in Exhibit A, to the BOE is hereby
7 approved upon the following terms and conditions:
8

- 9 1. the sale price shall be Zero Dollars (\$0);
- 10 2. the grantee of the Property shall be the BOE;
- 11 3. the conveyance shall be in the form of a deed without warranties;
- 12 4. any expenses associated with the sale and conveyance of the Property to the BOE
13 shall be borne by grantee; and
- 14 5. the sale and conveyance shall be in accordance with any other reasonable
15 conditions determined by the County Executive to be necessary for the protection of the
16 County's interest.
17

18 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
19 from the date it becomes law.
20
21

22 READ AND PASSED this 15th day of November, 2021
23

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of November, 2021


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 22nd day of November, 2021


Steuart Pittman
County Executive

EFFECTIVE DATE: January 6, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 91-21 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with the first name "Laura" and last name "Corby" clearly distinguishable.

Laura Corby
Administrative Officer

PARCEL A:

BEGINNING at an iron pipe set in the northerly line of Conway Road, thirty (30) feet wide as now laid out and existing, said iron pipe lying at a corner common to said land of Ihrig and the land of Alice V. Chowanetz and Joseph W. Chowanetz, her son, (Liber 1842, folio 273), said iron pipe lying S 26 degrees 37' 21" E, 0.82 of a foot from an iron pipe found; thence running with the aforesaid northerly line of Conway Road.

1. 60.52 feet along the arc of a curve to the right having a radius of 256.50 feet and a chord bearing S 88 degrees 10' 49" W, 60.38 feet; thence,
2. N 85 degrees 03' 39" W, 82.60 feet; thence,
3. 137.03 feet along the arc of a curve to the right having a radius of 739.50 feet and a chord bearing N 79 degrees 45' 08" W, 136.84 feet; thence,
4. N 74 degrees 26' 37" W, 137/77 feet; thence,
5. 201.73 feet along the arc of a curve to the left having a radius of 796.37 feet and a chord bearing N 81 degrees 42' 02" W, 201.20 feet; thence,
6. N 88 degrees 57' 27" W, 6.63 feet; thence,
7. 147.37 feet along the arc of a curve to the left having a radius of 1,409.00 feet and a chord bearing S 88 degrees 02' 40" W, 147.30 feet; thence,
8. S 85 degrees 02' 59" W, 175.19 feet to an iron pipe set; thence running with the land of May J. Shepherd (Liber JHH 196, folio 401),
9. N 05 degrees 20' 22" W, 232.58 feet to an iron pipe set; thence running through said land of Ihrig with the outlines of Parcel 3-South,
10. N 83 degrees 49' 08" E, 6.43 feet to an iron pipe set; thence,
11. N 04 degrees 58' 22" W, 27.43 feet to an iron pipe set; thence,
12. S 83 degrees 49' 08" W, 6.63 feet to an iron pipe set; thence running with the aforesaid land of Shepherd,
13. N 05 degrees 20' 22" W, 273.86 feet to an iron pipe set; thence running with the southerly line of a Baltimore Gas and Electric Company right of way, four hundred (400) feet wide (Liber 2414, folio 838)
14. N 87 degrees 02' 01" E, 666.48 feet to an iron pipe set; thence running with the aforesaid land of Chowanetz,
15. S 26 degrees 37' 21" E, 717.63 feet to the place of beginning.

Containing 447,104 square feet or 10.26410 acres of land.

PARCEL B:

BEGINNING at an iron pipe set at the end of the ninth (or N 05 degrees 20' 22" W, 232.58 feet) line of Parcel A described above; thence running with the said land of Shepherd.

1. N 05 degrees 20' 22" W, 27.43 feet to an iron pipe set; thence running with the twelfth, eleventh and tenth lines of Parcel A-South described above,
2. N 83 degrees 49' 08" E, 6.63 feet to an iron pipe set; thence,
3. S 04 degrees 58' 22" E, 27.43 feet to an iron pipe set; thence,
4. S 83 degrees 49' 08" W, 6.45 feet to the place of beginning.

Containing 179 square feet or 0.00412 of an acre of land.

PARCELS A AND B CONTAINING IN AGGREGATE 447,283 SQUARE FEET OR 10.26821 ACRES OF LAND.

PARCEL C:

BEGINNING at an "X" cut in a stone found at a corner common to said land of Ihrig, the land of Barton S. Mitchell (Liber 3709, folio 316, Parcel 2) and the land of Paul L. Nowotnick, Jr. and Angela F. Nowotnick, (Liber 4217, folio 227; see plat of Lot in Liber 4181, folio 810); thence running with said Lot 1 of the land of Nowotnick and with the land of Paul L. Nowotnick and Thelma L. Nowotnick (Liber JHH 291, folio 16),

1. S 06 degrees 26' 31" E, 256.07 feet to a nail found; thence running with Parcel 3 of the aforesaid land of Mitchell,
2. S 06 degrees 18' 12" E, 496.29 feet to a large four foot iron pipe found; thence running with the land of Anthony E. Pokorny and Mark Pokorny (Liber JHH 205, folio 130),
3. S 06 degrees 07' 08" E, 240.49 feet to an iron pipe found; thence running with the aforesaid land of Chowanetz (Liber 1842, folio 273; see Liber WMB 123, folio 100),
4. S 05 degrees 52' 29" E, 181.17 feet to an iron pipe found; thence running with the northerly line of the aforesaid Baltimore Gas and Electric Company right of way, four hundred (400) feet wide (Liber 2510, folio 359),
5. S 87 degrees 02' 01" 1,239.33 feet to an iron pipe set; thence running with the easterly line of an abandoned Washington, Baltimore & Annapolis Electric Railroad right of way, sixty-six (66) feet wide (see Liber GW 24, folio 213),
6. N 20 degrees 14' 35" E, 1489.80 feet to an iron pipe set; thence running with the aforesaid Parcel 2 of the land of Barton S. Mitchell,
7. S 74 degrees 21' 20" E, 617.65 feet to the place of beginning.

Containing 1,186,112 square feet or 27.22938 acres of land.

BEING the fee simple property which, by Deed dated March 26, 2020, and recorded in the Land Records of the County of Anne Arundel, Maryland in Liber 34716, page 3, was granted and conveyed by Stachitas Investments, LLC, a Maryland limited liability company unto Anne Arundel County, Maryland, a body corporate and politic of the State of Maryland.