



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Members, Anne Arundel County Council

**From:** Christine B. Neiderer, Assistant County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** February 22, 2022

**Subject:** Bill No. 23-22 - Approval of the Lease Agreement of County-owned property to Chesapeake Conservation Center LLC.

---

### Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of the attached Bill, which approves a lease agreement between the County and Chesapeake Conservation Center LLC (“Chesapeake Conservation Center”).

#### Purpose.

The purpose of this Bill is to approve a lease agreement between the County and Chesapeake Conservation Center for part of the County-owned property known as Quiet Waters Retreat.

#### Background.

Pursuant to Resolution No. 38-19, the County Council approved the purchase of property known as “Quiet Waters Retreat” (“Property”) for \$7,825,000 from the Advance Land Acquisition Capital Project. In 2019, the County purchased the Property to expand the park and to take advantage of a public-private partnership with the Chesapeake Conservancy, Inc. (“Conservancy”), which contributed \$2,000,000 (“Private Funds”) towards the purchase price in exchange for a long-term lease of the structures on the Property to the Conservancy for use as office or meeting space. The County also partnered with the United States Navy, under the Navy’s “Readiness and Environmental Protection Integration” program, to sell a conservation easement for \$1,000,000, which will protect the existing natural features on the site while allowing

recreational uses and the use contemplated by the Conservancy.

The County and the Conservancy subsequently entered into an Agreement to Lease dated December 24, 2019, as amended by Amendment One to Agreement to Lease dated December 12, 2020, Amendment Two to Agreement to Lease dated February 19, 2021, and Amendment Three to Agreement to Lease dated December 17, 2021, which set forth the obligations of the parties with respect to the leasing of the Property, with the goal and intention of providing the Conservancy the land and structure of sufficient size and with sufficient access and parking to support the creation and long-term use of a new structure on a portion of the Property. The Conservancy subsequently assigned all of its right, title, and interest in and to the Agreement to Lease to Chesapeake Conservation Center LLC, its wholly-owned subsidiary entity.

The proposed lease is for an initial period of thirty (30) years, with up to two (2) additional terms of thirty (30) years each, as set forth in the proposed Lease Agreement (“Lease”), a copy of which is attached hereto for reference. Per the Lease terms, the County will initially lease 5.82 acres of land to the Chesapeake Conservation Center until such time as the Chesapeake Conservation Center constructs a structure with a footprint up to 14,014 square feet within that 5.82 acres area and a certificate of occupancy is issued for the structure, at which time the leased property shall be the structure.

Section 8-3-301 of the Anne Arundel County Code requires that any contract for lease of County-owned property that specifies a term, including renewal options, of three years or more, must be approved by ordinance of the County Council.

**SECTION 1** (uncodified) approves the Lease Agreement between the County and Chesapeake Conservation Center LLC.

**SECTION 2** (uncodified) provides that the Lease Agreement is incorporated herein by reference as if fully set forth, and further provides that a certified copy of the Lease Agreement shall be kept on file with the Administrative Officer to the County Council and the Office of Central Services.

**SECTION 3** (uncodified) provides that the bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding the attached ordinance. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Matthew Power, Chief Administrative Officer  
Dr. Kai Boggess-deBruin, Chief of Staff  
Peter Baron, Director of Government Relations  
Chris Trumbauer, Senior Policy Advisor to the County Executive and Budget Officer  
Christine Anderson, Central Services Officer  
Jessica Leys, Director of Recreation & Parks