

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 36

Resolution No. 36-18

Introduced by Mr. Peroutka, Chairman  
(by request of the County Executive)

By the County Council, September 17, 2018

1 RESOLUTION approving the purchase of real property consisting of approximately  
2 71.80 acres, known as 8353 Elvaton Road, Millersville, MD 21108, from Five Pumphrey's  
3 Partnership, LLC, utilizing funds from the Advance Land Acquisition Capital Project  
4

5 WHEREAS, Five Pumphrey's Partnership, LLC ("Pumphrey's") is the owner of  
6 all that property known as 8353 Elvaton Road, Millersville, MD 21108, identified  
7 on Anne Arundel County Tax Map 16, Grid 14, Parcel 240, located in the Third  
8 Assessment District of Anne Arundel County, and further described in a Deed  
9 recorded in the Land Records of Anne Arundel County in Liber 21232, folio 248,  
10 containing 71.80 acres, more and less (the "Property"); and  
11

12 WHEREAS, § 8-3-101(a) of the County Code empowers the County Executive, on  
13 behalf of and in the name of the County, to accept a dedication of real property for  
14 the purposes set forth in Articles 16 and 17 of the County Code or purchase real  
15 property by agreement or eminent domain if an adequate appropriation has been  
16 made by the County Council; and  
17

18 WHEREAS, the County has entered into an Agreement of Sale to purchase the  
19 Property (the "Agreement") by utilizing funds from the Advance Land Acquisition  
20 Capital Project, Project No. C106700 ("Advance Land Acquisition Capital  
21 Project"); and  
22

23 WHEREAS, § 8-3-101(d)(2) requires that each agreement for the purchase of real  
24 property utilizing funds from the Advance Land Acquisition Capital Project shall  
25 be contingent upon approval of the purchase by resolution of the County Council;  
26 and  
27

28 WHEREAS, § 8-3-101(d)(2) further provides that, prior to approval of the purchase  
29 by resolution, the County Council shall require an independent appraisal, an  
30 environmental study, and a feasibility study for the Property; and  
31

32 WHEREAS, the County's independent real estate appraisal has estimated the fair  
33 market value of the Property to be an amount of Seven Million Six Hundred Thirty-  
34 Five Thousand Dollars (\$7,635,000); and  
35

36 WHEREAS, Pumphrey's real estate appraisal has estimated the fair market value  
37 of the Property to be an amount of Nine Million Nine Hundred Seventy Thousand  
38 Dollars (\$9,970,000); and

1 WHEREAS, the Department of Public Works has conducted an environmental  
2 study and a feasibility study for the Property; and

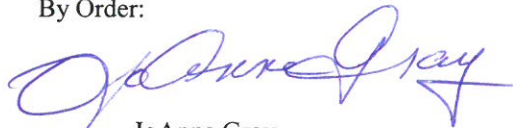
3  
4 WHEREAS, the County Executive has determined that the Property is needed for  
5 public use in that it will be used for a school and recreational facilities, and that  
6 acquisition of the Property for the sum of Seven Million Nine Hundred Thousand  
7 Dollars (\$7,900,000), to be paid from the Advance Land Acquisition Capital  
8 Project and pursuant to the terms and conditions of the Agreement, incorporated  
9 herein by reference as if fully set forth, would be in the best interests of the County;  
10 now, therefore, be it

11  
12 *Resolved by the County Council of Anne Arundel County, Maryland,* That it hereby  
13 approves the purchase of the Property by utilizing funds from the Advance Land  
14 Acquisition Capital Project and pursuant to the terms and conditions as set forth in the  
15 Agreement; and be it further

16  
17 *Resolved,* That a copy of this Resolution be sent to Steven R. Schuh, County Executive.

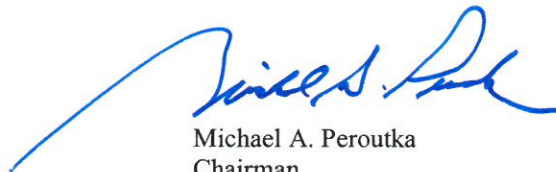
READ AND PASSED this 15<sup>th</sup> day of October, 2018

By Order:



JoAnne Gray  
Administrative Officer

I HEREBY CERTIFY THAT RESOLUTION NO. 36-18 IS TRUE AND CORRECT AND DULY  
ADOPTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY.



Michael A. Peroutka  
Chairman