

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE  
MAKING A DETERMINATION  
THAT CERTAIN PROPERTY IS NO LONGER  
NEEDED FOR A PUBLIC PURPOSE  
AND APPROVING THE CONVEYANCE OF A CERTAIN PARCEL  
WITHIN THE HAGERSTOWN CULTURAL TRAIL  
TO THE  
MARYLAND STADIUM AUTHORITY

RECITALS

**WHEREAS**, the City of Hagerstown is a Municipal Corporation existing under and by virtue of the laws of the State of Maryland (“the City”), and the Maryland Stadium Authority is a body politic and corporate, an instrumentality of the State of Maryland, and a public corporation (“the MSA”). The City and the MSA are hereinafter referred to in this Resolution collectively as “the Parties;”

**WHEREAS**, the Maryland General Assembly enacted “The Hagerstown Multi-Use Sports and Events Facility Act of 2021” (the “**2021 Act**”) as Chapter 353 of the Acts of 2021 and codified in the Economic Development Article (“**ED**”) of the Maryland Annotated Code;

**WHEREAS**, subject to the terms and conditions set forth in the 2021 Act, MSA is authorized to acquire any site and to construct the Hagerstown Multi-Use Sports and Events Facility (as defined in the 2021 Act) or any segment thereof (the “**Facility**”);

**WHEREAS**, subject to terms approved by the Maryland Board of Public Works, upon completion of the construction of the Facility, MSA shall transfer ownership of the Facility to the Hagerstown-Washington County Industrial Foundation (the “**Foundation**”);

**WHEREAS**, the City is the owner of a certain park known as the Hagerstown Cultural Trail (the “**Trail**”), a map of the Baltimore Street to Antietam Street portion of which is attached as Exhibit A;

**WHEREAS**, MSA needs to acquire a certain portion of the Trail to construct the Facility, which portion lies between Baltimore Street and Antietam Street and is more particularly described and depicted on Exhibit B (said portion is hereinafter referred to as the “**Trail Parcel**”);

**WHEREAS**, in accordance with a Memorandum of Understanding regarding the Exchange of a Certain Parcel within the Hagerstown Cultural Trail (the “**MOU**”), to be executed by the Parties, the MSA, with the concurrence of the City, shall provide a comparable substitute for the Trail Parcel, repair in place or relocate the storm drain and underground electrical

distribution and lighting lines located under the Trail Parcel, and, if the storm drain and underground electrical distribution and lighting lines are situated on property owned or acquired by MSA, grant an easement to the City for access to those items;

**WHEREAS**, in accordance with the provision of the Maryland Code and the Charter of the City of Hagerstown, the Mayor and Council, as the duly constituted legislative body for the City has determined that the Trail Parcel is no longer needed for a public purpose;

**WHEREAS**, the MSA has requested that the City convey the Trail Parcel to the MSA, in accordance with the MOU;

**WHEREAS**, the City shall prepare and secure all approvals for a subdivision plat for the Trail Parcel, and the MSA shall cooperate to the extent necessary to effect the Subdivision;

**WHEREAS**, the City agrees to convey the Trail Parcel to the MSA, for no monetary consideration, in accordance with the MOU;

**WHEREAS**, the introduction of this Ordinance shall constitute the twenty (20)-day notice of the proposed transfer as required by law; and

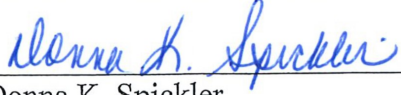
**WHEREAS**, the Mayor and Council believe it to be in the best interest of the citizens of the City of Hagerstown to convey the Trail Parcel to the MSA.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body, as follows:

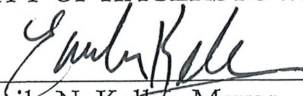
1. That the foregoing Recitals be and are hereby incorporated herein as if set forth verbatim.
2. That the Mayor and Council find that the Trail Parcel is no longer needed for a public purpose.
3. That City Staff shall prepare and secure all approvals for a subdivision plat for the Trail Parcel, to the extent necessary to effect the Subdivision.
4. That the Mayor and City Staff be and are hereby authorized to execute such additional documentation and take all necessary steps to carry convey the Trail Parcel to the MSA and to carry out the purpose of this Ordinance.

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED**, that this Ordinance shall become effective upon the expiration of 30 days from the date of its passage.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

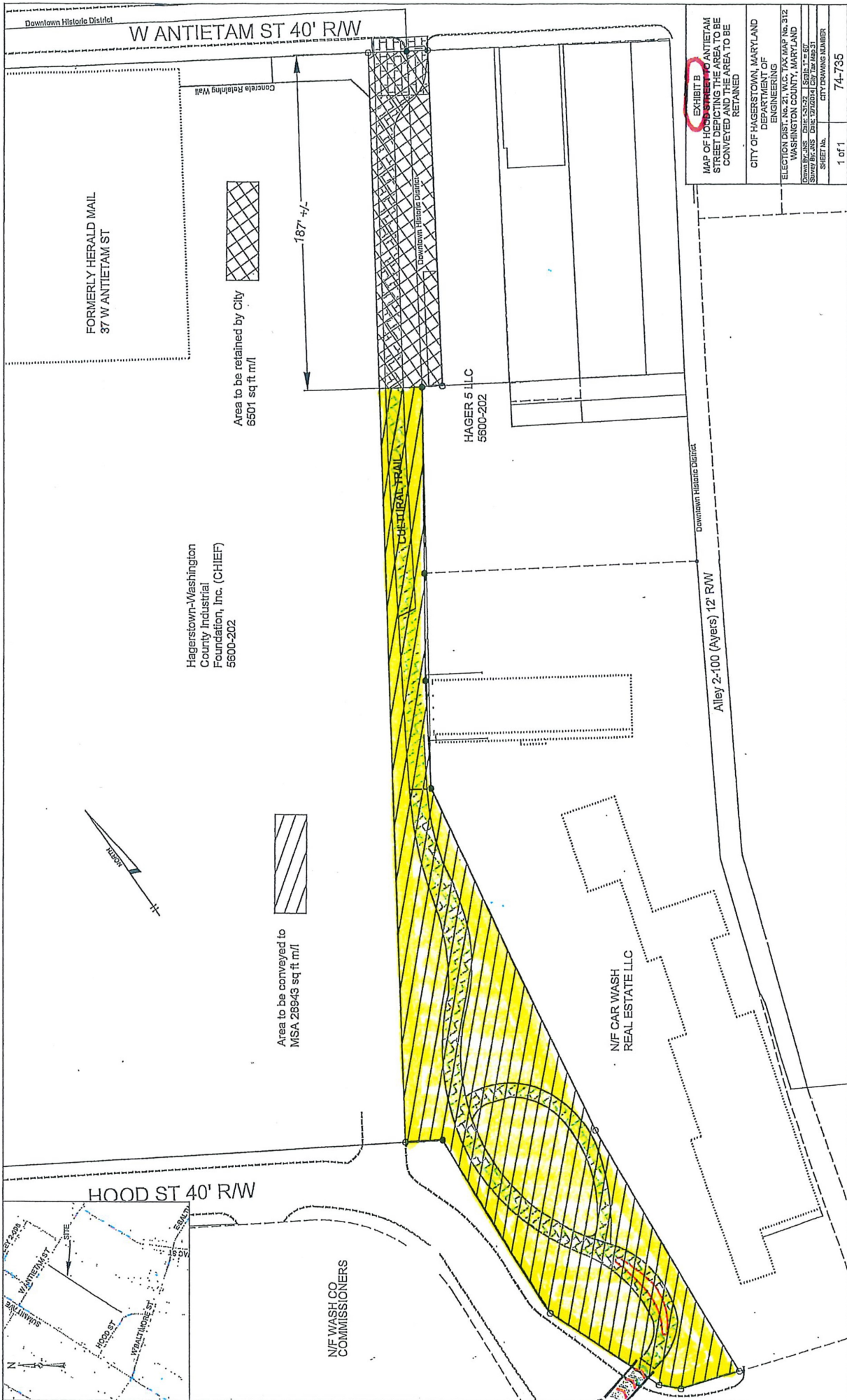
  
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Donna K. Spickler  
City Clerk

MAYOR AND COUNCIL OF THE  
CITY OF HAGERSTOWN, MARYLAND

  
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Emily N. Ketter, Mayor

Date of Introduction: March 22, 2022  
Date of Passage: April 26, 2022  
Effective Date: May 27, 2022

PREPARED BY:  
SALVATORE & MORTON  
CITY ATTORNEYS



0-22-03