

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE MAKING A DETERMINATION  
THAT CERTAIN PROPERTY IS NO LONGER  
NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING  
CONVEYANCE TO ADJOINING PROPERTY OWNER

RECITALS

WHEREAS, the City of Hagerstown is a Municipal Corporation existing under and by virtue of the laws of the State of Maryland; and

WHEREAS, the City has an interest in a parcel of land lying on the south side of Wilson Boulevard, in the City of Hagerstown, commonly known and designated as Alley #3-13 ("the Alley"); and

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 **a portion of** the aforesaid Alley, which is an unimproved "paper alley" and not presently utilized by the City, is no longer needed for a public purpose; and

WHEREAS, the Higgins Family Revocable Trust Agreement Dated November 22, 2019, owns property adjoining the west side of Alley 3-13 and has requested that the City execute a quit claim its right, title and interest in **a portion of** the Alley adjacent to and adjoining its property, and as depicted on the attached Quit Claim Deed; and

WHEREAS, Zamaray Properties, LLC, owns property adjoining the east side of Alley 3-13 and has no objection to the quit claim to the Higgins Family Revocable Trust Agreement Dated November 22, 2019; and

WHEREAS, the City agrees to transfer **a portion of** Alley 3-13, as depicted on the attached Quit Claim Deed and Drawing;

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 find that the property may be quit claimed and conveyed to the adjoining property owner,

the Higgins Family Revocable Trust Agreement Dated November 22, 2019.

**NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED** as follows:

1. That the foregoing recitals be and are incorporated herein as if fully set forth.


2. That the Mayor and Council find that the Parcel no longer needed for a public purpose.

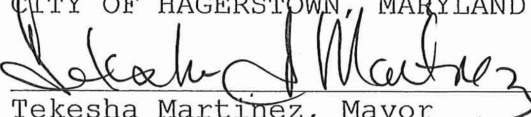
3. That the Mayor be and is hereby authorized to execute and deliver a Quit Claim Deed vesting all of its right, title and interest in a portion of Alley 3-13 to the adjoining property owner, the Higgins Family Revocable Trust Agreement Dated November 22, 2019. The description and extent of the property so conveyed is as depicted on the attached Quit Claim Deed.

4. That the Mayor be and is hereby authorized to execute the attached Quit Claim Deed, and such additional documentation and take all necessary steps 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

  
\_\_\_\_\_  
Donna K. Spickler  
City Clerk

MAYOR AND COUNCIL OF THE  
CITY OF HAGERSTOWN, MARYLAND  
  
\_\_\_\_\_  
Tekesha Martinez, Mayor

Date of Introduction: December 19, 2023  
Date of Passage: January 30, 2024  
Effective Date: March 3, 2024

PREPARED BY:  
SALVATORE & MORTON  
CITY ATTORNEYS