

ORDINANCE NO. 2024-01

**AN ORDINANCE
OF THE MAYOR AND COMMON COUNCIL OF WESTMINSTER,
VACATING, ABANDONING, AND CLOSING TWO PLATTED BUT
UNCONSTRUCTED RIGHTS-OF-WAY EXTENDING GENERALLY NORTHEAST
FROM TUC ROAD IN THE VICINITY OF ITS INTERSECTION WITH LONGWELL
AVENUE, AS FURTHER DESCRIBED HEREIN, AND AUTHORIZING THE MAYOR
TO EXECUTE A QUITCLAIM DEED REFLECTING SAID ABANDONMENT IN
FAVOR OF THE CARROLL COUNTY BOARD OF EDUCATION**

WHEREAS, the Mayor and Common Council of Westminster (“the City”), has the power, under Local Gov’t. Art. § 5-204(c) and Section C-501 of the City Charter, to convey its interest in any real property when such real property is no longer necessary for public use, upon twenty (20) days public notice of the proposed conveyance; and

WHEREAS, by deed dated November 7, 1931, from the B.F. Shriver Co. to the Board of Education of Carroll County (“the Board”), recorded among the Land Records of Carroll County at Liber 156, Folio 375, the grantor conveyed certain property but reserved a certain portion of land and right of way and dedicated the same to public use for the purpose of a road; and

WHEREAS, by deed dated July 11, 1946, from the B.F. Shriver Co. to the Board, recorded among the Land Records of Carroll County at Liber 191, Folio 17, the grantor conveyed certain property but reserved a certain portion of land and right of way and dedicated the same to public use for the purpose of a road; and

WHEREAS, the land and rights of way reserved in the deeds described above (collectively, the “Rights-of-Way”) have never been paved or otherwise used as a road by members of the public and have, to the best of the City’s knowledge, been occupied exclusively by the Board and its officials, employees, agents and invitees; and

WHEREAS, the City has determined that the Rights-of-Way are not necessary for any public purpose and are not expected to become necessary for any public purpose in the future and that a substantial public benefit would be obtained if the Rights of Way were vacated, closed and abandoned so that the City might be relieved from any obligation to open and/or maintain such roads and so that the Board may use the property to facilitate the construction of a public school on the abutting property; and

WHEREAS, the Board has requested the abandonment of the Rights-of-Way and is willing to accept the transfer of whatever rights in the Rights-of-Way the City has by virtue of the dedications described above.

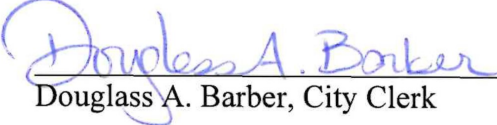
WHEREAS, twenty (20) days public notice has been given of the intent of the City to abandon, close and vacate the Rights of Way and to convey by quitclaim deed any continuing right, title and interest the City might have in the Rights of Way to the Board.

Section 1. NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of Westminster, that the Rights-of-Way, as shown on the Plat attached hereto Exhibit A, are hereby unconditionally closed, abandoned and vacated; and

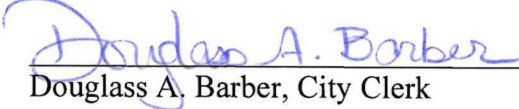
Section 2. BE IT FURTHER ORDAINED that the Rights-of-Way abandoned, closed, and vacated by this Ordinance be deeded to the Board of Education of Carroll County by quitclaim deed and that the Mayor is hereby authorized, empowered and directed to execute such deeds and other documents as may be necessary to effectuate such transfer.

Section 3: BE IT FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days after its enactment by the Common Council of the City of Westminster, Maryland.

INTRODUCED this 12th day of February, 2024.


Douglass A. Barber, City Clerk

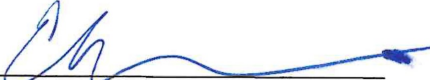
ADOPTED this 25th day of March 2024.


Douglass A. Barber, City Clerk

APPROVED this 25th day of March, 2024.


Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this 25th day of March 2024.


Elissa D. Levan, City Attorney