

ORDINANCE NO. 2020-11

INTRODUCED BY: COUNCILMAN CHARLES T. CEPHAS, SR.

AN ORDINANCE OF THE TOWN OF HURLOCK AUTHORIZING THE ABANDONMENT OF THAT PORTION OF SUNRISE DRIVE LOCATED ON TAX MAP 401, GRID 4, PARCEL 1459, AND THE ABANDONMENT OF THAT PORTION OF ANDREWS STREET LOCATED ALONG THE PROPERTY CURRENTLY OWNED BY AMICK FARMS, LLC FROM PROSPECT DRIVE TO THE EASTERLY PROPERTY LINE OF AMICK FARMS, LLC ON ANDREWS STREET AND THE CONVEYANCE OF THE SAME TO AMICK FARMS, LLC.

WHEREAS, the Town of Hurlock (the "Town"), by the Hurlock Town Council, is authorized by Maryland Annotated Code, Local Government Article, Section 5-204(c)(3), as well as Article V, Section 501.b(18) and Article XI, Section 1101 of the Hurlock Town Charter to pass such ordinances authorizing the conveyance or sale of real property when no longer needed for the public use; and

WHEREAS, Amick Farms, LLC ("Amick Farms") has indicated its desire to purchase that certain parcel located at Tax Map 401, Grid 4, Parcel 1459 if the Town will abandon both the paper street shown as Sunrise Drive on a certain plat entitled "Prospect Heights" as surveyed by Lawrence J. Simmons and recorded among the Plat Records of Dorchester County, Maryland at Plat Cabinet JFD 1, folio 181, and the paper street shown as Andrews Street from Prospect Drive to the easterly property line of Amick Farms, LLC on Andrews Street as shown on a certain plat entitled "American Stores Realty Corp., Town of Hurlock" as surveyed by William W. Ludlow, Jr. and recorded among the Plat Records of Dorchester County, Maryland at Plat Cabinet MSA 27, folio 22, along Parcel 2 as shown thereon; and

WHEREAS, Amick Farms desires to purchase from the Town that area of Andrews Street to be abandoned by the Town; and

WHEREAS, the Hurlock Town Council has determined that there would be no public purpose served by the construction, operation or maintenance of a public road or alley at these locations; and

WHEREAS, the Hurlock Town Council has determined that the aforesaid portions of the paper streets are no longer needed for the public use and it is in the public interest to abandon the aforesaid portions of the paper streets and to convey the aforesaid portion of Andrews Street to Amick Farms.

NOW THEREFORE, BE IT ORDAINED BY THE HURLOCK TOWN COUNCIL AS FOLLOWS:

Section 1. The Hurlock Town Council finds that there would be no public purpose served by the construction, operation or maintenance of the aforesaid portions of Sunrise Drive and Andrews Road for use as public roads or alleys and hereby declines to accept the offers of dedication of the same as paper streets, if any, and further authorizes the Town Manager to execute any and all documents necessary to abandon the aforesaid portions of the paper streets and to sell the aforesaid portion of Andrews Road to Amick Farms for a price \$1.00 via a

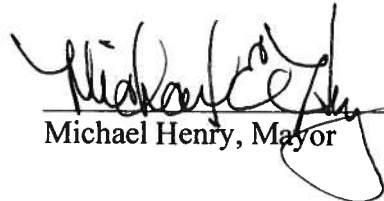
quitclaim deed. These findings and disposition are subject to the following condition that Amick Farms shall prepare the quitclaim deed and all surveys, plats, or other documents in a form satisfactory to the Town, and pay the costs thereof, including without limitation all recordation, duplication and other costs associated with all instruments prepared pursuant to this Ordinance.

Section 2. In accordance with Article III, Sections 308.b and 309 of the Hurlock Town Charter, this Ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Mayor, or passage by the Council over the veto of the Mayor.

ORDAINED, APPROVED, AND PASSED by the Council of Hurlock on this 14<sup>th</sup> day of December, 2020 by:

	Yea/Nay
Charles T. Cephas, Sr.	<u>        </u>
Charles A. Cummings	<u>Yea</u>
Bonnie Franz	<u>Yea</u>
Earl H. Murphy, Jr.	<u>Yea</u>
Amber Truxon	<u>Yea</u>

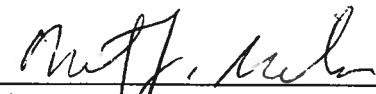
In accordance with Article III, Section 309.a of the Hurlock Town Charter, I hereby approve the above ordinance this 14 day of December, 2020.

  
\_\_\_\_\_  
Michael Henry, Mayor

ATTEST:

  
\_\_\_\_\_  
John Avery, Town Manager

Approved as to form:

  
\_\_\_\_\_  
Robert J. Merriken, Town Attorney

Date Introduced: November 23, 2020  
Date Passed: December 14, 2020  
Effective Date: January 3, 2021