

ORDINANCE NO. 3859

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO AUTHORIZE THE TERMS FOR THE CONVEYANCE OF 349 DAVIDSON STREET, CUMBERLAND, MARYLAND TO VENUS STARR AND TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 349 Davidson Street in the City of Cumberland, Allegany County, Maryland (the "Property");

WHEREAS, the said property was declared to be surplus property under the terms of Order No. 26,521, passed by the Mayor and City Council on September 3, 2019;

WHEREAS, Venus Starr ("Starr") offered to purchase the Property for the sum of \$500.00; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of that offer to be in the City's best interests.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept Venus Starr's offer to purchase the Property for the sum of \$500.00 subject to the following terms:

- A. She shall pay all recordation and transfer taxes required to record the deed effecting the conveyance of the Property to her;
- B. She will pay the deed recordation fee charged by the court;
- C. She will pay the City and County real estate taxes due from the date of the deed through the remainder of the tax year and will

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assume responsibility for the payment of those taxes thereafter;

- D. The Property will be transferred to her by means of a quitclaim deed containing no warranties or representations of any kind, the form of the deed being set forth in the attachment hereto;
- E. She shall pay the City's \$100.00 deed recordation fee; and
- F. The purchase price and other amounts required to be paid hereunder shall be remitted to the City Clerk or the City Solicitor no later than 60 days from the date of the passage of this Ordinance or she will forfeit her right to purchase the Property. The City Solicitor is authorized to extend the deadline set forth herein as he sees fit.

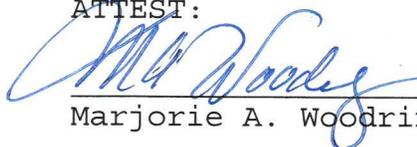
SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute a deed conveying the Property to Starr subject to the aforesaid requirements;

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 1st day of October, 2019.


Raymond M. Morriss, Mayor

ATTEST:


Marjorie A. Woodring, City Clerk

1st reading: 9/17/19
2nd reading: 10/1/19
3rd reading: 10/1/19
Passed 5-0

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this ___ day of _____, 2019, by and between **Mayor and City Council of Cumberland**, a Maryland municipal corporation, party of the first part, and **Venus Starr**, of Allegany County, Maryland, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Hundred Dollars (\$500.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto party of the second part, her personal representatives, heirs and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

FIRST: ALL that certain lot or parcel of ground situate, lying and being on Davidson Street, in the City of Cumberland, Allegany County, State of Maryland, described as follows:

BEGINNING for the same at a point North 50 feet from the beginning point of the lot conveyed to Jacob D. George by Samuel J. Edwards and wife, by deed dated April 17, 1891, and recorded among the Land Records of Allegany County, Maryland, in Liber No. 70, folio 237, and place of beginning being the beginning of the second line of the lot conveyed by Samuel J. Edwards and wife to Jacob D. George, as aforesaid, and running thence with Davidson Street, North 45 degrees East 30 feet; thence South 45 degrees East 136 feet to the outlines of the land of the said Samuel J. Edwards; and with said outlines, South 54.1 degrees West 30 feet to the end of the second line of lot conveyed to Jacob D. George by Samuel J. Edwards and wife by the deed aforementioned; and with said second line reversed, North 45 degrees West 131 1/4 feet to the place of beginning.

SECOND: ALL that strip or parcel of ground situated on the southeasterly side of Davidson Street in the City of Cumberland, Allegany County, Maryland, and more particularly described as follows, to-wit:

BEGINNING for the same at a stake standing on the southeasterly side of Davidson Street at the end of the first line of the whole property of which this is a part as conveyed by The Real Estate and Building Company of Cumberland, Maryland, to Roger William Jones, et ux, by deed dated the 16th of September, 1961, and recorded among the Land Records of Allegany

County, Maryland in Liber 339 , folio 450, and running thence across the said whole property, South 48 degrees 00 minutes East 139.44 feet to a stake standing on the fourth line of the said whole property; thence with the remainder of the said fourth line, South 61 degrees 00 minutes West 10.6 feet to a stake and with the fifth line of said Real Estate and Building Company of Cumberland, Maryland, deed North 48 degrees 00 minutes West 136 feet to the southeasterly side of Davidson Street; thence with said side of Davidson Street, North 43 degrees 45 minutes East 10 feet to the point of beginning.

IT BEING the same property conveyed from Lawrence E. Geiger, Jr. to Mayor and City Council of Cumberland by deed dated November 12, 2015 and recorded among the Land Records of Allegany County, Maryland in Book 2187, Page 493.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the party of the second part, her personal representatives, heirs and assigns in fee simple forever.

WITNESS the hand and seal of the party of the first part the day and year first above written.

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Woodring, City Clerk

By: _____ (SEAL)
Raymond M. Morris, Mayor

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this _____ day of _____, 2019, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morris**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$500.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN