

ORDINANCE NO. 3677

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING TO MAR-LES PROPERTIES, LLC CERTAIN SURPLUS PROPERTY LOCATED AT 224-226 GRAND AVENUE IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 224-226 Grand Avenue, in the City of Cumberland, Allegany County, Maryland;

WHEREAS, the improvements on said property are blighted;

WHEREAS, MAR-LES PROPERTIES, LLC has agreed to demolish the said improvements at its expense provided the property is conveyed to it at and for the sum of \$1.00; and

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to grant the said conveyance subject to the requirement that the said improvements first be demolished at the expense of MAR-LES PROPERTIES, LLC.

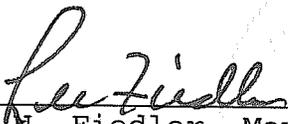
NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Clerk, be and they are hereby authorized to execute a deed in the form attached hereto as Exhibit A or in a similar form conveying the real property and the improvements thereon located at 224-226 Grand Avenue, Cumberland, Maryland 21502 to MAR-LES PROPERTIES, LLC in consideration of its payment of \$1.00 as consideration for the said conveyance;

SECTION 2: AND BE IT FURTHER ORDAINED, that the said conveyance and deed execution is contingent upon MAR-LES PROPERTIES, LLC demolishing the improvements on the said property no later than 120 days from the date of the passage of this Ordinance; and

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 26th day of October, 2010.



Lee N. Fiedler, Mayor

ATTEST:



Marjorie A. Eirich, City Clerk

1st reading: 10/26/2010
2nd reading: 10/26/2010
3rd reading: 10/26/2010

Effective: 10/26/2010

DEED ONLY – NO TITLE SEARCH PERFORMED

THIS DEED, made this ____ day of _____, 2010, by and between
MAYOR AND CITY COUNCIL OF CUMBERLAND, a Maryland municipal
corporation, party of the first part, and **MAR-LES PROPERTIES, LLC**, a Maryland
limited liability company, party of the second part.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) 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 grant, bargain and sell, release,
confirm and convey unto the party of the second part, its successors and assigns, the
following described property, to wit:

ALL that lot or parcel of ground in the City of Cumberland, in Election District
No. 4, in Allegany County, Maryland, in what is known as the Southern Addition of the
Cumberland Improvement and Investment Company, known as Lot No. 128 and more
particularly described as follows, to wit:

BEGINNING for the said parcel on the easterly side of Grand Avenue at the end
of the first line of Lot No. 127; and running thence with Grand Avenue South 18 degrees
34 minutes West 42 ½ feet to the northerly side of Third Street; then with said Street
South 71 degrees 26 minutes East 100 feet to the Westerly side of Wendell Alley; then
with said alley North 18 degrees 34 minutes East 42 ½ feet to the end of the second line
of Lot No. 127; and then with said line reversed North 71 degrees 26 minutes West 100
feet to the place of beginning.

IT BEING part of the property which was conveyed from Meadow Financial,
LLC, to Mayor and City Council of Cumberland by deed dated September 16, 2010 and
recorded among the Land Records of Allegany County, Maryland in Book 1729, Page 63.

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, its successors and assigns in fee simple forever.

WITNESS the hands and seals of parties of the first part the day and year first above written.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Eirich, City Clerk

By: _____ (SEAL)
Lee N. Fiedler, Mayor

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

I HEREBY CERTIFY, that on this ____ day of _____, 2010, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Lee N. Fiedler, 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 \$1.00 and that the total payment made to the grantor was \$1.00 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

...City of Cumberland/Surplus Property Transactions/Halapy – MAR-LES Deed