

**A RESOLUTION REGARDING THE CONVEYANCE OF COUNTY OWNED LAND
ADJACENT TO SOUTHERN PINES**

RESOLUTION

WHEREAS, Section 12-402(e) of the *Local Government Article* of the Maryland Annotated Code authorizes the Board of County Commissioners of Calvert County, Maryland to convey any interest in real property to the United States of America, the State, or any other political subdivision or public instrumentality without consideration if the property will be used for a public purpose, subject to certain requirements, including procedural requirements for public notice and public hearing;

WHEREAS, the Calvert County Housing Authority has advised of its intent to expand the senior living facilities at the Southern Pines Senior Living Facility;

WHEREAS, the Board of County Commissioners has been advised by the Calvert County Housing Authority that there are over One Thousand Four hundred (1,400) senior residents that are awaiting the provision of safe, affordable housing;

WHEREAS, to perform an expansion of the Southern Pines senior living facility, the Calvert County Housing Authority has advised that it requires 8.76 acres of land, more or less, owned by the County and depicted upon that plat recorded among the Plat Records of Calvert County Maryland at Plat Book ABE 5, folio 34 as "Residue Parcel" and being part of that land described in that Deed recorded among the Land Records of Calvert County, Maryland at Liber ABE 321, folio 576 (hereinafter, the "Property");

WHEREAS, by the authority of the Board of County Commissioners of Calvert County, notice of a public hearing was published in The Recorder, a newspaper of general circulation in Calvert County, on May 13, 2015 and May 20, 2015 in accordance with the statutory provisions of Section 12-402(e)(3) of the *Local Government Article* of the Maryland Annotated Code;

WHEREAS, the Board of County Commissioners for Calvert County held a public hearing, as advertised and in accordance with applicable statutory provisions on June 2, 2015, 2015;

WHEREAS, upon consideration of all testimony, the Board of County Commissioners has determined that the Property shall be conveyed to the Calvert County Housing Authority for no monetary consideration, but is a donation to accomplish the expansion of the Southern Pines senior living facility; and

WHEREAS, in the event the land comprising the Property is not used by the Calvert County Housing Authority or its assignees approved by the Board of County Commissioners, for the development of an expansion of the Southern Pines Senior Living Facility within eight (8) years of the date of the deed to the Calvert County Housing Authority authorized herein, ownership of the land comprising the Property shall revert to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the Commissioner President, is hereby authorized to execute such documents necessary to convey the Property to the Calvert County housing Authority for Zero Dollars (\$0.00) consideration and upon the provision that, the instrument of conveyance shall include provisions that: (1) if the Property, or any portion of the Property, ever ceases to be used for a public purpose, the Property, or that relevant portion of the Property, shall revert to the County, as set forth in Section 12-402(e)(1)(ii) of the *Local Government Article* of the Maryland Annotated Code; and (2) in the event the land comprising the Property is not used by the Calvert County Housing Authority or its assignees approved by the Board of County Commissioners, for the development of an expansion of the Southern Pines Senior Living Facility within eight (8) years of the date of the deed to the Calvert County Housing Authority authorized herein, ownership of the land comprising the Property shall revert to the County.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of this Resolution shall be enforceable and valid.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation.

DONE, this 16 day of June, 2015 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

[SIGNATURES ON FOLLOWING PAGE]

BOOK 7 291


Aye: 5

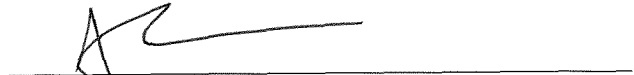
Nay: 0

Absent/Abstain: 0

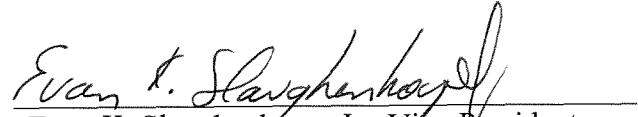
ATTEST:


**BOARD OF COUNTY
COMMISSIONERS OF CALVERT
COUNTY, MARYLAND**

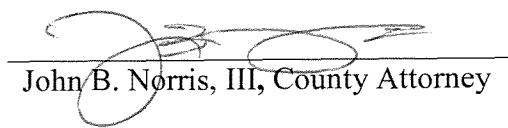

Maureen Frederick, Clerk



Steven R. Weems, President

Approved for form and legal sufficiency by:


Evan K. Slaughenkoupt Jr., Vice-President


Mike Hart


John B. Norris, III, County Attorney


Tom Hej


Pat Nutter

Received for Record June 17 2015
 at 9:53 o'clock A M. Same day
 recorded in Liber KPS No. 47
 500-289 COUNTY COMMISSIONERS
 OFFICE AND RESOLUTION.

