

**COUNTY COUNCIL
OF
TALBOT COUNTY**

2022 Legislative Session, Legislative Day No.: September 27, 2022

Resolution No.: 337 *AS AMENDED*

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Lesher

A RESOLUTION APPROVING THE SALE OF TWO CONTIGUOUS AND ADJACENT PARCELS OF UNIMPROVED REAL PROPERTY: 1) HAVING AN ADDRESS OF 112 S. MAIN STREET, TRAPPE, MARYLAND AND FURTHER DESCRIBED AS TAX MAP 301, PARCEL 1745, CONSISTING OF 4.318 ACRES OF LAND, MORE OR LESS; AND 2) HAVING AN ADDRESS OF MAIN STREET, TRAPPE, MARYLAND AND FURTHER DESCRIBED AS TAX MAP 301, PARCEL 1751, TO THE TOWN OF TRAPPE, A MARYLAND MUNICIPAL CORPORATION, FOR THE SUM OF ONE DOLLAR, SUBJECT TO CERTAIN CONDITIONS

By the Council: September 27, 2022

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, October 18, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: Susan W. Moran
Susan W. Moran, Secretary

A RESOLUTION APPROVING THE SALE OF TWO CONTIGUOUS AND ADJACENT PARCELS OF UNIMPROVED REAL PROPERTY: 1) HAVING AN ADDRESS OF 112 S. MAIN STREET, TRAPPE, MARYLAND AND FURTHER DESCRIBED AS TAX MAP 301, PARCEL 1745, CONSISTING OF 4.318 ACRES OF LAND, MORE OR LESS; AND 2) HAVING AN ADDRESS OF MAIN STREET, TRAPPE, MARYLAND AND FURTHER DESCRIBED AS TAX MAP 301, PARCEL 1751, TO THE TOWN OF TRAPPE, A MARYLAND MUNICIPAL CORPORATION, FOR THE SUM OF ONE DOLLAR, SUBJECT TO CERTAIN CONDITIONS

KEY

- Boldface**Heading or defined term.
- UnderliningAdded to existing law by original amendment
- ~~Strikethrough~~Deleted from existing law by original amendment.
- Double underliningAdded to Legislation by amendment.
- ~~Double strikethrough~~Deleted from existing law or legislation by amendment.
- * * *Existing law or bill unaffected.

WHEREAS, pursuant to a deed dated February 22, 1972 from the Board of Education of Talbot County recorded among the Land Records of Talbot County, Maryland at Liber J.T.B. No. 467, folio 431, Talbot County, Maryland (the “County”) is the fee simple owner of a certain parcel of unimproved real property having an address of 112 S. Main Street, Trappe, Maryland and further described as Tax Map 301, Parcel 1745, consisting of 4.84 acres of land, more or less; and

WHEREAS, pursuant to a deed dated March 23, 1977 from Clifford S. Asmussen and Keith Asmussen, t/a Hans Asmussen & Sons, a partnership of Talbot County, Maryland recorded among the Land Records of Talbot County, Maryland at Liber J.T.B. No. 510, folio 341, the County is the fee simple owner of a certain parcel of unimproved real property having an address of Main Street, Trappe, Maryland and further described as Tax Map 301, Parcel 1751, consisting of 1.1736 acres of land, more or less; and

WHEREAS, the foregoing parcels of real property, which are contiguous and adjacent to each other, are hereinafter collectively referred to as the “Property”; and

WHEREAS, the Property is located within the corporate limits of the Town of Trappe (the “Town”); and

WHEREAS, the Property is partially improved with a playground and park area, a portion of which is also located on real property owned by the Town; and

WHEREAS, on August 3, 2022, the Town submitted a letter to the County in which the Town expressed interest in acquiring the Property as a location for a new Town office, which letter is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, pursuant to Md. Code Ann., Local Government Article (“LG”) § 10-312, the County may provide for the disposal of any real or leasehold County property that is no longer needed for public use; provided, however, that the County shall first publish notice of such disposition at least once a week for three successive weeks in at least one newspaper of general circulation in the County, which notice shall include the terms and the compensation to be received, and provide an opportunity for objections; and

WHEREAS, subject to the Town’s willingness to assume ownership and responsibility for the public park and playground currently existing on the Property and maintaining the same in good working condition for the use and benefit of the general public until at least 2028, the Property is not needed for any present or foreseeable public use by the County and would be better utilized for public purposes benefitting the Town and its residents; and

WHEREAS, the County Council, having determined that the Property is no longer needed for any County use, is desirous of adopting this Resolution to authorize the transfer of any interest the County holds therein and the execution of a deed to effectuate the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that:

1. The foregoing recitals are not merely prefatory but are a substantive part of this Resolution and are incorporated by reference herein as if fully set forth.

2. The County Council finds that:

a. The County has duly advertised the proposed transfer and provided an opportunity for public comment pursuant to LG § 10-312;

b. The pertinent requirements of LG § 10-312 have been otherwise fulfilled;

c. The County does not need the Property for any present or foreseeable public use, subject to and conditioned upon the Town’s willingness to assume ownership and responsibility for the public park and playground currently existing on the Property and maintaining the same in good working condition for the use and benefit of the general public until at least 2028;

d. The County’s other existing real property holdings are adequate to support ongoing governmental operations and to carry out all existing and reasonably anticipated governmental duties and responsibilities;

e. The Property’s utilization for Town public purposes as a public park and playground and Town office would materially benefit the Town and its residents; and

f. The County is lawfully authorized to transfer all title and interest in the Property.

3. Subject to the foregoing findings, the County Council hereby authorizes the County Manager and the Council President to sell and convey the Property to the Town for the sum of One Dollar, to execute and deliver a deed to the Town in a form and manner approved by the County Office of Law containing the express condition set forth in 2(c) above and also containing the express

condition that the Town shall not sell the Property for more than One Dollar, and to do and perform such other, additional, and further acts and things as may be necessary to properly and fully convey the Property to the Town in accordance with the terms of this Resolution.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon the date of its adoption.



THE TOWN OF TRAPPE

4011 POWELL AVENUE
P.O. BOX 162
TRAPPE, MARYLAND 21673-0162

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410-443-0087

Brian Schmidr, Vice President
410-443-0087

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410-443-0087

July 13, 2022

Chuck Callahan, President
Talbot County Council
11 N. Washington Street
Easton, Maryland 21601

Re: 112 S. Main Street Trappe, MD

Dear President Callahan and Members of the Talbot County Council:

I am writing to you on behalf of the Trappe Town Council to discuss the acquisition of property in Trappe owned by the County Commissioners of Talbot County located at 112 S. Main Street, Trappe, Maryland (the "Property"). The Property is a vacant park consisting of 4.318 acres and is recorded in the Land Records of Talbot County at Liber 467, folio 431.

The Town is interested in acquiring the Property from the County so that the Town may use it for the location of a new Trappe Town Office. As you may know, the Trappe Town Office is located at 4011 Powell Avenue, Trappe, Maryland. The property is 5,187 square feet and the Town Office is roughly 2,448 square feet. The Town Office, which previously housed the fire department, was constructed in 1965 and provides one small meeting room for Council Meetings, a front desk, and one office space for the Town Administrator/Clerk. Over the years, the Town has substantially outgrown the Town Office and requires more space to house additional employees and to support the Town Council, Commission, and Board meetings, and public participation.

Unfortunately, there is not enough space at the existing Town Office site to construct a new Town Office of sufficient size. However, given the size and location of the Property, the Council believes it would be ideal for the new Trappe Town Office. The Council also believes the location of the Property would provide easy access for Trappe residents.

The Council understands the Property was deeded to the County Council in 1972 by the Talbot County Board of Education for \$1.00. Given the County's expense of maintaining the Property, the Council believes it is in the best interest of County residents for the County Council to deed the Property to the Trappe Council for \$1.00 to provide the location for a new Town Office.

The Trappe Town Council is hopeful that you take this request into consideration and consider all of the benefits of Trappe acquiring the Property. If you would like to meet to discuss, the Trappe Council is willing to meet at a time that is convenient for the County Council. If you

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112 Main Street - Acquisition
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have any questions, please do not hesitate to contact me or Erin Braband at clerk@trappemd.net or (410) 443-0087.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'N. Newnam', with a horizontal line drawn through it.

Nicholas Newnam
President of the Trappe Town Council

cc: Patrick Thomas

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 337 having been published, a public hearing was held on Tuesday, October 18, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: October 25, 2022 *AS AMENDED*

By Order: Susan W. Moran
Susan W. Moran, Secretary

Callahan - Aye

Divilio - Aye

Leshner - Aye

Price - Aye

Pack - Aye

Effective: October 25, 2022