

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2013 Legislative Session

Legislative Day No. 08

Resolution No. 36-2013

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO ACQUIRE 23.072 ACRES OF LAND, MORE OR LESS, LOCATED ON THE NORTHERLY SIDE AND BINDING ALLEN ROAD, ALSO KNOWN AS COUNTY ROAD 344, FOR THE ESTABLISHMENT AND CONSTRUCTION OF A TRANSFER STATION.

WHEREAS, pursuant to Section 22-1 of Chapter 22, entitled "County-owned property" paragraph A, the County Executive is authorized, on behalf of and in the name of Wicomico County, Maryland, to acquire by purchase, lease, exchange, gift or condemnation for public purpose any real property or interest therein in the County; and

WHEREAS, Wicomico County and Banks Holdings, LLC entered into an Option Agreement, dated September 18, 2012, for the purchase of approximately 23.072 acres of land located on the northerly side of and binding Allen Road, also known as County Road 344; and

WHEREAS, the Option Agreement granted the County temporary use of said property as a transfer station for a period of sixty (60) days, which expired on November 17, 2012; and

WHEREAS, Wicomico County and Banks Holdings, LLC entered into a Temporary License Agreement, dated November 17, 2012, to extend the agreement to use the property as a temporary transfer station; and

WHEREAS, Wicomico County now desires to purchase said property from Banks Holdings, LLC at the purchase price of \$150,800, which includes a \$6,000 rebate for three months rent, for the permanent location of the Fruitland/Allen transfer station; and

WHEREAS, the County Council held a public hearing on the acquisition of the property for the Fruitland/Allen transfer station on November 6, 2012; and

WHEREAS, the County Executive held community meetings on November 27, 2012 and February 11, 2013 on the proposed location for the Fruitland/Allen transfer station; and

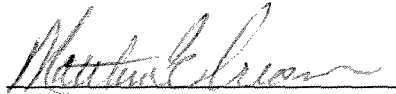
WHEREAS, following the public hearing, which was duly advertised, and community meetings, the County Council approves the acquisition of the property for the permanent location of the Fruitland/Allen transfer station.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Wicomico County, Maryland that the County Executive be, and is hereby, authorized to acquire 23.072 acres of land, more or less, located on the northerly side of and binding Allen Road, also known as County Road 344, and designated as Parcel "B" on a plat entitled "Boundary Survey and Subdivision for Delores W. and W. Arthur III Washburn", dated October 10, 1995, prepared by Brian M. Dennis and Associates, Inc., at the purchase price of \$150,800, for the establishment and construction of a transfer station.

Done at Salisbury, Maryland, this 16th Day of April, 2013.

ATTEST:

COUNTY COUNCIL OF
WICOMICO COUNTY, MARYLAND



Matthew E. Creamer,
Council Administrator

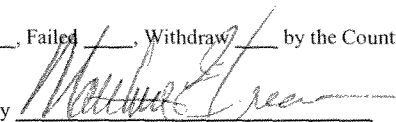


Matt Holloway,
Council President

CERTIFICATION

This Resolution was Adopted , Adopted with Amendments , Failed , Withdraw by the County Council on April 16, 2013.

Certified by



Matthew E. Creamer, Council Administrator