

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2013, Legislative Day No. 16
Resolution No. 99-13

Mr. Tom Quirk, Chairman
By Request of County Executive

By the County Council, October 7, 2013

A RESOLUTION, pursuant to Section 3-9-103 of the Baltimore County Code of 2003, as amended from time to time, to authorize Baltimore County (hereinafter referred to as the “County”) to convey, in fee simple, parcels of land owned by the County totaling 2.9 acres (hereinafter referred to as the “County Property”), being a portion of the land labeled and shown as “Parcel A” on the plat titled “Wildwood Park” and recorded at Liber 68, folio 102 of the Plat Records of Baltimore County, and shown and indicated as “Parcel 3” on page 2 of the Approved Amended JSCP Plan for Pikeswood Apartments, now known as the Schnaper Property, PAI No 02-163, to Joseph Schnaper, his heirs and assigns (“Schnaper”), in exchange for the Schnaper conveying, in fee simple, parcels of land containing 9.5 acres, more or less, all those areas shown on the right of way plat attached hereto as Exhibit B, and described as follows: (1) a portion containing 6.706 acres, more or less, located south of the future Owings Mills Boulevard Extension Right of Way, labeled “IN FEE AREA ‘B’” and (2) a portion containing 2.757 acres, more or less, and labeled “IN FEE AREA ‘A’” (together, the “Schnaper Property”).

Said County Property, and Schnaper Property are located in the Second Election District and Fourth Councilmanic District of Baltimore County; and

WHEREAS, Section 3-9-103 of the Baltimore County Code of 2003, as amended from time to time, provides that the County may exchange real property for the purposes of consolidation or another public purpose; and

WHEREAS, when the County constructs the proposed Owings Mills Boulevard Phase II, the road will sever the County Property from the remainder of Wildwood Park; and

WHEREAS, the County acquired the County Property in fee simple by virtue of the Deed recorded in the Land Records of Baltimore County, dated August 13, 1996, and recorded in Liber S.M. No. 11820, folio 2, from the New Wildwood Park Property Corporation, a Maryland corporation, said Deed containing covenants and restrictions pursuant to the requirements of Sections 5-906(e)(7) and (8) of the Natural Resources Article of the Annotated Code of Maryland (hereinafter referred to as “POS restrictions”); and

WHEREAS, Schnaper agreed to convey the Schnaper Property in conjunction with development approvals under Approved Amended JSPC Plan for Pikeswood Apartments, now known as the Schnaper Property, PAI No 02-163 (the “Approved Development”); and

WHEREAS, the Schnaper Property is contiguous to Wildwood Park, and the County desires to acquire the Schnaper Property as an addition to Wildwood Park; and

WHEREAS, Muller-Casella Associates, Inc., has determined the value of the County Property to be conveyed to the Schnaper is \$203,000; and

WHEREAS, Muller-Casella Associates, Inc., has determined the value of the Schnaper Property is \$2,490,000.00; and

WHEREAS, in lieu of monetary consideration and as additional consideration for the conveyance of the Schnaper Property to the County, the County has agreed to construct Owings Mills Boulevard across the Approved Development; and

WHEREAS, once acquired, the County intends to encumber the Schnaper Property with the POS restrictions, subject to the review and approval by the Maryland Department of Natural Resources; and

WHEREAS, the Administrative Officer has recommended to the County Executive that the County Property be exchanged with the Schnaper Property; and

WHEREAS, the County Executive agrees with the recommendation of the County Administrative Officer and recommends the same to the County Council.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland, that the County be and is hereby authorized to convey the said County Property to Schnaper in exchange for Schnaper conveying the Schnaper Property to the County with no additional monetary consideration, and upon such terms and conditions as may be deemed necessary or appropriate; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.