

DK0060PG0272

**A RESOLUTION REGARDING THE CONVEYANCE OF KELLAM FIELD TO  
THE TOWN OF CHESAPEAKE BEACH**

**RESOLUTION**

**WHEREAS**, *Local Gov't Article*, Section 12-402(e)(1) 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 appraisal, notice and public hearing requirements;

**WHEREAS**, the owner of all the real property described as Parcel H shown on a pat entitled "Part 1 OF PARTITION, PARCELS A THRU F" as recorded among the Plat Records of Calvert County, Maryland at Liber A.B.E. 4, folio 293 (the "Town Property")

**WHEREAS**, the County Commissioners of Calvert County, Maryland, a body corporate and politic (the "County Property") is the owner of all the real property described as Parcel F, H and G shown on a pat entitled "Part 1 OF PARTITION, PARCELS A THRU F" as recorded among the Plat Records of Calvert County, Maryland at Liber A.B.E. 4, folio 293 (hereinafter, the "County Property");

**WHEREAS**, pursuant to the terms and conditions of a Lease dated May 8, 2002, with an expiry of May 7, 2022, the County leases the County Property to the Town of Chesapeake Beach, a municipal corporation of the State of Maryland (hereinafter, the "Town");

**WHEREAS**, notice of a public hearing was duly published in The Recorder, a newspaper of general circulation in Calvert County, on March 18 and March 25, 2020, in accordance with the statutory provisions of Section 12-402(e)(3)(ii) of *Local Gov't Article* of the Maryland Annotated Code, and held on April 7, 2020, at which time the Board of County Commissioners received public comment; and

**WHEREAS**, upon due consideration of the comments of the public and staff, the Board of County Commissioners finds that it is in the best interest of the citizens of Calvert County, Maryland to adopt this Resolution authorizing the Board President to execute, on behalf of the Board a Deed quit claiming the County's interest in the County Property to the Town upon the condition that the property shall revert to the County if the property ceases to be used for a public purpose.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that Commissioner President Kelly D. McConkey is hereby authorized to execute such documents necessary to convey the County Property to the Town upon the condition that the property shall revert to the County if the property ceases to be used for a public purpose;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Resolution, or Deed contemplated herein, is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County

BK 0060PG0273

Commissioners to sever only the invalid portion or provision, and that the remainder of this Resolution and Deed 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; and

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation without publication of a fair summary.

DONE, this 7<sup>th</sup> day of April, 2020 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5  
Nay: 0  
Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND

Maureen Frederice  
Clerk

Kelly D. McConkey  
Kelly D. McConkey, President

Mike Hart  
Mike Hart, Vice President

Approved for form and legal sufficiency  
by:

Earl F. Hance  
Earl F. Hance

John B. Norris  
John B. Norris, County Attorney

Thomas E. Hutchins  
Thomas E. Hutchins

Steven R. Weems  
Steven R. Weems

Received for Record..... April 24 , 2020  
..... 12:40 ..o'clock..... P ..M. Same day  
Recorded in Liber KPS No. .... 60 ..  
Folio..... 272 ..... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Garry P. Smith