

CITY OF SALISBURY
ORDINANCE NO. 1986

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALISBURY FOR THE CLOSING OF AN AREA OF LAND BEING A PORTION OF EAST ROAD, IN THE SALISBURY ELECTION DISTRICT, CITY OF SALISBURY, WICOMICO COUNTY, STATE OF MARYLAND, AND FOR THE CONVEYANCE TO FERMIN C. AND MARTHA M. COBAIN, OR THEIR ASSIGNEE, OF ALL RIGHT, TITLE AND INTEREST, IF ANY, OF THE CITY OF SALISBURY, IN AND TO THE BED OF SAID CLOSED ROAD.

WHEREAS, the portion of East Road that is shown as “unimproved” and as part of Parcel “C” on the sheet 2 of the plat entitled ALTA/ACSM Land Title Survey of the Lands of Mountaire Farms of Delmarva, Inc., by Davis, Bowen & Friedel, Inc., dated April 4, 2000, and recorded among the aforesaid Land Records in Plat Cabinet M.S.B. No. 14, Folio 226, is a paper street which has never been used by the public and is unpaved; and

WHEREAS, the City of Salisbury Department of Public Works has determined that the aforementioned area of land has never been used by the public and is unpaved and the City believes it is in the best interest of the City to close such area and deed it to the adjoining property owner; and

WHEREAS, the owner of all of the other land that is contiguous to the aforementioned area of land is Fermin C. and Martha M. Cobain, who have contracted to sell such land to Shelter Development, LLC; and

WHEREAS, the adjacent land owner has requested the City to close said paper street; and

WHEREAS, the City of Salisbury has determined to abandon the property as it is of no value; and

WHEREAS, the Salisbury Charter, SC11-2, gives the City charge of all public ways in the City of Salisbury, and SC16-8 allows the City to abandon or otherwise dispose of property that is not saleable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, as follows:

1. That the aforementioned area hatched area designated as an unimproved portion of East Road and part of Parcel “C” on the plat identified above, said hatched portion of the plat being attached hereto, is hereby closed and vacated as a public street, alley or way.

2. For the purposes and reasons hereinabove set forth the City of Salisbury be, and hereby is, authorized to convey to Fermin C. Cobain and Martha C. Cobain or their assignee, all

of its right, title, and interest in the unimproved area of East Road, as shown on the plat identified above.

3. The City Solicitor be, and hereby is, directed to prepare and submit for execution by the City of Salisbury appropriate deeds for the purposes aforesaid.

4. This Ordinance shall take effect from the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the _____ day of _____, 2006, and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council on the _____ day of _____, 2006.

Brenda J. Colegrove, City Clerk

Michael P. Dunn,
President of the City Council of
the City of Salisbury

Approved by me, this _____
day of _____, 200__.

Barrie P. Tilghman
Mayor of the City of Salisbury