

**CITY OF SALISBURY
ORDINANCE NO. 2062**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY FOR THE ALIGNMENT OF WEST VINE STREET BETWEEN SALISBURY BOULEVARD AND WAVERLY DRIVE BY ABANDONING A PORTION OF VINE STREET, ROYAL STREET AND MITCHELL STREET, AND ALL OF MOUNT STREET, AND ACCEPTING ADDITIONAL RIGHT-OF-WAY DEDICATION FOR WEST VINE STREET, AND FOR THE CONVEYANCE OF SAID ABANDONED PARCELS TO PENINSULA REGIONAL MEDICAL CENTER, SAID CONVEYANCE BEING ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SALISBURY IN AND TO A PORTION OR ALL OF THE BED OF SAID ABANDONED STREETS.

WHEREAS, Peninsula Regional Medical Center has expanded its facilities to increase its quality and responsive medical care to meet the needs of the region's growing population; and

WHEREAS, the City Council desires to facilitate the expansion of Peninsula Regional Medical Center to provide better and expanded medical care and quality of life for Salisbury residents; and

WHEREAS, based on a traffic study, Peninsula Regional Medical Center, proposes campus modifications requiring the closure of a portion of Vine Street, a portion of Royal Street, a portion of Mitchell Street, and all of Mount Street; and

WHEREAS, Vine Street, Royal Street, Mitchell Street and Mount Street are City of Salisbury public ways in accordance with Section SC11-2 of the Salisbury Charter; and

WHEREAS, a portion of Vine Street, a portion of Royal Street, a portion of Mitchell Street, and all of Mount Street are shown on a plat entitled "Proposed ROW Abandonments," attached hereto as Exhibit "A"; and

WHEREAS, the City of Salisbury Department of Public Works has determined that the areas of land designated as "R.O.W. Abandonment" on Exhibit "A" are not needed as public ways as there exist other means for public travel to the affected properties, and the City believes it is in the best interest of the City to close said portions of Vine Street, Royal Street and Mitchell Street, and all of Mount Street, deeding same to an adjoining property owner, subject to a reservation of an easement for all underground utilities, and other easements, and a continuation of stormwater drainage patterns until utilities are relocated; and

WHEREAS, Peninsula Regional Medical Center owns all land which adjoins these portions of Vine Street, Royal Street, Mitchell Street, and Mount Street, and has requested that

the City of Salisbury close said areas as shown on Exhibit "A"; and

WHEREAS, the City of Salisbury has determined to abandon the streets as they are 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; and

WHEREAS, the City of Salisbury Department of Public Works recommends, and Peninsula Regional Medical Center agrees to, the dedication of the right-of-way shown on the attached Exhibit "B" as "R.O.W. Dedication," for the relocation of West Vine Street; and

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

1. That the areas described as "R.O.W. Abandonment" in Exhibit "A" attached hereto, are hereby closed and vacated as a public street, alley or way.
2. That in closing such public street or way, the City of Salisbury retains rights in the property. The transfer of the property is subject to the City having and retaining all utility easements, including, but not limited to, the right to install, maintain, continue, terminate or in any way deal with sewer lines, water lines, stormwater lines, gas, electric, cable lines and such other utilities as the City may desire or may elect to permit to be assigned, until the city accepts the relocation of utility lines. The existing surface stormwater drainage patterns shall remain or be continued as the City determines, unless a plan requested by the Grantee for alteration of stormwater drainage is approved by the Department of Public Works and constructed and implemented at the expense of property owner.
3. For the purposes and reasons hereinabove set forth, the City of Salisbury be, and hereby is, authorized to convey to Peninsula Regional Medical Center, all of its right, title and interest in the designated areas of Vine Street, Royal Street, Mitchell Street, and Mount Street, subject to the reservation of rights set forth above.
4. That 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.
5. That the City of Salisbury will accept a dedication of the right-of-way shown on the attached Exhibit "B" as "R.O.W. Dedication."
6. 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 28th day of July, 2008, 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 25th day of August, 2008.

Kimberly R. Nichols
Kimberly R. Nichols, Records
Admin./Asst. City Clerk

Louise Smith
Louise Smith, President
Salisbury City Council

Approved by me this 2ND
day of September, 2008.

Barrie P. Tilghman
Barrie P. Tilghman
Mayor of the City of Salisbury