

**RESOLUTION NO. 1-22**

**Resolution Expressly Rejecting the Offer to Dedicate to Public Use That Certain Paper Alley Identified as “‘Abandoned Alley’ per EWA 1094/083” on a Boundary Survey Recorded Among the Land Records of St. Mary’s County, Maryland at Liber 76, Folio 112, Identified as an “Alley” Between Park Avenue and Lawrence Avenue on a Plat Recorded Among the Land Records of St. Mary’s County, Maryland at Liber 17, Folio 29, and Identified as an Unnamed Alleyway Between Park Avenue and Lawrence Avenue on a Plat Recorded Among the Land Records of St. Mary’s County, Maryland at Liber 12, Folio 70, Containing 3,308.14 Square Feet, More or Less, and Authorizing the Execution of a Quit Claim Deed Therefor in Favor of Bell Family, LLC**

WHEREAS, a plat entitled “Boundary Survey for Bell Family Limited Partnership 22675 Washington Street & Bell Motor Company, Inc. 41575 & 41585 Park Avenue,” dated December 9, 2018, prepared by VARC, LLC d/b/a Nokleby Surveying, and recorded among the Land Records for St. Mary’s County, Maryland at Liber 76, folio 112 (the “Bell Plat”), attached hereto as Exhibit 1, identifies a paper alley within the corporate limits of the Town of Leonardtown (the “Town”) labeled as “‘Abandoned Alley’ per EWA 1094/083,” containing 3,308.14 square feet, more or less (the “Paper Alley”); and

WHEREAS, the Paper Alley is also identified as “Alley” on a plat entitled “Plat of Leonardtown Boundary,” dated July 31, 1981, prepared by J.R. McCrone, Jr., Inc., and recorded among the Land Records for St. Mary’s County, Maryland at Liber 17, folio 29 (the “Leonardtown Boundary Plat”), attached hereto as Exhibit 2; and

WHEREAS, the Paper Alley is also identified as an unnamed alley on a plat entitled “Leonardtown,” dated February 9, 1940, prepared by George W. Joy, Jr., and recorded among the Land Records of St. Mary’s County, Maryland at Liber C.B.G. No. 12, folio 70 (the “Leonardtown Plat”), attached hereto as Exhibit 3; and

WHEREAS, the Paper Alley was never accepted by the Town of Leonardtown (the “Town”), formally or informally, and has remained a paper alley; and

WHEREAS, Bell Family, LLC claims ownership of the Paper Alley, identified as “Tract 9” in a Confirmatory Deed between Bell Family, LLC and Bell Family, LLC dated January 25, 2019, and recorded among the Land Records of St. Mary’s County, Maryland at Liber D.J.B., folio 362; and

WHEREAS, Bell Family, LLC has requested that the Council of the Town of Leonardtown (the “Council”) expressly reject any offer of dedication of the Paper Alley to public use and execute a quitclaim deed therefor in favor of Bell Family, LLC to remove any cloud on Bell Family, LLC’s title thereto created by the Paper Alley’s depiction on the Bell Plat, the Leonardtown Boundary Plat, and the Leonardtown Plat; and

WHEREAS, the Council has determined that it is desirable and in the public interest to expressly reject any offer of dedication of the Paper Alley to public use and authorize the Mayor and the Town Administrator to execute a quitclaim deed in favor of Bell Family, LLC for the same; and

WHEREAS, to the best of the Council's knowledge, information, and belief, the Town has no claim, right, or title to the Paper Alley; therefore, the provisions of Md. Code Ann., Local Gov't § 5-204(c)(3) and §§ 501(49) and 1201 of the Charter of the Town of Leonardtown regarding the disposition of surplus Town property are inapplicable; and

WHEREAS, the Council deems it in the interest of the public health, welfare, and safety of the citizens of the Town, and for the good government of the Town, to adopt this Resolution.

NOW THEREFORE BE IT RESOLVED, by the Council of the Town of Leonardtown:

1. Any offer to dedicate to public use that the Paper Alley identified as "Abandoned Alley" per EWA 1094/83" on the Bell Plat, identified as an "Alley" between Park Avenue and Lawrence Avenue on the Leonardtown Boundary Plat, and identified as an unnamed alley between Park Avenue and Lawrence Avenue on the Leonardtown Plat is hereby expressly rejected. The Paper Alley has never been cut out and opened and, to the best of the Council's knowledge, information, and belief, the Town has no claim, right, or title to the same.

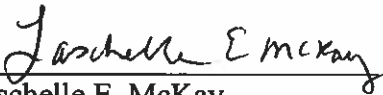
2. The Council hereby authorizes the Mayor and the Town Administrator to execute a Quitclaim Deed to the Paper Alley in favor of Bell Family, LLC.

3. Nothing in this Resolution shall be deemed to be an acceptance or rejection by, or manifestation of the intent or belief of, the Council with respect to the remainder of any paper streets and alleys shown on the Bell Plat, the Leonardtown Boundary Plat, or the Leonardtown Plat offered to be dedicated to public use.

READ AND ADOPTED THIS 14<sup>th</sup> day of March, 2022.

Attest:

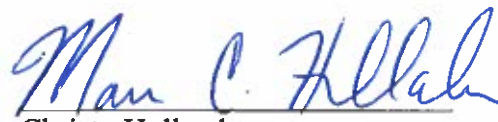
Councilpersons of Leonardtown:

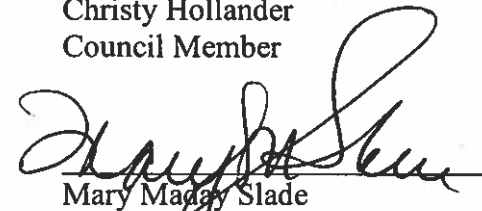
  
\_\_\_\_\_  
Laschelle E. McKay  
Town Administrator

  
\_\_\_\_\_  
J. Maguire Mattingly, IV  
Vice President

Seal:

  
\_\_\_\_\_  
Tyler Alt  
Council Member

  
\_\_\_\_\_  
Christy Hollander  
Council Member

  
\_\_\_\_\_  
Mary Maday Slade  
Council Member


  
\_\_\_\_\_  
Nick B. Colvin  
Council Member

EXHIBIT 1

Boundary Survey for Bell Family Limited Partnership 22675 Washington Street & Bell Motor  
Company, Inc. 41575 & 41585 Park Avenue



EXHIBIT 2

Plat of Leonardtown Boundary

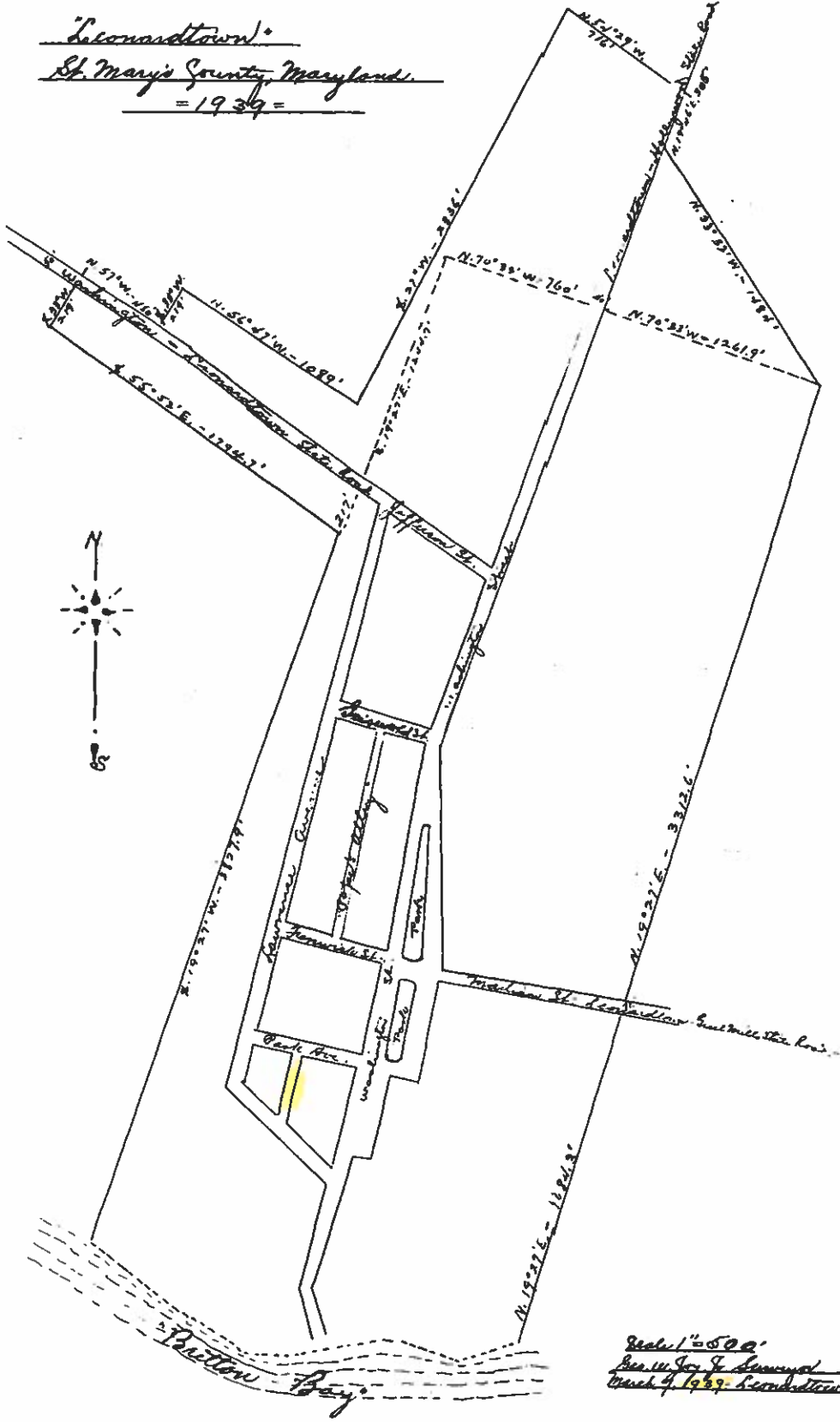


EXHIBIT 3

Leonardtwn Plat



Leonardtown  
St. Mary's County, Maryland.  
= 1939 =



Scale 1" = 500'  
 Per W. Jay J. Bennett  
 March 4, 1939, Leonardtown, Md.

**DMW 1620-2021008/SHW**  
**No Consideration—Quit Claim**  
**No Title Search Requested or Performed**  
**Exempt from transfer and recordation tax**  
**Tax ID: 03-002217**

**This Quit Claim Deed** is made this 14<sup>th</sup> day of March, 2022, by and between **The Commissioners of Leonardtown**, a municipal corporation ("Grantor"), and **Bell Family, LLC**, a Maryland limited liability company ("Grantee").

**WHEREAS**, Bell Family, LLC claims ownership of the below described property pursuant to that Confirmatory Deed between Bell Family, LLC and Bell Family, LLC dated January 25, 2019, and recorded among the Land Records of St. Mary's County, Maryland at Book 5018, Page 362; Bell Family, LLC obtained title to the below described property pursuant to that Deed from Bell Motor Company, Inc. dated January 25, 2019, and recorded among the aforesaid Land Records at Book 5018, Page 353; and Bell Motor Company, Inc., received title to the below described property pursuant to that Deed from J. Frank Abell dated September 10, 1996 and recorded among the aforesaid Land Records at Liber 1094, Folio 83; and

**WHEREAS**, Bell Family, LLC entered into a contract of sale of the below described property and the title insurance company for the potential purchaser has requested further assurances that The Commissioners of Leonardtown has no interest in the below described property; and

**WHEREAS**, the Grantor is desirous of executing this Quit Claim Deed for the purpose of confirming that it has no interest in the below described property, in accordance with Resolution No. 1-22 adopted by the Council of the Town of Leonardtown on March 14, 2022.

**WITNESSETH**, that in consideration of the premises set forth herein and no other consideration, Grantor does hereby remise, release, assign, and quitclaim unto Grantee, as sole owner, and unto Grantee's heirs, successors, and assigns, all of Grantor's right, title, interest, and estate in the lots of ground, tracts, pieces, or parcels of land situate, lying, and being in the Third Election District of St. Mary's County, Maryland and described as follows:

The property labeled as **“Abandoned Alley” per EWA 1094/083** containing 3,308.14 square feet, more or less, as shown and described on that boundary survey prepared by VARC, LLC entitled **“Boundary Survey for Bell Family Limited Partnership 22675 Washington Street & Bell Motor Company, Inc. 41575 & 41585 Park Avenue”** recorded among the Land Records of St. Mary's County at Liber 76, Folio 112.

Said property also being the same labeled as **“Alley”** located between Park Avenue and Lawrence Avenue as shown on that plat entitled **“Plat of Leonardtown**

Boundary” recorded among the Land Records of St. Mary’s County, Maryland at Plat Liber 17, Folio 29 and being the same unlabeled alley-way between Park Avenue and Lawrence Avenue as shown on that plat entitled “Leonardtown” recorded among the Land Records of St. Mary’s County, Maryland at Liber C.B.G No. 12, Folio 70.

Together with the buildings and improvements thereupon erected, made or being and all the rights, alleys, ways, waters, privileges, appurtenances, and advantages to the same belonging or anywise appertaining.

Subject to covenants, conditions, restrictions, easements and rights of way and any other conditions contained in Deeds and Instruments forming the chain of title to the captioned property.

To Have and To Hold the said lot of ground, land and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging and appertaining unto and to the proper use and benefit of Grantee, as sole owner, and Grantee’s heirs, successors, and assigns, in fee simple.

SIGNATURES ON FOLLOWING PAGE

WITNESS the hand and seal of said Grantor:

WITNESS/ATTEST:

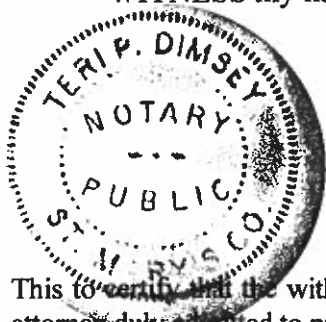
**THE COMMISSIONERS OF  
LEONARDTOWN, a  
municipal corporation**

Laschelle E. McKay  
Laschelle E. McKay, Town Administrator

By: [Signature]  
Daniel W. Burris, Mayor

I HEREBY CERTIFY that on this 14<sup>th</sup> day of March, 2022, before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared **Daniel W. Burris**, Mayor of The Commissioners of Leonardtown, a municipal corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing Quit Claim Deed, and acknowledged that he executed the same for the purposes therein contained as the duly authorized act and deed of said The Commissioners of Leonardtown.

WITNESS my hand and seal as such Notary Public the day and year above written.



[Signature]  
Notary Public  
My Commission Expires: October 17, 2023

This to certify that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the court of appeals of Maryland.

\_\_\_\_\_  
Samuel H. Wiest, Esq.  
Dugan, McKissick & Longmore, LLC  
22738 Maple Road, Suite 210  
Lexington Park, MD 20653  
(301) 862-3764