

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**2003 Legislative Session**Bill No. CB-99-2003Chapter No. 59Proposed and Presented by Council Member PetersIntroduced by Council Members Peters, Dean and Exum

Co-Sponsors _____

Date of Introduction November 3, 2003**EMERGENCY BILL**

1 AN EMERGENCY ACT concerning

2 Land Acquisition for Maryland-National

3 Capital Park and Planning Commission

4 For the purpose of authorizing The Maryland-National Capital Park and Planning Commission to
 5 acquire three parcels of land consisting of approximately 99.8786 acres more or less of
 6 unimproved land from Maryland Science and Technology Center II, LLC for public use
 7 purposes.

8 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 9 Maryland, that pursuant to the authority contained in Section 7-106 of Article 28 of the
 10 Annotated Code of Maryland, the Maryland-National Capital Park and Planning Commission is
 11 hereby authorized to acquire with monies from the Advance Land Acquisition Fund, three
 12 parcels consisting of approximately 99.8786 acres more or less which will be owned by contract
 13 purchaser Maryland Science and Technology Center II, LLC and more particularly described in
 14 Exhibit A attached hereto.

15 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
 16 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
 17 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
 18 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
 19 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
 20 Act, since the same would have been enacted without the incorporation in this Act of any such
 21 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

1 SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of
2 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
3 affecting the public health, safety, and welfare; said emergency being the need to conserve fiscal
4 resources in the Advance Land Acquisition Fund by advancing the closing date for the purchase
5 of the real property approved herein.

6 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it
7 becomes law.

8 SECTION 5. BE IT FURTHER ENACTED that the Clerk of the Council is hereby
9 directed to transmit a copy of this Act to the Maryland-National Capital Park and Planning
10 Commission.

Adopted this 25th day of November, 2003, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Tony Knotts
Vice Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

EXHIBIT ADescription of land

ALL OF THOSE PARCELS OF LAND in Prince George's County, Maryland which are described as follows:

PARCEL A

ALL OF THAT PARCEL OF LAND conveyed by Stanley H. Spiwak and Theodore N. Lerner, Trustees for 301-50 Associates, to Vana Martin, Alan J. Goldberg, Personal Representative of the Estate of Leo E. Goodwin, Jr., and S. Budd Weiner, Business Agent for the Chapter XI Estate of Leo Goodwin, Jr., Debtor, by Deed dated November 29, 1973 and recorded among the Land Records of Prince George's County, Maryland ("**Recorded**") in Liber 4430, folio 683, which parcel of land is more particularly described in certain Deeds Recorded in Liber 3605, folio 577, Liber 3605, folio 597, Liber 3606, folio 539, Liber 3606, folio 552 and Liber 3788, folio 561.

SAVING AND EXCEPTING THEREFROM so much thereof as is described in the following documents:

a. Deed dated January 10, 1952 to State Roads Commission of Maryland and Recorded in Liber 1454, folio 241.

b. Deed dated June 20, 1957 to State Roads Commission of Maryland and Recorded in Liber 2115, folio 297.

c. Deed dated February 21, 1958 to State Roads Commission of Maryland and Recorded in Liber 2187, folio 25.

d. Deed dated February 25, 1958 to State Roads Commission of Maryland and Recorded in Liber 2197, folio 1.

e. Deed dated November 29, 1983 by and between Donald S. Nash, Carley Capital Group and The University of Maryland Foundation, Inc. and Recorded in Liber 5823, folio 876.

f. Inquisition dated November 14, 1995 in a cause entitled "State Roads Commission of the State Highway Administration vs. Thomas K. Nash et al." in the Circuit Court for Prince George's County, Maryland, Case No. CAL 89-10832.

g. Inquisition dated November 14, 1995 in a cause entitled "State Roads Commission of the State Highway Administration vs. Donald Nash et al." in the Circuit Court for Prince George's County, Case No. CAL 87-19991, which Inquisition is Recorded in Liber 10462, folio 759.

h. Inquisition dated November 14, 1995 in a cause entitled "State Roads Commission of the State Highway Administration vs. Donald K. Nash, et al." in the Circuit Court for Prince George's County, Maryland, Case No. CAL 87-19994, which Inquisition is Recorded in Liber 10462, folio 756.

PARCEL B

PART ONE

BEGINNING for the same at the northerly end of the easterly or North 04 degrees 56 minutes 06 seconds West, 547.41 foot line, as shown on a plat of subdivision entitled, "Kenilworth at Belair, Section 22," Recorded in Plat Book WWW 42 at Plat No. 30, said point also being the southerly end of the 2nd or North 11 degrees 55 minutes 17 seconds East, 1,083.17 foot line, as described in a conveyance from Lawrence A. Mangum to Lawrence A. Mangum and Alma D. Slinger, dated October 3, 1975 and Recorded in Liber 4538 at folio 932, and running thence with a part of said second line

1. North 11 degrees 56 minutes 03 seconds East, 870.39 feet to the westerly end of the first or South 86 degrees 36 minutes 06 seconds West, 1,195.13 foot line of Parcel 3, as described in a conveyance from Richard H. Slingluff to Stanley M. Spiwak, dated April 30, 1968, and Recorded in Liber 3606 at folio 552; thence reversely with said line
2. North 86 degrees 36 minutes 06 seconds East, 1,195.13 feet to the northerly end of the tenth or North 08 degrees 31 minutes 40 seconds West, 628.16 foot line of Parcel 2, as described in a conveyance from Margaret T. Slingluff to Stanley M. Spiwak, dated April 30, 1968, and Recorded in Liber 3605 at folio 597; thence reversely with said line and reversely with the ninth and eighth lines of said conveyance
3. South 08 degrees 31 minutes 40 seconds East 628.16 feet to a point;
4. South 19 degrees 35 seconds 28 minutes East, 269.69 feet to a point; and

5. South 86 degrees 01 minutes 17 seconds East, 73.84 feet to a point on the northwesterly right of way line of the ramp from U.S. Route 301 to Route 50, as shown on State Roads Commission of Maryland Right of Way Plat No. 8766; thence with said northwesterly right of way line, the following three courses:
 6. 247.18 feet along the arc of a curve, deflecting to the left, having a radius of 496.00 feet and a chord bearing South 25 degrees 57 minutes 42 seconds West, 244.63 feet to a point of reverse curvature;
 7. 255.16 feet along the arc of a curve, deflecting to the right, having a radius of 260.00 feet and a chord bearing South 39 degrees 47 minutes 58 seconds West, 245.04 feet to a point; and
8. South 80 degrees 23 minutes 00 seconds West, 64.36 feet to a point on the northerly right of way line of Route 50, as shown on State Roads Commission of Maryland Right of Way Plats No. 8766 and 8772; thence with said northerly line
9. South 82 degrees 14 minutes 16 seconds West, 1,058.78 feet to a point 100.00 feet to the right of and at right angles to Station 17+28.97 of the baseline as shown on said State Roads Commission of Maryland Right of Way Plat No. 8772; thence with the easterly line of the lands now or formerly owned by Edgar P. Hamilton,
10. North 69 degrees 13 minutes 18 seconds West, 231.09 feet to a point on the said easterly or North 04 degrees 56 minutes 06 seconds West, 547.71 foot line of said "Kenilworth at Belair" subdivision; thence with a part of said line
11. North 04 degrees 55 minutes 20 seconds West, 439.59 feet to the place of beginning, containing 42.91 acres.

PART TWO

BEGINNING for the same at a point on the northerly right of way line of John Hanson Highway, Route 50, as shown on State Roads Commission of Maryland Right of Way Plat No. 7259, said point being 100.00 feet to the right of and at right angles to Station 512+35.49 of the baseline, as shown on said plat, and running thence with said northerly right of way line and with the easterly right of way line of

the ramp to U.S. Route 301, as shown on State Roads Commission of Maryland Right of Way Plat No. 8765,

1. South 82 degrees 14 minutes 16 seconds West, 251.85 feet to a point;
2. South 84 degrees 28 minutes 00 seconds West, 85.14 feet to a point;
3. 218.10 feet along the arc of a curve, deflecting to the right, having a radius of 260.00 feet and a chord bearing North 54 degrees 37 minutes 57 seconds West, 211.76 feet to a point of reverse curvature; and
4. 56.40 feet along the arc of a curve, deflecting to the left, having a radius of 346.00 feet and a chord bearing North 35 degrees 16 minutes 11 seconds West, 56.33 feet to a point; thence with the southerly line of the lands now or formerly owned by John R. Schubert, et ux.; and reversely with a westerly extension of the third or North 86 degrees 01 minutes 17 seconds West, 203.71 foot line of Parcel One, as described in a conveyance from Andrew G. Prandoni and Norman Oliver, Trustees, to Stanley M. Spiwak, dated May 17, 1968 and Recorded in Liber 3605 at folio 577,
5. South 86 degrees 01 minutes 17 seconds East, 438.51 feet to a point; thence continuing reversely with the outline of said Parcel One,
6. South 46 degrees 46 minutes 17 seconds East, 140.04 feet to the place of beginning, containing 1.32 acres.

THIS DESCRIPTION is based on existing deeds of a subdivision plats of record and has not been established by a field survey.

SAVING AND EXCEPTING therefrom so much thereof as is described in Deeds and Inquisitions to the State Roads Commission of the State Highway Administration as follows:

- a. Deed dated July 30, 1951 and Recorded in Liber 1393, folio 492.
- b. Deed dated February 28, 1955 and Recorded in Liber 1838, folio 421.

c. Inquisition dated November 14, 1995 in the Circuit Court for Prince George's County, Maryland, Case No. CAL 87-19991, and Recorded in Liber 10462, folio 759.

d. Inquisition dated November 14, 1995 in the Circuit Court for Prince George's County, Maryland, Case No. CAL 87-19994, and Recorded in Liber 10462, folio 756.

e. Inquisition dated November 14, 1995 in the Circuit Court for Prince George's County, Maryland, Case No. 89-10832.

PARCEL C

BEGINNING at an iron pipe on the northerly line of Lot 1, Block 76, "Kenilworth at Belair", Section 22, Bowie, Prince George's County, Maryland, as Recorded in Plat Book W.W.W. 42, plat 30, said iron pipe being the southwesterly corner of the Mary P. Beall Property described herein, also being the southeasterly corner of Parcel "A" as per the above-mentioned plat of "Kenilworth at Belair"; thence, with part of the northerly line of said Lot 1 and all of the northerly lines of Lots 2 and 3, Block 76, "Kenilworth at Belair", Section 22 (WWW 42-30),

(1) North 87 degrees 09 minutes 48 seconds East 285.00 feet (South 87 degrees East 285.5 feet/Liber 591, folio 144) to an iron pipe; thence,

(2) North 11 degrees 55 minutes 17 seconds East 1083.17 feet (North 15 degrees 45 minutes East 1089 feet/Liber 591, folio 144) to a stone found; thence,

(3) South 77 degrees 59 minutes 33 seconds West 544.43 feet (South 81 degrees West 544.5 feet/Liber 591, folio 144) to an iron pipe on the easterly line of Lot 1, Block 74, "Kenilworth at Belair", Section 21, Bowie, Prince George's County, Maryland, as Recorded in Plat Book W.W.W. 42, plat 29; thence, with part of said line of Lot 1, Block 74 (WWW 42-29) and the easterly lines of Parcel "B" (Block 74, Section 22, WWW 42-30), Karen Way (a 50-foot right of way WWW 42-30) and Parcel "A" (Block 76, Section 22, WWW 42-30)

(4) South 01 degrees 26 minutes 18 seconds East 960.95 feet (South 2 degrees 43 minutes West 968 feet/Liber 591, folio 144) to the point of beginning.

CONTAINING 9.3298 acres, as per survey made by Carl W. Gohr, Sr., April 12, 1966.

SAVING AND EXCEPTING therefrom so much thereof as by Deed dated February 28, 1955 and Recorded in Liber 1838, folio 421 was conveyed by Morris Suit and Audrey Suit to State Roads Commission of Maryland

