

# PROPOSED ORDINANCE

## ORDINANCE NO. 1069

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE FINDING THAT A TWO-ACRE PARCEL OF PROPERTY IS NO LONGER NEEDED FOR PUBLIC USE AND TERMINATING THE CITY'S RIGHT TO USE OR IMPROVE SAID TWO-ACRE PARCEL OF PROPERTY LOCATED ON THE CAMBRIDGE MARINE TERMINAL PROPERTY (ALSO KNOWN AS SAILWINDS PROPERTY) FOR A PERIOD OF THIRTY YEARS AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT TO YACHT MAINTENANCE COMPANY, INC. AND APPROVED ASSIGNS, FOR A PERIOD NOT TO EXCEED THIRTY YEARS.**

**WHEREAS**, Yacht Maintenance Company, Inc. ("YMC") has requested that the Commissioners of Cambridge ("CITY") make a determination and finding that a two-acre parcel of property adjacent to property of YMC at 101 Byrn Street, which two-acre parcel is more particularly shown and delineated on Exhibit A attached hereto and incorporated herein by reference (the "Property"), is no longer needed for public use, and that the City lease said Property YMC for a term not to exceed thirty years; and

**WHEREAS**, the Property is part of a larger parcel of property which the City acquired from the State of Maryland by deed dated August 15, 2014, which deed is recorded among the Land Records for Dorchester County, Maryland in Liber No. 1221, Folio 309; the express intent of the transfer was that of economic development and job retention/creation; and

**WHEREAS**, following a duly advertised public hearing held on August 15, 2015 and upon consideration of the public hearing comments and written comments timely submitted, the Commissioners of Cambridge unanimously made a determination and finding on September 14, 2015, that a 1.56 acre portion of the Property which had been leased to YMC by the State of Maryland for more than 37 years, was no longer needed for public use, and would be subject to a sale or lease to YMC; the City left open the issue of public use for the balance of the 11.826-acre parcel; and

**WHEREAS**, YMC has asked the City to consider leasing or conveying to YMC an additional .44 acres of land, for a total of 2.00 acres as shown and delineated upon Exhibit A, which additional land is necessary for the expansion of the marine and boatyard facilities, to maintain and increase the employment at YMC; and

**WHEREAS**, upon further consideration of the public record from August 15, 2015 and the written comments, the City hereby finds and determines that an addition .44 acres of the 11.826-acre parcel is no longer needed for public use, and that the City intends to lease or convey the additional .44 acres, for a total parcel of 2.00 acres to YMC or its approved assigns.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED** by the Commissioners of Cambridge that:

**SECTION 1.** The recitals set forth above are incorporated herein by reference and made a part of this Ordinance;

**SECTION 2.** Pursuant to Section 5-204(c)(3) of the Local Government Article of the Maryland Code and Sections 3-1(a), 3-27(49) and 3-29 of the City Charter, the Commissioners of Cambridge hereby find, determine and declare that the Property, consisting of 2.00 acres shown and delineated upon Exhibit A, is no longer needed for public use;

**SECTION 3.**

**SECTION 3.** The Mayor is hereby authorized to negotiate, execute and deliver to YMC or its approved assigns, a Lease for the Property for a term of not more than 30 years;

**SECTION 4.** The City Manager is hereby directed to place a proper legal notice in the Daily Banner of the proposed conveyance/lease at least 20 days prior to the effective date of said lease, pursuant to the requirements of Section 5-204(c)(3) of the Local Government Article of the Annotated Code of Maryland.

ATTEST:

**THE COMMISSIONERS OF CAMBRIDGE**

\_\_\_\_\_  
Sandra Tripp-Jones  
City Manager

By: \_\_\_\_\_ (SEAL)  
Victoria Jackson-Stanley, Mayor

Introduced this 25<sup>TH</sup> day of January, 2016

Adopted this \_\_\_\_\_ day of February, 2016