

AFTER RECORDING RETURN TO:

Scott C. Wallace, Esquire
Miles & Stockbridge P.C.
11 North Washington Street, Suite 700
Rockville, MD 20850

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this “**Deed**”) is made as of _____, 202____, from GATEWAY WEST HOMEOWNERS ASSOCIATION, INC. (“**Grantor**”), to and for the benefit of the CITY OF HYATTSVILLE, a municipal corporation in the State of Maryland (“**Grantee**”).

WITNESSETH:

For and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor by these presents does hereby grant, bargain, sell and convey unto Grantee, its successors and assigns, for use as a public park all of the real property lying and situate in Prince George’s County, Maryland which is legally and more particularly described on **Schedule A** attached hereto and incorporated herein by this reference, together with all buildings, structures, tenements, hereditaments, rights-of-way, and rights in any land in the bed of any streets or alleys, existing or on paper, belonging or in any way pertaining to such real property, and all improvements located on such real property (the real property and improvements are hereinafter collectively referred to as the “**Property**”);

TOGETHER WITH all of the ways, easements, rights, privileges and appurtenances to the same belonging or in any way appertaining; all rights of the Grantor in and to any privately owned water or sewer lines servicing the Property; all riparian rights and all piers, wharves and docks adjoining or used in connection with the Property; and all of the estate, right, title, interest and claim, either in law or in equity or otherwise, of the Grantor of, in, to or out of the Property;

TO HAVE AND TO HOLD the Property, together with all and singular the aforesaid rights and appurtenances pertaining thereto, subject to all matters of record, unto Grantee and Grantee’s successors and assigns in fee simple forever.

SUBJECT TO the right of the Grantor, at its sole discretion, to enter the Property for a period of two (2) years from the date this Deed is recorded to maintain stormwater management facilities on the Property as shown on Sheet 4 of Detailed Site Plan (DSP)-18003-02, titled “Landscape Plan”, approved on September 19, 2022;

AND SUBJECT TO all matters of record, Grantor covenants that Grantor will warrant to Grantee, its successors and assigns specially the Property hereby conveyed, against any person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise, and that Grantor will execute such further assurances of said Property as may be requisite.

[Signature page follows]

IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this Special Warranty Deed as of the day and year first above written.

WITNESS:

GRANTOR:

GATEWAY WEST HOMEOWNERS,
ASSOCIATION, INC.

By: _____ [SEAL]

Name: _____

Title: Authorized Person

STATE OF MARYLAND

*

*

to wit:

*

COUNTY OF _____

I HEREBY CERTIFY that, on this ____ day of _____, 202__, before me, the undersigned officer, personally appeared _____ and that, as the Authorized Person of Gateway West Homeowners Association, Inc., being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing as the Authorized Person of Gateway West Homeowners Association, Inc.

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

ATTORNEY'S CERTIFICATE

I hereby certify that the annexed instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Supreme Court of Maryland.

Scott Wallace

AFFIDAVIT OF CONSIDERATION

THE UNDERSIGNED HEREBY CERTIFIES, under the penalties of perjury, that the monetary consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee, is the sum of Zero Dollars.

By: _____
For: The City of Hyattsville

Schedule A

All land shown on Plat No. 79, recorded in Plat Book ME 255 in the Land Records of Prince George's County, Maryland and containing 2.0447 acres.