

SENATE BILL 747

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1998 Regular Session
8lr2680
CF 8lr2679

By: **Senator Colburn**

Introduced and read first time: February 23, 1998

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County - Authority of County Commissioners to Sell Real**
3 **Property**

4 FOR the purpose of authorizing the County Commissioners of Dorchester County to
5 sell a certain parcel of real property to the Dorchester County Family YMCA,
6 Inc. under certain circumstances; and generally relating to the authority of the
7 County Commissioners of Dorchester County to sell real property.

8 BY repealing and reenacting, with amendments,
9 Article 25 - County Commissioners
10 Section 9
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 1997 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 25 - County Commissioners**

16 9.

17 (a) This section applies only in Dorchester County.

18 (b) The County Commissioners, in addition to, but not in substitution of, the
19 powers which may have been or may hereafter be granted them, may acquire by
20 lease, purchase, or condemnation, real or leasehold property needed for any public
21 purpose, may erect buildings on the property for the benefit of the County, may sell at
22 public sale any real or leasehold property belonging to the County when in their
23 discretion it is no longer needed for public use, and may execute and acknowledge any
24 and all deeds and other instruments necessary to effect and complete the lease,
25 purchase, or sale of real or leasehold property.

26 (c) (1) Except as provided in paragraph (2) of this subsection, the County
27 Commissioners may sell real or leasehold property without public sale to any
28 municipality or other governmental agency within Dorchester County upon terms

1 and conditions and for consideration, if any, which they consider proper, when in their
2 discretion the property is no longer needed for public use by the County, and may
3 execute and acknowledge any and all deeds and other instruments necessary to effect
4 and complete the sale of the real or leasehold property.

5 (2) The County Commissioners may not sell or lease the riparian rights
6 adjacent to any real or leasehold property that belongs to Dorchester County and is
7 located in the City of Cambridge unless the County Commissioners provide for the
8 public sale or lease under a process that includes the following elements:

9 (i) A public advertisement, in at least one newspaper of general
10 circulation in the County, soliciting sealed bids or proposals;

11 (ii) The public opening of sealed bids or proposals;

12 (iii) The rejection of unresponsive or unacceptable bids or proposals;
13 and

14 (iv) The selection of the bidder or offeror who offers the terms most
15 favorable to the County.

16 (3) The County Commissioners may take any and all actions necessary
17 to effectuate and complete the process of competitive bidding under paragraph (2) of
18 this subsection.

19 (d) The County Commissioners may lease real or leasehold property belonging
20 to the County, in lieu of sale, to nonprofit organizations upon terms and conditions
21 they deem proper, when in their discretion the real or leasehold property is no longer
22 needed for public use, and to execute and acknowledge any instruments necessary to
23 effect and complete the lease of the property.

24 (e) The County Commissioners may sell real or leasehold property or any
25 reversionary interest in that property without a public sale to any volunteer fire
26 company located in the County for use in providing fire, emergency, and supporting
27 services or facilities, upon the terms and conditions and for whatever consideration, if
28 any, which they consider proper when in their discretion the property is no longer
29 needed for public use by the County, and may execute and acknowledge any and all
30 deeds and other instruments necessary to effect and complete the sale of real or
31 leasehold property.

32 (F) (1) THE COUNTY COMMISSIONERS MAY SELL TO THE DORCHESTER
33 COUNTY FAMILY YMCA, INC. ALL OF THE COUNTY COMMISSIONERS' RIGHT, TITLE,
34 AND INTEREST IN AND TO THAT CERTAIN PARCEL OF REAL PROPERTY LOCATED AT
35 201 TALBOT AVENUE, CAMBRIDGE, MARYLAND, AND MORE PARTICULARLY
36 DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, UPON THE TERMS AND
37 CONDITIONS AND FOR WHATEVER CONSIDERATION, IF ANY, WHICH THEY CONSIDER
38 PROPER WHEN IN THEIR DISCRETION THE PROPERTY IS NO LONGER NEEDED FOR
39 PUBLIC USE BY THE COUNTY, AND MAY EXECUTE AND ACKNOWLEDGE ANY AND ALL
40 DEEDS AND OTHER INSTRUMENTS NECESSARY TO EFFECT AND COMPLETE THE
41 SALE OF THE PROPERTY.

1 (2) THE DESCRIPTION OF 201 TALBOT AVENUE IS AS FOLLOWS:

2 BEGINNING FOR THE SAME AT THE NORTHEAST CORNER OF TALBOT AVENUE
3 AND TUBMAN STREET AND FROM THENCE RUNNING AND BINDING WITH TALBOT
4 AVENUE NORTH 41 DEGREES 45 MINUTES EAST, 646 FEET TO SCHOOL STREET, AND
5 FROM THENCE RUNNING AND BINDING WITH SCHOOL STREET, NORTH 48 DEGREES
6 15 MINUTES WEST, 400 FEET TO SOMERSET AVENUE AND FROM THENCE RUNNING
7 AND BINDING WITH SOMERSET AVENUE, SOUTH 41 DEGREES 45 MINUTES WEST, 646
8 FEET TO TUBMAN STREET AND FROM THENCE RUNNING AND BINDING WITH
9 TUBMAN STREET, SOUTH 48 DEGREES 15 MINUTES EAST, 400 FEET TO THE PLACE OF
10 BEGINNING; THE SAID TRACT OR PARCEL OF LAND, BEING THE SAME LAND THAT IS
11 DESIGNATED AS LOTS NOS. 65, 66, 67, 68, 69, 70, 71, 72, 73, 92, 93, 94, 95, 96, 97, 98, 99, 100
12 ON A PLAT OF "GLASGOW ESTATE", MADE BY J. WATSON THOMPSON SURVEYOR, AND
13 NOW ON FILE AMONG THE PLAT RECORDS IN THE OFFICE OF THE CLERK OF THE
14 CIRCUIT COURT FOR DORCHESTER COUNTY, MARYLAND.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 1998.