

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

Re-referred to: Economic and Environmental Affairs, February 25, 1998

Committee Report: Favorable

Senate action: Adopted

Read second time: March 18, 1998

CHAPTER _____

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

1 public sale any real or leasehold property belonging to the County when in their
2 discretion it is no longer needed for public use, and may execute and acknowledge any
3 and all deeds and other instruments necessary to effect and complete the lease,
4 purchase, or sale of real or leasehold property.

5 (c) (1) Except as provided in paragraph (2) of this subsection, the County
6 Commissioners may sell real or leasehold property without public sale to any
7 municipality or other governmental agency within Dorchester County upon terms
8 and conditions and for consideration, if any, which they consider proper, when in their
9 discretion the property is no longer needed for public use by the County, and may
10 execute and acknowledge any and all deeds and other instruments necessary to effect
11 and complete the sale of the real or leasehold property.

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

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

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

19 (iii) The rejection of unresponsive or unacceptable bids or proposals;
20 and

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

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

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

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

39 (F) (1) THE COUNTY COMMISSIONERS MAY SELL TO THE DORCHESTER
40 COUNTY FAMILY YMCA, INC. ALL OF THE COUNTY COMMISSIONERS' RIGHT, TITLE,

1 AND INTEREST IN AND TO THAT CERTAIN PARCEL OF REAL PROPERTY LOCATED AT
2 201 TALBOT AVENUE, CAMBRIDGE, MARYLAND, AND MORE PARTICULARLY
3 DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, UPON THE TERMS AND
4 CONDITIONS AND FOR WHATEVER CONSIDERATION, IF ANY, WHICH THEY CONSIDER
5 PROPER WHEN IN THEIR DISCRETION THE PROPERTY IS NO LONGER NEEDED FOR
6 PUBLIC USE BY THE COUNTY, AND MAY EXECUTE AND ACKNOWLEDGE ANY AND ALL
7 DEEDS AND OTHER INSTRUMENTS NECESSARY TO EFFECT AND COMPLETE THE
8 SALE OF THE PROPERTY.

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

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

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