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By: **Frederick County Delegation**

Introduced and read first time: January 25, 2002

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - County Commissioners - Old Jail Site**

3 FOR the purpose of repealing the authority of the Board of County Commissioners of  
4 Frederick County to sell a certain property in the county known as the Old Jail  
5 Site; and generally relating to the Board of County Commissioners for Frederick  
6 County.

7 BY repealing and reenacting, with amendments,  
8 The Public Local Laws of Frederick County  
9 Section 2-2-21.1(b)(3)  
10 Article 11 - Public Local Laws of Maryland  
11 (1979 Edition and March 2001 Supplement, as amended)

12 BY repealing and reenacting, with amendments,  
13 Article 25 - County Commissioners  
14 Section 11A(b)(3)  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume)

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

19 **Article 11 - Frederick County**

20 2-2-21.1.

21 (b) (3) (i) In Frederick County, the board of county commissioners may  
22 also negotiate with Frederick Memorial Hospital, Inc. in the same manner in which  
23 the board of county commissioners may negotiate with any governmental body or  
24 agency located within the county for the sale of real property no longer needed by the  
25 county school board.

26 (ii) In Frederick County, the board of county commissioners may  
27 accept gifts of land not needed for public purposes and sell the property at public or  
28 private sale for such consideration as the board considers adequate. All proceeds

1 derived from the sale of such land shall be used in accordance with the county budget,  
 2 or in accordance with a resolution adopted by the board. Any sales agreement entered  
 3 into under this subparagraph may not become effective until a copy thereof has been  
 4 filed with the clerk of the court of the county, and a summary of the agreement has  
 5 been published in at least one newspaper of general circulation in the county.

6 (iii) [In Frederick County, the board of county commissioners may  
 7 sell real property owned by the county, located on West South Street in Frederick, and  
 8 recorded in Liber TB 1 Folio 469 one of the land records of Frederick County,  
 9 Maryland, and known as "the Old Jail Site":

- 10 1. At a public or private sale;  
 11 2. To any nonprofit charitable organization; and  
 12 3. After the property has been advertised for at least 20  
 13 days.

14 (iv)] In Frederick County, the board of county commissioners may  
 15 sell abandoned rights-of-way in the county:

- 16 1. At a public or private sale; and  
 17 2. After the property has been advertised for at least 20  
 18 days.

19 [(v)] (IV) In Frederick County, in addition to the authority granted  
 20 in this section, the board of county commissioners may sell at a public or private sale  
 21 any real property owned by the board of county commissioners, if the board of county  
 22 commissioners:

- 23 1. Determines that the property is no longer needed for any  
 24 public use; and  
 25 2. Subject to the procedures of the county commissioners,  
 26 provides adequate notice and a hearing on the sale of the real property.

27 **Article 25 - County Commissioners**

28 11A.

29 (b) (3) In Frederick County, the Board of County Commissioners may:

30 (i) Negotiate with Frederick Memorial Hospital, Inc. in the same  
 31 manner in which the Board of County Commissioners may negotiate with any  
 32 governmental body or agency located within the county for the sale of real property no  
 33 longer needed by the County School Board.

34 (ii) Accept gifts of land not needed for public purposes and sell the  
 35 property at public or private sale for such consideration as the Board considers

1 adequate. All proceeds derived from the sale of such land shall be used in accordance  
2 with the county budget, or in accordance with a resolution adopted by the Board. Any  
3 sales agreement entered into under this subparagraph may not become effective until  
4 a copy thereof has been filed with the clerk of the court of the county, and a summary  
5 of the agreement has been published in at least one newspaper of general circulation  
6 in the county.

7 (iii) [Sell real property owned by the county, located on West South  
8 Street in Frederick, and recorded in Liber TB 1 Folio 469 one of the land records of  
9 Frederick County, Maryland, and known as "The Old Jail Site":

- 10 1. At a public or private sale;
- 11 2. To any nonprofit charitable organization; and
- 12 3. After the property has been advertised for at least 20  
13 days.

14 (iv)] Sell abandoned rights-of-way in the county:

- 15 1. At a public or private sale; and
- 16 2. After the property has been advertised for at least 20  
17 days.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
19 effect October 1, 2002.