

# HOUSE BILL 254

L2

71r1675

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By: **Delegate Elmore**

Introduced and read first time: January 29, 2007

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County – Sale of Property to City of Crisfield**

3 FOR the purpose of authorizing the County Commissioners of Somerset County to sell  
4 certain property to the City of Crisfield under terms the County Commissioners  
5 consider appropriate; exempting the sale of certain property from certain  
6 general requirements for the sale of surplus property; and generally relating to  
7 the sale of county property in Somerset County.

8 BY repealing and reenacting, without amendments,  
9 Article 25 – County Commissioners  
10 Section 11A(a) and (b)(1) and (5)  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article 25 – County Commissioners  
15 Section 11A(d)  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume and 2006 Supplement)

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

20 **Article 25 – County Commissioners**

21 11A.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (a)   (1)   Except as provided in subsection (b) of this section, the county  
2 commissioners of every county may:

3                           (i)   Acquire by purchase, gift, devise, bequest, condemnation, or  
4 otherwise, any property, or any interest therein, of any kind needed for any public  
5 purpose;

6                           (ii)   Erect buildings thereon for the benefit of the county;

7                           (iii)   Sell at public sale any property when no longer needed for  
8 public use; and

9                           (iv)   Provide for the financing of any housing or housing project  
10 in whole or in part, including the placement of a deed of trust, mortgage, or other  
11 instrument upon the property to ensure repayment of funds used to purchase,  
12 construct, rehabilitate, or otherwise develop the housing project. The authority  
13 provided for in this subparagraph does not limit the existing powers of a county or  
14 county commissioners.

15                   (2)   Property may not be sold until it has been advertised for at least  
16 20 days prior to the date of sale.

17           (b)   (1)   The provisions of this subsection prevail over those of subsection  
18 (a) of this section to the extent of any inconsistency.

19                           (5)   (i)   In Somerset County, the County Commissioners may sell  
20 any interest in surplus property held by the county by acceptance of sealed bids  
21 solicited by advertisement.

22   (ii)   An advertisement for bids shall be published at least twice  
23 in a newspaper of general circulation in the county not less than 10 days nor more  
24 than 90 days before the date set for opening the bids.

25   (iii)   The bids shall be opened in public and the County  
26 Commissioners shall act on the bids only during a public session of the County  
27 Commissioners.

28   (iv)   If the County Commissioners determine that the highest bid  
29 fails to yield a reasonable price for the property, the County Commissioners may reject  
30 all bids on the property.

1 (v) If all bids are rejected, the County Commissioners shall  
2 record the highest bid in the minutes of the public session and may proceed to sell the  
3 property:

- 4 1. By readvertising for sealed bids;
- 5 2. By public auction; or
- 6 3. If the property is surplus school property, in  
7 accordance with paragraph (2) of this subsection.

8 (vi) The County Commissioners shall adopt a local ordinance or  
9 resolution governing the sale of property under this paragraph.

10 (d) (1) The County Commissioners of Somerset County may sell the  
11 property known as the old Somerset County Jail, located on 48 North Beckford  
12 Avenue, Princess Anne, to the Town of Princess Anne.

13 (2) (I) **THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A**  
14 **SALE OF PROPERTY UNDER THIS PARAGRAPH.**

15 (II) **THE COUNTY COMMISSIONERS OF SOMERSET COUNTY**  
16 **MAY SELL THE FOLLOWING PROPERTY TO THE CITY OF CRISFIELD UNDER**  
17 **TERMS CONSIDERED APPROPRIATE BY THE COUNTY COMMISSIONERS:**

18 1. **7 N. FIRST STREET, TAX MAP 101, GRID 22,**  
19 **PARCEL 757 (.073 ACRES);**

20 2. **320-322 LOCUST STREET, TAX MAP 101, GRID**  
21 **21, PARCEL 810 (.158 ACRES);**

22 3. **304 TYLER STREET, TAX MAP 102, GRID 11,**  
23 **PARCEL 616 (.146 ACRES); AND**

24 4. **15 W. MAIN STREET, TAX MAP 103, GRID 1,**  
25 **PARCEL 1373 (.386 ACRES).**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2007.