

Acquisition of real property for a public
purpose
Sponsored by: Councilmember Wells

AMENDED EMERGENCY LEGISLATIVE RESOLUTION 21-0-05

Resolution and Ordinance of the Mayor and Common Council of the Town of University Park to authorize the acquisition of certain real property located at 4201 48th Street, Bladensburg, MD 20710 for a public purpose

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Town of University Park (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to assure the good government of the Town; protect and preserve the Town's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the Town; and

WHEREAS, pursuant to §5-203 of the Local Government Article, Annotated Code of Maryland, the Town pursuant to State law is authorized to acquire real property by purchase; and

WHEREAS, §402 of the Charter of the Town of University Park implements and authorizes the Mayor and Common Council to exercise the authority granted under State law to acquire property; and

WHEREAS, the Town has for over ten years rented a property located at 4201 48th Street, Bladensburg, MD 20710 (“Property”) for purposes of vehicle repair, maintenance and storage; and

CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
{Brackets}	: Indicate matter deleted in amendment

WHEREAS, the Mayor and Common Council have determined that the need for the additional space for purposes of vehicle repair, maintenance and storage will continue into the future, and that it is in the public interest to purchase the Property to ensure that this need is met; and

WHEREAS, the Mayor and Common Council have been engaged in negotiations for the acquisition of the Property and have been able to reach agreement on the transfer of the Property from the current owner; and

WHEREAS, the Mayor and Common Council desire to use the authority granted to the Town under State Law and the Town Charter to acquire the property; and

WHEREAS, one of the terms of the sale is that the Property go to settlement within 45 days of approval of the contract of sale, thereby requiring that this Ordinance become effective immediately to be able to comply with the terms.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED by the Mayor and Common Council of the Town of University Park that the acquisition of the Property described herein, for the sum of ~~[\$815,000]~~ \$825,000, and other valuable consideration, be and it is hereby authorized for the public purpose of acquiring the Property for Town vehicle repair, maintenance and storage, and that those funds [~~currently~~] in the UNRESERVED/DESIGNATED F5 Public Works Garage line item in the amount of \$450,000.00 be used for that purpose. See Exhibit A, Property Description, attached hereto and incorporated herein by reference.

Section 2. Be it further resolved that the Common Council has determined that it is necessary that this Ordinance be effective immediately and it is therefore adopted as an emergency ordinance pursuant to section 311(a) of the Town Charter and shall become effective immediately upon enactment by the Mayor and Common Council of University Park.

Section 3: Be it further resolved that, after adoption, a complete and exact copy of this Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

Section 4. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the Town that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Common Council of the Town of University Park at a regular meeting on the **19th** day of **July**, 2021.

ADOPTED by the Mayor and Council of the Town of University Park, Maryland at a regular meeting on the 16th day of August 2021.

EFFECTIVE the 16th day of August , 2021.

ATTEST:

**MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK**

Andrea D. Marcavitch
Andrea D. Marcavitch, Town Clerk

By: *Lenford C. Carey*

Lenford C. Carey, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson

Suellen M. Ferguson, Town Attorney

TUP Adopted 21-O-05 Acquisition of garage property

Final Audit Report

2021-08-17

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