

TOWN OF NORTH BRENTWOOD

ORDINANCE NO. 2024 - 05

Introduced by: Councilman Baynes
Seconded by: Councilman Dame
Date of Introduction: 9/3/2024

**An Ordinance Authorizing, Ratifying and Approving the Acquisition of Real Property
Located at 4506 Rhode Island Avenue in the Town of North Brentwood
for a Public Purpose**

WHEREAS, Prince George's County acquired title to a triangular-shaped piece of real property abutting U.S. Route 1 by tax sale foreclosure deed recorded among the land records at Liber 10629, Folio 690 located at 4506 Rhode Island Avenue (the "Property"); and

WHEREAS, the Property having a Tax Identification Number of 17-1964527 and area of 3,842 sq. ft. is located in the Seventeen Election District of Prince George's County along Rhode Island Avenue below Wallace Road and North of Webster Street; and

WHEREAS, on October 8, 2019, the Prince George's County Council adopted CR-71-2018 declaring the Property as surplus and authorizing its transfer to the Town of North Brentwood as grantee in accordance with Section 2-111.01 of the Prince George's County Code; and

WHEREAS, the Redevelopment Authority for Prince George's County (the "Authority") administered the final disposition of the Property to the Preferred Government Entity (i.e., the Town) in consideration of the sum of zero dollars (\$0.00) and the Town plans to use the property for a public use as a park or parklet; and

WHEREAS, pursuant to said Section 2-111.01, disposition of the Property to a Preferred Government Entity other than the Revenue Authority of Prince George's County is subject to the condition that the property will revert to the County if the public use is discontinued; and

WHEREAS, Section 602(33) (Property) of the Charter of North Brentwood authorizes the Council to pass ordinances to acquire by conveyance, purchase, eminent domain, or gift, real or leasehold property for any public purposes; to erect buildings and structures thereon for the benefit of the Town and its inhabitants; to convey any real or leasehold property when no longer needed for the public use, after having given at least twenty (20) days public notice of the proposed conveyance; and to control, maintain and protect public buildings, grounds and property of the Town; and

WHEREAS, Section 411(d) (Procedure for Enactment of Resolutions and Ordinances) of said Charter states that all ordinances passed by the Council shall be promptly delivered by the Clerk to the Mayor for the Mayor's approval or disapproval, and if the Mayor approves any ordinance, the Mayor shall sign it, but if the Mayor disapproves any ordinance, the Mayor shall not sign it, and the Mayor shall return all ordinances to the Clerk within six (6) days after

delivery from the Council (excluding the first day, including the last day, and excluding any Sunday) with his or her approval or disapproval, and any disapproved ordinance shall not become a law unless subsequently passed by a favorable vote of the whole Council within thirty (30) calendar days from the time of the return of the ordinance, and if the Mayor fails to return any ordinance within six (6) days of its delivery, it shall be deemed approved by the Mayor and shall become law in the same manner as an ordinance signed by the Mayor; and

WHEREAS, the Council finds that the acquisition of the subject property will enhance the beauty and livability of the Town, and serve as a place of rest for the travelling public; and

WHEREAS, the Council hereby finds that it is in the best interest of the Town to acquire the adjoining property further described herein below.

NOW THEREFORE BE IT ORDAINED by the Council of the Town of North Brentwood the following:

SECTION 1.

The Council of the Town of North Brentwood hereby finds that the acquisition of the subject property described herein will serve a public purpose and will further provide for the health, welfare and safety of the citizens of the Town of North Brentwood.

SECTION 2.

The Council of the Town of North Brentwood hereby declares, approves and ratifies its intent and prior actions for the Town of North Brentwood to acquire for no consideration (\$0.00) the property interests in 4506 Rhode Island Avenue, North Brentwood, MD 20722 for public purposes in fee simple subject to the conditions imposed by County law. Said property is further described as Block, 20, LOTS 2, 3, & 12 & S PT LOT 11 (Dist. 17, Tax Account # 1964527; 3,842 SF) as shown on Plat A-0735 that is recorded in the land records of Prince George's County along with the current deed referenced at liber 44759, folio 268, previously owned prior to the County's acquisition as a matter of record by Star Properties Inc. recorded in the Land Records of Prince George's County at Liber 10629, Folio 690 as said property further described in the proposed deed to be approved by this Ordinance and incorporated herein by reference as Exhibit A.

AND BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the requirements of the Charter or at the expiration of eleven (11) calendar days following adoption by the Council and approval by the Mayor or passage by the Council over the Mayor's veto unless a different effective date has been specified therein.

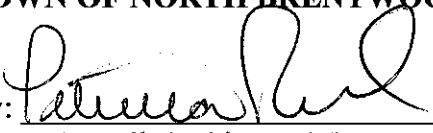
THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS 3 DAY OF September 2024.

Aye: 3
Nay: 0

Absent: 0
Abstain: 0

Approved:

TOWN OF NORTH BRENTWOOD

By: 
Petrella Robinson, Mayor

Date: 9/3/2024

ATTEST:

Patricia Page, Clerk