

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK
AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT
9814 47TH PLACE, COLLEGE PARK, MARYLAND, FOR A PUBLIC PURPOSE

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to assure the good government of the municipality; protect and preserve the municipality'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 City; and

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

WHEREAS, §C1-3 of the Charter of the City of College Park implements and authorizes the Mayor and City Council to exercise the authority granted under State law; and

WHEREAS, the Mayor and City Council have determined that the acquisition of the real property located at 9814 47th Place, College Park, MD, currently owned by Shu Chin Lai and Ta Cheng Yang, is required in order for the City to install, access and maintain a City park at this location and to preserve open space; and

WHEREAS, the Mayor and City Council have been engaged in negotiations for the acquisition of said property and have been able reach agreement on a contract of sale for the aforesaid property; and

CAPS
 [Brackets]
 Asterisks * * *

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

WHEREAS, the Mayor and City Council desire to use the authority granted to the City under State Law and the City Charter to acquire the property pursuant to the terms of the contract of sale.

Section 1. **NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that the acquisition of the property described as Lot 5 and Lot 4 in Block numbered 1 in the subdivision known as Hollywood on the Hill, with adjusted lot line, being the two lots that make up the fee simple real property known as 9814 47th Place, College Park, Maryland 20740-1435 and referenced in Liber 21534, folio 00399, recorded among the Land Records of Prince George's County, Maryland, pursuant to the terms of the contract of sale be and it is hereby authorized for the public purpose of preserving open space and constructing, accessing and maintaining a public City park.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City Website, to the City-maintained e-mail LISTSERV, and on the city cable channel, and publish in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for 7:30 P.M. on the 22 day of May, 2018, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance

with or without amendments or reject it. This Ordinance shall become effective on _____, 2018 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary thereof at City Hall, to the official City Website, to the City-maintained e-mail LISTSERV, and on the city cable channel, and publish in any City newsletter.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the **8th** day of **May**, 2018.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2018.

EFFECTIVE the _____ day of _____, 2018.

ATTEST:

CITY OF COLLEGE PARK

By: _____
Janeen S. Miller, CMC, City Clerk

By: _____
Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson, City Attorney