



**Council of the Town of Leonardtown**  
**Ordinance No. 192**  
**Subject: Sale of Surplus Real Property**

---

**Date Introduced on First Reading: June 10, 2019**

**Date Adopted on Second Reading: July 8, 2019**

**Date Effective: July 28, 2019**

---

**AN ORDINANCE** for the purpose of approving the Town of Leonardtown's sale of certain real property located at 41660 Courthouse Drive, Condo Unit 301, in Leonardtown, Maryland, described in a deed dated April 17, 2006 and recorded among the Land Records of St. Mary's County, Maryland at Liber E.W.A. No. 2763, folio 709, and as shown on St. Mary's County Tax Map 133 as Parcel No. 412 with a tax account number of 03-076458, such property having previously been declared by the Council to be surplus and no longer necessary for present or anticipated future public use; and authorizing the Mayor and the Town Administrator, or such other officers of the Town as may be appropriate under the circumstances, to execute all documents and take any and all action necessary to effectuate the conveyance thereof to Alonso Real Estate Investment Group LLC or its assigns; providing that the title of this Ordinance shall be deemed a fair summary; and generally relating to the sale of surplus real property in the Town of Leonardtown.

**RECITALS**

**WHEREAS**, pursuant to § 5-204(c)(3) of the Local Government Article of the Annotated Code of Maryland and §§ 501(49) and 1201 of the Charter of the Town of Leonardtown (the "Charter"), the Council of the Town of Leonardtown (the "Council"), as the chief legislative authority for The Commissioners of Leonardtown, a Maryland municipal corporation (the "Town"), has the express ordinance-making power to sell at public or private sale after 20 days' public notice and to convey to the purchaser thereof any real property belonging to the Town when the Council determines that it is no longer needed for any public use; and

**WHEREAS**, pursuant to a deed dated April 17, 2006 and recorded among the Land Records of St. Mary's County, Maryland at Liber E.W.A. No. 2763, folio 709, Council Building, L.L.C. transferred to the Town all that lot or parcel of ground situate, lying, and being in the Town of Leonardtown, in the Third Election District of St. Mary's County, Maryland, located at

41660 Courthouse Drive, Condo Unit 301, and described in the foregoing deed as follows:

**UNIT 301** (three hundred one), containing 1,113 sq. ft., as set forth on the plat entitled “PROFFITT BUILDING, STANDARD CONDOMINIUM PLAT” recorded among the plat records of St. Mary’s County, Maryland at Liber EWA 60, Folio 109. Together with the common elements appurtenant thereto pursuant to the “DECLARATION OF PROFFITT BUILDING CONDOMINIUM ASSOCIATION” recorded among the land records of St. Mary’s County, Maryland, at Liber EWA 2751, Folio 455 (the “Property”); and

**WHEREAS**, pursuant to Resolution No. 7-16, adopted November 14, 2016 during a public meeting, the Council declared the Property to be surplus and no longer needed for any public use and authorized the Mayor and Town Administrator to solicit bids for the purchase of the Property, subject to approval by the Council by ordinance; and

**WHEREAS**, Alonso Real Estate Investment Group LLC was the only bidder for the Property, having submitted a bid of \$195,500 therefor; and

**WHEREAS**, during the Council’s May 13, 2019 regular monthly meeting, the Council unanimously voted to accept Alonso Real Estate Investment Group LLC’s bid for the Property and move forward with the sale thereof; and

**WHEREAS**, the Council has determined that for and in consideration of the sum of One Hundred Ninety-Five Thousand Five Hundred and 00/100 Dollars (\$195,500.00), and other terms and conditions set forth in the Contract attached hereto as Exhibit 1, the Town will convey the Property to Alonso Real Estate Investment Group LLC, together with any and all buildings and improvements thereupon erected, made, or being, any and all rights, ways, waters, privileges, appurtenances, and advantages thereto belonging or appertaining, and subject to any and all restrictions, covenants, easements, conditions, liens, or agreements as may appear among the Land Records of St. Mary’s County, Maryland; and

**WHEREAS**, the Council finds that approving the Town’s sale of the Property to Alonso Real Estate Investment Group LLC as set forth herein would be in the best interest of the health, safety, and welfare of the citizens of the Town.

**SECTION I. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN**, that the Council hereby authorizes the Town’s sale of all that real property located at 41660 Courthouse Drive, Condo Unit 301 in Leonardtown, Maryland, described in a deed dated April 17, 2006 and recorded among the Land Records of St. Mary’s County, Maryland at Liber E.W.A. No. 2763, folio 706, and as shown on St. Mary’s County Tax Map 133 as Parcel No. 412 with a tax account number of 03-076458, together with any and all buildings and improvements thereupon erected, made, or being, any and all rights, ways, waters, privileges, appurtenances, and advantages thereto belonging or appertaining, and subject to any and all restrictions, covenants, easements, conditions, liens, or agreements as may appear among

the Land Records of St. Mary's County, Maryland, such real property having previously been declared by the Council to be surplus and no longer needed for any public use.

**SECTION II. AND BE IT FURTHER ORDAINED** that the Council hereby authorizes the Mayor to execute a contract for the sale of the foregoing Property in substantially the same form as the Contract attached hereto as Exhibit 1 for the sum of One Hundred Ninety-Five Thousand Five Hundred and 00/100 Dollars (\$195,500.00).

**SECTION III. AND BE IT FURTHER ORDAINED** that the Council hereby authorizes the Mayor and the Town Administrator to do any and all things and execute any and all documents necessary and incidental to the Town's sale of the foregoing Property.

**SECTION IV. AND BE IT FURTHER ORDAINED** that the recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION V. AND BE IT FURTHER ORDAINED** that this Ordinance is not intended to become part of the Town Code.

**SECTION VI. AND BE IT FURTHER ORDAINED** that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

**SECTION VII. AND BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION VIII. AND BE IT FURTHER ORDAINED** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION IX. AND BE IT FURTHER ORDAINED** that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the affirmative vote of four-fifths of the Councilpersons after veto by the Mayor, in accordance with the provisions of Md. Code Ann., Local Gov't § 5-204(c)(3) and §§ 501(49) and 1201 of the Charter.

Attest:

Councilpersons of Leonardtown:

*Laschelle E. McKay*

Laschelle E. McKay  
Town Administrator

*J. Maguire Mattingly, IV*  
J. Maguire Mattingly, IV  
Vice President

*Hayden T. Hammett*  
Hayden T. Hammett  
Councilperson

Seal:

*Tyler Alt*  
Tyler Alt  
Councilperson

*Christy Hollander*  
Christy Hollander  
Councilperson

*Mary Maday Slade*  
Mary Maday Slade  
Councilperson

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 8<sup>th</sup> day of July, 2019.

*Laschelle E. McKay*  
Laschelle E. McKay, Town Administrator

In accordance with Section 210 of the Charter of the Town of Leonardtown, I hereby (Approve) or (Disapprove) approve this Ordinance this 8<sup>th</sup> day of July, 2019.

*Daniel W. Burris*  
Daniel W. Burris, Mayor