

T. WEBSTER BELL, PRESIDENT
J. WILMER BOWLES
FRANCIS M. HARRIS
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LEONARDTOWN, MARYLAND

THE COMMISSIONERS OF LEONARDTOWN
LEONARDTOWN, MARYLAND
LEONARDTOWN, MARYLAND

ORDINANCE

#26

An Ordinance to provide for the condemning, laying out, opening, extending and making new streets, walks or alleys, and for altering, straightening, widening, grading, improving or closing up, in whole or in part, any existing streets, walks, or alleys, and for removal of trees, posts and other obstructions and for laying out public squares, water-courses and sewers and proviging for the assessment and payment of damages in connection therewith.

BE IT ENACTED AND ORDAINED By The Commissioners of Leonardtown that, by the authority vested in the said Commissioners under the terms and provision of Section 49 of Chapter 401 of the Acts of the Maryland General Assembly of 1904, as ammended by Section 69, of Chapters 423 and 594 of the Acts of the General Assembly of Maryland of 1914, as codified, Section 104, Article 19 of Flack's Code of Public Laws of Maryland (1930 edition), the said Commissioners may condemn any of the property lying within the corporate limits of the town of Leonardtown for the purpose of laying out, opening, extending and making new streets, walks or alleys and for the purpose of altering, straightening, widening, grading, improving or closing up, in whole or in part any existing streets, walks, or alleys, and for the purpose of removing trees, posts and other obstructions, and for the purpose of laying out public squares, drains, water-courses and sewers; and all benefits or damages done, suffered or incurred by the laying out, opening and making of new streets, walks or alleys, or by altering, straightening, widening, grading, improving or closing up, in whole or in part, any existing streets, walks or alleys, or in laying out public squares, drains, water-courses or sewers shall be determined by three (3) disinterested persons, residents of said town or familiar with property values in said town, who shall be appointed by The Commissioners of Leonardtown and who shall take an oath before some justice of the peace or notary public that they will fairly, without partiality or prejudice, value and assess the loss and damages to be suffered and incurred by any person interested, and also to estimate the benefits that may accrue therefrom to each interested person and they shall within thirty (30) days of such appointment, return to The Commissioners of Leonardtown the amount of the damages to be awarded to the owner or occupant of any property affected thereby for the amounts of benefits awarded to any lot or the owner thereof which may be ratified or rejected, or altered or amended, in whole or in part, by The Commissioners of Leonardtown.

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The said Commissioners shall pay or tender, to the person, his agent, guardian or representative, the amount of damages so awarded by them and if any one should feel aggrieved by the decision of the Commissioners, who is in any manner affected by their decision, he may appeal to the Circuit Court for St. Mary's County, by giving written notice within twenty days of said decision, filed with the Clerk of said Commissioners, of his desire to appeal; and on the filing of said notice the Commissioners shall cause to be delivered the papers connected therewith to the clerk of said court, and the same proceedings shall be had on the appeal as in cases of appeal from judgments of justices of the peace; provided, nevertheless, that The Commissioners of Leonardtown may decline to open, lay out, extend, widen, grade or straighten any street, alley, or highway or improve or construct any public square, drain or sewer, notwithstanding the decision of the court; but in case of refusal to do so, they shall be liable for all costs incurred, and shall pay the same. On appeal the court or jury may alter the award so returned, whether the damages or benefits, and award costs in its discretion and benefits assessed by virtue of the above provision shall be liens on the respective lots or parcels of ground on which they are assessed from the time of the final ratification of the return made to The Commissioners of Leonardtown and shall be collected as taxes are collected, or may be collected by action at law.

And be it further enacted and ordained by the authority aforesaid that this Ordinance shall take effect from the date of its passage.

Passed by The Commissioners of Leonardtown this day of 19 .

Approved this day of 19 . _____ Clerk

President of The Commissioners of
Leonardtown