

# PROPOSED

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 41

Bill No. 94-17

Introduced by Mr. Grasso, Chairman  
(by request of the County Executive)

By the County Council, November 20, 2017

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Introduced and first read on November 20, 2017  
Public Hearing set for December 18, 2017  
Bill Expires February 23, 2018

By Order: JoAnne Gray, Administrative Officer

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### A BILL ENTITLED

1 AN ORDINANCE concerning: Disposition of Real Property – Transfer to Governmental  
2 Entities

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4 FOR the purpose of establishing a procedure for the disposition of real property to an  
5 agency of the Federal or a State government, a quasi-governmental entity, or a  
6 political subdivision; and generally relating to the disposition of real property.  
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8 BY repealing and reenacting, with amendments § 8-3-202(a)  
9 Anne Arundel County Code (2005, as amended)

10  
11 BY renumbering: § 8-3-209 to be § 8-3-210  
12 Anne Arundel County Code (2005, as amended)

13  
14 BY adding: § 8-3-209  
15 Anne Arundel County Code (2005, as amended)

16  
17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*  
18 *Maryland,* That § 8-3-209 of the Anne Arundel County Code (2005, as amended) is  
19 hereby renumbered to be § 8-3-210.  
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21 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County  
22 Code (2005, as amended) read as follows:  
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### ARTICLE 8. PURCHASING

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.

1       **TITLE 3. ACQUISITION, DISPOSITION, AND LEASE OF REAL PROPERTY**

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3       **8-3-202. Disposition of surplus property – In general.**

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5       (a) **Generally.** Except for real property that is to be disposed of for purposes  
6 consistent with those for which it was originally acquired OR FOR PROPERTY DISPOSED  
7 OF PURSUANT TO § 8-3-209, the County may not dispose of real property owned by it  
8 unless the County Executive, with the approval of the County Council by resolution, has  
9 determined that the real property is surplus property. In determining whether property is  
10 surplus property, and in addition to other procedures that the County Executive considers  
11 appropriate, the County Executive shall inquire whether any office, department, or  
12 agency of the County has a present need, or reasonably anticipates a future need, for the  
13 property.

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15       **8-3-209. Disposition of fee simple title to real property to governmental entities.**

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17       (A) **Generally.** UPON REQUEST OF AN AGENCY OF THE FEDERAL GOVERNMENT, AN  
18 AGENCY OF A STATE GOVERNMENT, A QUASI-GOVERNMENTAL ENTITY, OR A POLITICAL  
19 SUBDIVISION, THE COUNTY MAY TRANSFER FEE SIMPLE TITLE TO REAL PROPERTY FOR  
20 WHICH IT HAS NO IDENTIFIED PRESENT OR FUTURE NEED PURSUANT TO THIS SECTION.  
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22       (B) **Procedure for disposition.**

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24       (1) UPON RECEIPT OF A REQUEST FROM AN ENTITY DESCRIBED IN SUBSECTION (A)  
25 FOR FEE SIMPLE TITLE TO REAL PROPERTY, THE CENTRAL SERVICES OFFICER SHALL  
26 INQUIRE AS TO WHETHER ANY COUNTY OFFICE, DEPARTMENT, OR AGENCY HAS A  
27 PRESENT NEED OR REASONABLY ANTICIPATES A FUTURE NEED FOR THE PROPERTY.  
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29       (2) IF NO SUCH NEED IS IDENTIFIED, THE CENTRAL SERVICES OFFICER SHALL  
30 RECOMMEND TO THE COUNTY EXECUTIVE THAT FEE SIMPLE TITLE BE TRANSFERRED TO  
31 THE REQUESTING ENTITY.  
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33       (3) IF THE COUNTY EXECUTIVE APPROVES THE TRANSFER OF FEE SIMPLE TITLE  
34 TO THE REAL PROPERTY TO THE REQUESTING ENTITY, THE CENTRAL SERVICES OFFICER  
35 SHALL DETERMINE THE FAIR MARKET VALUE OF THE REAL PROPERTY BY REVIEWING  
36 ONE APPRAISAL IF THE ASSESSED VALUE IS OVER \$1,000.  
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38       (4) (I) IF THE CONSIDERATION FOR THE TRANSFER OF FEE SIMPLE TITLE TO THE  
39 REAL PROPERTY IS EQUAL TO OR GREATER THAN 75% OF THE APPRAISED VALUE, OR THE  
40 ASSESSED VALUE IS \$1,000 OR LESS, FEE SIMPLE TITLE TO THE REAL PROPERTY MAY BE  
41 TRANSFERRED TO THE REQUESTING ENTITY WITHOUT FURTHER APPROVALS.  
42

43       (II) IF THE ASSESSED VALUE IS GREATER THAN \$1,000 AND CONSIDERATION  
44 FOR THE REAL PROPERTY IS LESS THAN 75% OF THE APPRAISED VALUE, FEE SIMPLE  
45 TITLE TO THE REAL PROPERTY MAY NOT BE TRANSFERRED TO THE REQUESTING ENTITY  
46 WITHOUT APPROVAL OF THE COUNTY COUNCIL BY RESOLUTION.  
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48       SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days  
49 from the date it becomes law.