

Introduced and Read: \_\_\_\_\_  
2<sup>nd</sup> Reading and Adoption: \_\_\_\_\_  
Posted: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**CITY OF MOUNT RAINIER, MARYLAND**

**ORDINANCE NO. 1-2013**

(Drafted by City Attorney)

Introduced by \_\_\_\_\_

**An Ordinance Authorizing the Acquisition of the Singer Building, a Blighted Property  
in the Mount Rainier Town Center Urban Renewal Area,  
by Purchase or Eminent Domain.**

**WHEREAS**, in accordance with Section A1-105 of the Mount Rainier Charter, the City prepared an urban renewal plan for slum or blighted areas in the City and approved such plan by Ordinance 6-2004 adopting the Mount Rainier Town Center Urban Renewal Plan (hereinafter “Urban Renewal Plan”); and

**WHEREAS**, by Resolution No. 3-2008, the Council identified specific properties in the Urban Renewal Area of the Mount Rainier Town Center as a blighted area of the City, initiated an Urban Renewal Project for the redevelopment of this blighted area, and authorized the acquisition of the blighted properties for slum clearance and redevelopment; and

**WHEREAS**, the commercial property described as the Westerly part of Block 6, “Edgemont,” now known as “Rogers Second Addition to Mt. Rainier,” Prince George’s County, Maryland, as per plat thereof recorded in Plat Book BDS 1, at folio 48 among the Land Records of Prince George’s County, Maryland, District 17, Tax Account Number 1863372, and located at street address 3300 Rhode Island Avenue, Mount Rainier, MD 20712 (hereinafter the “Singer Building”) is one of the blighted properties in the Urban Renewal Area that was specifically identified in Resolution No. 3-2008 as property to be acquired for slum or blight clearance and redevelopment; and

**WHEREAS**, the Singer Building has been vacant for many years and has suffered from profound neglect and lack of maintenance and it continues to be a blight and a public safety hazard; and

**WHEREAS**, the unsafe conditions at the Singer Building include, but are not limited to, open and broken windows (*i.e.*, the majority of the double-hung wood-frame windows in the building are broken and have openings boarded, but a number of windows have not been completely sealed leaving the interior of the building open to weather, birds, debris, stray animals, and unauthorized individuals; window frames and wood trim are rotting and many are hanging loose from the surrounding brick); damaged wood doors at ground level; multiple areas of compromised roofing as evidenced by collapsed interior ceilings and water damage to walls, ceilings, and floors; damaged skylights at the second floor roof and compromised flashings;

electrical conduits hanging from rear windows; damaged exhaust vents; rusted or damaged grating over the basement level light wells; and deteriorated mortar due to water damage, weathering, and/or age; and

**WHEREAS**, in accordance with the City’s Urban Renewal Plan and Resolution No. 3-2008, initiating an Urban Renewal Project, the City desires to acquire the Singer Building for redevelopment or rehabilitation, in cooperation with public or private developers, for blight removal and resulting community improvement; and

**WHEREAS**, the Singer Building was appraised by Isabelle Gatewood, MAI, and C. Jane Gatewood, Associate Appraiser, of the Gatewood Company, Inc. which appraisal determined the market value of the Singer Building to be \$485,000.00, as of October 17, 2012; and

**WHEREAS**, the City has made an offer of \$485,000.00 to Metro Development, Inc. (a/k/a Metro Development Corporation), the record owner of the Singer Building, to purchase the Singer Building; and

**WHEREAS**, the City’s offer has not been accepted; and

**WHEREAS**, in order to further the City’s Urban Renewal Project, the Council hereby authorizes the City to institute an eminent domain action to acquire the Singer Building, a blighted property located in the Urban Renewal Area of the Mount Rainier Town Center.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER THAT**, the City of Mount Rainier shall acquire the Singer Building property, described as the Westerly part of Block 6, “Edgemont,” now known as “Rogers Second Addition to Mt. Rainier,” Prince George’s County, Maryland, as per plat thereof recorded in Plat Book BDS 1, at folio 48 among the Land Records of Prince George’s County, Maryland, District 17, Tax Account Number 1863372, and located at street address 3300 Rhode Island Avenue, Mount Rainier, MD 20712, as part of a City Urban Renewal Project for blight clearance and redevelopment or rehabilitation of the property.

**BE IT FURTHER ORDAINED THAT**, if the owner of the Singer Building accepts the City’s offer of the \$485,000.00 appraised market value for the property, then the City Manager is authorized to enter into a contract to purchase the Singer Building and to take all actions and sign all documents deemed necessary to accomplish the purchase and settlement on the purchase of the Singer Building.

**BE IT FURTHER ORDAINED THAT**, if the City’s reasonable good faith efforts to negotiate the purchase of the Singer Building for the appraised fair market value of the property are unsuccessful, then the City is hereby authorized to institute a proceeding for acquisition of the Singer Building by filing a petition for eminent domain/condemnation in the Circuit Court for Prince George’s County, Maryland, in accordance with Title 12 (Eminent Domain) of the Real Property Article of the *Annotated Code of Maryland* and Title 12 (Property Actions), Chapter 200 (Condemnation) of the *Maryland Rules*, as amended.

**THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF  
MOUNT RAINIER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

**Attest:**

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**Jeannelle B. Wallace, City Manager**

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**Malinda Miles, Mayor**

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**Jimmy Tarlau, Councilmember Ward 1**

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**William Updike, Councilmember Ward 1**

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**Ivy Thompson, Councilmember Ward 2**

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**Brent Bolin, Councilmember Ward 2**