

BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO

ORDINANCE: 09-02, An Emergency Ordinance granting a Utility Easement at Town Hall

SESSION: Regular Town Meeting

INTRODUCED: August 11, 2009

FOR APPROVAL: August 11, 2009

AN ORDINANCE authorizing a Utility Easement to POTOMAC ELECTRIC POWER COMPANY, a District of Columbia corporation, located at 201 W. Gude Dr. Rockville, MD 20850 and VERIZON MARYLAND INC., a Maryland corporation, located at 13101 Columbia Pike Silver Spring, MD 20904 for the Town Hall property (PARCEL 50, TAX MAP 101 E-2 TAX ACCOUNT # 03-0220756 ADDRESS 14211 School Lane, Upper Marlboro, MD 20772)

WHEREAS, the Board of Commissioners has the authority, by ordinance, to grant a utility easement under Town Charter Sections 82-16 (1), 82-16 (uu) and 82-81,

WHEREAS, pursuant to Town Resolution 08-01 the Board executed a storm drainage management easement with Prince George's County for the Town Hall property,

WHEREAS, construction of the storm drain improvements at the Town Hall property has been delayed pending the granting of this utility easement which is necessary to relocate certain guide wires,

WHEREAS, it is not in the Town's or public interest to delay construction further by passage of an ordinance in the regular course of business,

WHEREAS, Town Charter Section 82-11 permits the Board of Commissioners to pass an emergency ordinance by unanimous vote.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AS FOLLOWS:

Section 1. BE IT ENACTED AND ORDAINED the Board of Commissioners authorize and direct the President of the Board of Commissioners to execute a utility easement in favor of POTOMAC ELECTRIC POWER COMPANY and VERIZON MARYLAND INC. a copy of which is attached hereto.

Section 2. BE IT FURTHER ENACTED AND ORDERED that this ordinance shall take effect as an emergency ordinance upon the unanimous passage by the Board of Commissioners since further delay in construction of the storm drainage system is not in the Town's or public's best interest.

Section 3. BE IT FURTHER ENACTED AND ORDERED that this Ordinance shall be posted in the Town office, and this Ordinance, or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town.

Adopted this 11th day of August, 2009.



BOARD OF TOWN COMMISSIONERS

Stephen Sonnett
Stephen Sonnett

[Signature]
Clerk

[Signature]
Joseph Hourcle

August 11, 2009
Date

George Leonnig
George Leonnig