

**AMENDED ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON**  
**AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED**  
**AT 3420 PLYERS MILL ROAD, KENSINGTON, MARYLAND, THAT IS**  
**NO LONGER NEEDED FOR A PUBLIC PURPOSE**

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Town of Kensington (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to assure the good government of the municipality; protect and preserve the municipality's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the Town; and

**WHEREAS**, pursuant to §5-204 of the Local Government Article, Annotated Code of Maryland, the Town pursuant to State law is authorized to sell, at public or private sale, and convey to the purchaser any real property belonging to the Town if the Mayor and Council determine that the property is no longer needed for public use; and

**WHEREAS**, Section 602 of the Charter of the Town of Kensington implements and authorizes the Mayor and Town Council to exercise the authority granted under State law, including the sale of real property when no longer needed for a public use, after 28 days’ public notice; and

**WHEREAS**, the Mayor and Town Council have determined that the real property located at 3420 Plyers Mill Road, Kensington, MD 20895 (“Property”), currently owned by the Town, as further referenced in a deed recorded at Liber 2284, Folio 67, in the Land Records of Montgomery County, Maryland, is no longer needed for a public use and should be sold

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CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

consistent with current zoning to support a public purpose, including to acquire other real property; and

WHEREAS, WHILE THE ACQUISITION WILL REQUIRE ADDITIONAL COUNCIL ACTION IN THE FUTURE, IT IS THE COUNCIL'S EXPECTATION THAT THE TOWN WILL SOON ACQUIRE ADDITIONAL LAND THAT INCLUDES GREENSPACE FOR PUBLIC ENJOYMENT, GROWTH OF TREE CANOPY, AND STORMWATER MANAGEMENT, AND THAT OFFSETS BY AT LEAST 1:1 THE AMOUNT OF LAND THAT COMPRISES THE PROPERTY; AND

WHEREAS, THE ADOPTION OF THIS ORDINANCE, ESPECIALLY AFTER CONSIDERATION OF THE PROPERTY'S SMALL SIZE AND LEVEL OF USE, DOES NOT SET ANY PRECEDENT WITH RESPECT TO THE SALE OF OTHER PARKS WITHIN THE TOWN OF KENSINGTON; AND

WHEREAS, the Mayor and Town Council desire to use the authority granted to the Town under State Law and the Town Charter to sell the Property.

Section 1. **NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Mayor and Council of the Town of Kensington that the sale, consistent with current zoning, of the property located at 3420 Plyers Mill Road, Kensington, MD 20895, WHICH IS DETERMINED TO BE NO LONGER REQUIRED FOR A PUBLIC USE, at public or private sale at a price to be determined be and it is hereby authorized.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the Town of Kensington that upon formal introduction of this proposed Ordinance, the Town Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the Town Clerk. The proposed ordinance or a fair summary

thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council, shall be:

- a. Posted at the town hall by the next business day;
- b. Posted on the official town website;
- c. Sent to those persons listed on the official town email list /mail subscription service; and
- d. Published once prior to the public hearing in the town newsletter or sent by substitute regular mail to newsletter circulation addresses.

The public hearing shall be held at least twenty-eight (28) days after introduction and may be held separately or in connection with a regular or special council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

This Ordinance shall become effective on April 1, 2025, provided that the ordinance or a fair summary thereof is:

- a. Posted at the town hall by the next business day for at least two (2) weeks;
- b. Posted on the official town website;
- c. Sent to those persons listed on the official town email list /mail subscription service;  
and
- d. Published once in the town newsletter.

If any part of provision of this ordinance is lawfully declared to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof or of the Code.

**INTRODUCED** by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the 8th day of January 2025.

**ADOPTED** by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the 12th day of March, 2025.

**EFFECTIVE** the 1st day of April, 2025.