

granted by this subsection, the County Commissioners, by proper ordinance passed in accordance with [the provisions of § 3 of] Article 25, § 3 of the Annotated Code of [this state] MARYLAND, may adopt all necessary rules and conditions for the acceptance, construction and maintenance of roads or other authorized improvements by the county. The ordinance shall provide for the method of determination of the annual benefit assessments levied against the properties benefiting from the improvements for the purpose of reimbursing the county for the cost of the improvements and the time and manner of payment, but not to exceed [twenty (20)] 20 years. Annual benefit assessments are a first lien upon the property against which they are assessed, until paid, subject only to prior state and county taxes, and if any property is sold for state and county taxes and there remains a surplus, then the County Commissioners may petition the Circuit Court to secure payment of their lien.

(2) Before the powers granted by this subsection are exercised, there must first be the petition of the property owners requesting improvements, public hearing upon the petition after [ten (10)] 10 days' notice in a newspaper regularly published in St. Mary's County, approval of the petition by the majority vote of the County Commissioners, and passage of a resolution pursuant to the authority of the section, setting forth the improvements being constructed, the property owners affected, and all material terms of the annual benefit assessments levied to pay the cost of the improvements, or any reasonable portion of them, as determined by the County Commissioners.

[D. Appeals.] E. (1) A person adversely affected by an ordinance, resolution or contract authorized under this section may appeal the [county commissioners'] action OF THE COUNTY COMMISSIONERS to the Circuit Court of St. Mary's County.

(2) An appeal authorized under this section shall be filed within [thirty (30)] 30 days of the effective date of:

- (a) An ordinance or resolution passed pursuant to this section; or
- (b) A contract authorized in Subsection [B] C of this section.

(3) An appeal authorized in this section shall be conducted in accordance with the provisions of the Maryland Rules of Procedure governing appeals from administrative agencies.

(4) In a judicial proceeding authorized by this section, the sole issues shall be whether the County Commissioners acted in accordance with:

- (a) Procedures concerning county ordinances in Article 25, § 3(r), of the Annotated Code of Maryland;
- (b) The requirements of this section; or
- (c) Other procedures required by law.

(5) Issues subject to review under this section shall be decided by the court without a jury.