

**CITY OF BALTIMORE**  
**COUNCIL BILL 19-0440**  
**(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: September 9, 2019  
Assigned to: Taxation, Finance and Economic Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Transportation, Department of Real Estate, Department of Finance, Board of Estimates

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Acquisition of Property – Temporary Construction Easements and**  
3 **Permanent Easements**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase  
5 or condemnation, the fee simple or other interests as the Director of Transportation may deem  
6 necessary in portions of a descriptive property on the south side of Waterview Avenue, rear  
7 of 2200-2208 Round Road and known as Ward 25, Section 05, Block 7610, Lot 19, as shown  
8 on Plat RW 20-36410, dated November 8, 2016, in the Office of the Director of  
9 Transportation, and needed for the Seamon Avenue Storm Drain Project; and providing for a  
10 special effective date.

11 BY authority of  
12 Article I - General Provisions  
13 Section 4  
14 and  
15 Article II - General Powers  
16 Sections 2 and 45  
17 Baltimore City Charter  
18 (1996 Edition)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That it is  
20 necessary to acquire by purchase or by condemnation, for 4 temporary construction easements  
21 and a perpetual easement for municipal utilities and services needed for the Seamon Avenue  
22 Storm Drain Project, the fee simple or other interests that the Director of Transportation  
23 considers needed or sufficient in portions of a descriptive property on the south side of  
24 Waterview Avenue, rear of 2200-2208 Round Road and known as Ward 25, Section 05, Block  
25 7610, Lot 19, as shown on Plat RW 20-36410, dated November 8, 2016 and filed in the Office of  
26 the Director of Transportation, and more particularly described as follows:

- 27 1. Variable Width Perpetual Easement For Municipal Utilities and Services 25,436  
28 square feet or 0.584 acres, more or less, dated November 8, 2016.

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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- 1           2. Variable Width Temporary Construction Easement #1 For Municipal Utilities and  
2           Services 5,352 square feet or 0.123 acres, more or less, as shown on Plat RW20-  
3           36410, dated November 8, 2016.
  
- 4           3. Variable Width Temporary Construction Easement #2 For Municipal Utilities and  
5           Services 1,751 square feet or 0.040 acres, more or less, as shown on Plat RW20-  
6           36410, dated November 8, 2016.
  
- 7           4. 10' Wide Temporary Construction Easement #3 For Municipal Utilities and Services  
8           1,424 square feet or 0.033 acres, more or less, as shown on Plat RW-20-36410, dated  
9           November 8, 2016.
  
- 10          5. Variable Width Temporary Construction Easement #4 For Municipal Utilities and  
11          Services 5,320 square feet or 0.122 acres, more or less, as shown on Plat RW20-  
12          36410, dated November 8, 2016.

13          Together with all right, title, interest, and estate that the owner of that property has in all streets,  
14          alleys, ways, or lanes, public or private, contained within or abutting the property.

15                **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Department of Real Estate, or any  
16          other person or agency that the Board of Estimates designates, may negotiate and acquire on  
17          behalf of the Mayor and City Council of Baltimore the fee simple or other interests in the land  
18          and improvements described in this Ordinance as needed or sufficient for the purposes described  
19          in this Ordinance. If the Department of Real Estate, or the person or agency otherwise  
20          designated by the Board of Estimates, is unable to agree with the owner on the purchase price for  
21          the property, it shall promptly notify the City Solicitor, who shall institute the necessary legal  
22          proceedings to acquire by condemnation the fee simple or other interests needed or sufficient for  
23          the purposes described in this Ordinance.

24                **SECTION 3. AND BE IT FURTHER ORDAINED,** That proceedings for the acquisition by  
25          condemnation of the property described in this Ordinance and all rights of all parties interested or  
26          affected shall be in accordance with Title 12 of the Real Property Article of the Maryland Code.

27                **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
28          enacted.