

CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW
GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

September 14, 2011

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

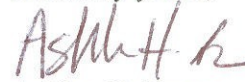
RE: City Council Bill 09-0379 -- City Property - Grant of Easement -- 116 Siegart
Lane

Dear President and Members,

You have requested the advice of the Law Department regarding City Council Bill 09-0379. Bill 379 authorizes the grant of a perpetual easement for the installation of two 350 AL RISERS for conduit services for 117 S. Morley Street and 119 S. Morley Street, the easement to be through 116 Siegart Lane. The easement is subject to several conditions. First, the plans and specifications for the use of the easements must be approved in writing by the City before construction, City rights to access are preserved and the Grantee shall be responsible for all maintenance. The City shall be indemnified and held harmless from all losses and damages caused by use of the easements and no structures may be built over the easement areas without prior approval by the City. The bill provides that the ordinance takes effect on the date it is enacted.

Article 5, Section 5-5(b) of the Baltimore City Charter grants authority to the Department of Real Estate to arrange for disposition of any real property not needed by the City for public use. The disposition must be authorized by ordinance. City Council Bill 09-0379 is introduced for this purpose. The Law Department, therefore, approves City Council Bill 09-0379 for form and legal sufficiency.

Sincerely yours,


Ashlea H. Brown
Assistant Solicitor



cc: Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Elena R. DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor
Victor Tervalva, Assistant Solicitor