

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

October 20, 2008

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

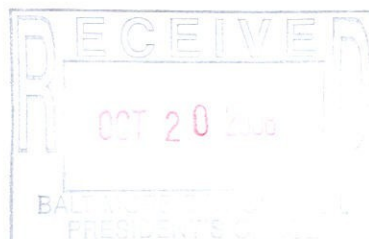
RE: City Council Bill 08-0066 – City Property - Grant of Easement

Dear President and Members

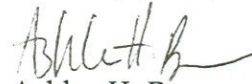
You have requested the advice of the Law Department regarding City Council Bill 08-0066. Bill 66 authorizes the Mayor and City Council to grant a perpetual easement for the construction of a proposed steam line through certain parcels of City owned land known as 1400 Orleans Street and 540 North Caroline Street. The bill provides that plans and specifications for the use of the easement shall 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 easement and no structures may be built over the easement areas except for facilities approved in advance by the City. Finally, the bill provides that no easements may be granted under this ordinance unless approved by the City Solicitor.

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 and approved by the Board of Estimates. City Council Bill 08-0066 is introduced for this purpose. The Law Department, therefore, approves the City Council Bill 08-0066 for form and legal sufficiency.

The Law Department also approves and concurs with the amendment proposed by the Department of Public Works, which names the Johns Hopkins Hospital as the Grantee of the easements.



Sincerely yours,



Ashlea H. Brown

Special Assistant Solicitor

cc: Honorable Stephanie Rawlings Blake  
Angela Gibson, City Council Liaison  
George A. Nilson, City Solicitor  
Linda C. Barclay, Chief Solicitor  
Elena R. DiPietro, Senior Solicitor  
Deepa Bhattacharyya, Assistant Solicitor  
Hilary Ruley, Assistant Solicitor