

CITY OF BALTIMORE

CATHERINE E. PUGH,
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

November 15, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0141 – Right-of-Way Release for Municipal Utilities and
Services Through the Former Bed of Jordan Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0141 for form and legal sufficiency. The bill would allow the release and surrender by the Mayor and City Council of Baltimore of all its interests in an 18-foot-wide right-of-way granted to the City of Baltimore. The bill provides for a special effective date.

The Law Department's only issue with the bill is the cited legal authority that underlies the bill. The bill references Articles I and II of the City Charter (page 1, lines 10 through 15). This is incorrect. Since the bill disposes of property no longer needed by the City, Article V, Section 5(b) of the City Charter should be the correct reference. This section grants the Department of Real Estate in the Comptroller's Office the power to dispose of the property at issue in this bill, if approved by the Board of Estimates.

The Law Department offers the attached amendment to correct the technical error. Assuming the amendment is adopted, the Law Department is prepared to approve the bill for form and legal sufficiency.

Sincerely,

Victor K. Tervalo
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyrion Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

**AMENDMENTS TO COUNCIL BILL 17-0141
(1st Reader Copy)**

By: Law Department

{To be offered to the Taxation, Finance and Economic Development Committee}

Amendment No. 1

On page 1, strike lines 10 through 13 in their entirety and substitute

“Article V - Comptroller
Section 5(b)”.