
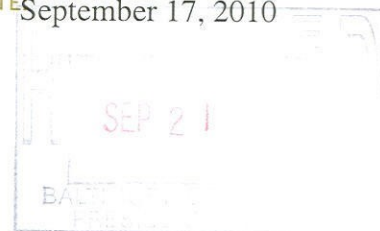


FROM	NAME & TITLE	Theodore Atwood, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of General Services 800 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 10-0581 – SUPPLEMENTAL REPORT		

TO

The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 - City Hall

DATE September 17, 2010



I am herein submitting a supplemental report on City Council Bill 10-0581 introduced by the Council President on behalf of the Administration (Department of General Services).

The purpose of the Bill is to condemn and close (1) Newgate Avenue, extending from New Vail Street, Easterly 1,510.0 feet, more or less to Vail Street, and (2) Vail Street, extending from Newgate Avenue, Northerly 825.0 feet, more or less, as shown on Plat 2174-A-130 in the Office of the Department of General Services.

The City of Baltimore and the Maryland Port Administration agreed in 1988 to close a portion of Vail Street and Newgate Avenue, in conjunction with the operation of the Seagirt Marine Terminal, an intermodal container transfer facility. The Maryland Transportation Authority and Baltimore Gas and Electric Company, adjoining property owners, consented to the closures. In exchange for the closing and conveyance to the State of these portions of rights-of-way, the State agreed to construct and maintain a new access road and bridge structure, called New Vail Street, and to grant a perpetual easement for use by the public. City Council Bill 10-0581, if approved, would close these portions of rights-of-way to public use and companion legislation (City Council Bill 10-0582) would authorize their sale.

On September 13, 2010, my agency submitted a bill response to the Council in support of its passage. Since that submittal, the City and the Maryland Port Administration have agreed to amend clarifying language into the Bill. The recommended amendments are as follows:

Amendment No. 1:

On page 4, beginning on line 2, remove the parentheses and insert the parenthetical phrase “(other than construction, repair or replacement of railroad tracks and structures consistent with the present use of the street as part of a marine cargo terminal and related intermodal container transfer facility)” so that it reads:

“...That no building or structure of any kind, (including but not limited to railroad tracks), **(other than construction, repair or replacement of railroad tracks and structures consistent with the present use of the street as part of a marine cargo terminal and related intermodal container transfer facility)** may be constructed or erected...”

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Amendment No. 2:

On page 4, line 10 insert a comma after the word Baltimore and the following phrase “the State of Maryland, or a tenant or licensee of the State” so that it reads:

“...Mayor and City Council of Baltimore, **the State of Maryland, or a tenant or licensee of the State** shall be removed...”

Amendment No. 3:

On page 4, line 17 remove the period from the end of the sentence, replace the period with a comma, and add the following phrase “subject to pertinent security standards arising from the use of the subject property as a secure marine terminal and related intermodal container transfer facility.” So that it reads:

“...or pay compensation to the owner of the property, **subject to pertinent security standards arising from the use of the subject property as a secure marine terminal and related intermodal container transfer facility.**”

The Department of General Services continues to support passage of City Council Bill 10-0581 and respectfully requests that the above amendments be included in the approval of the legislation.



Theodore Atwood
Acting Director

TA/MMC:pat