
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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September 13, 2021

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

Re: City Council Bill 21-0100 – City Property – Grant of Easements

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0100 for form and legal sufficiency. The bill would grant two perpetual easements to the Maryland State Highway Administration for the maintenance of two storm water drainage inlets along Dulaney Valley Road, through the property of the Loch Raven Reservoir, in Baltimore County, Maryland, as shown on Plat 61536 filed in the State Highway Administration State Roads Commission.

Section 5(b) of Article V of the City Charter provides that the disposition of any interest in real property “shall be authorized by ordinance, shall be approved by the Board of Estimates with the approval entered in its minutes, and shall be made at public sale unless a private sale or other manner of disposition shall be expressly authorized by the Board of Estimates and entered in its minutes.” City Charter, Art. V, §5(b). The granting of an easement diminishes or disposes of some property rights. *See e.g. Magraw v. Dillow*, 341 Md. 492, 502-03, n.12 (1996); *accord Lindsay v. Annapolis Roads Property Owners Ass’n*, 431 Md. 274, 290 (2013). Therefore, this bill is the appropriate method to approve the easements. Were this property to be inalienable property or Park property, additional requirements would apply. City Charter, Art. VII, § 67(a), (f); Art. VIII.

Very truly yours,

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Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor’s Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Victor Tervalva, Chief Solicitor