


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 10-0507		

TO

DATE: August 12, 2010

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

I am herein reporting on City Council Bill 10-0507 introduced by the Council President on behalf of the Administration (Department of General Services).

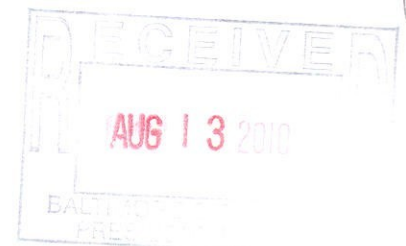
The purpose of the Bill is to authorize the Mayor and City Council of Baltimore to grant a Perpetual Easement for Municipal Utilities and Services through the parcel of land known as a portion of 2201 West Cold Spring Lane (Block 3357E, Lot 9A), as shown on Plat R.W. 20-36315 and filed in the Office of the Department of General Services.

The Northern District of the Baltimore City Police Department operates out of a building located at 2201 West Cold Spring Lane. Located to the rear of and adjacent to this property is land now owned by Loyola University, the site of recently constructed University athletic fields. Loyola University is requesting a perpetual easement for a portion of the 2201 West Cold Spring Lane property to construct and operate a scoreboard. The easement measures approximately 17,025 square feet, or 0.391 acres of land.

On March 9, 2010 Police Commissioner Bealefeld reviewed the request from Loyola University for the easement and issued a letter to the Department of General Services noting he had no objection to the easement or to the issuance of a right-of-entry to begin immediate work to construct the scoreboard. The Commissioner also noted his understanding that an ordinance would be introduced authorizing the City to grant the easement, that the property to be relinquished would be appraised by the Department of Real Estate and the University would pay the appraised value for the easement. City Council Bill 10-0507, if approved, would grant authority for the City to establish the perpetual easement. The University would be responsible for the costs to maintain the easement. The City would be held harmless from all legal actions, losses, and damages, but would retain access to the easement area for public purposes when necessary.

An error was made by this agency in characterizing the perpetual easement as being for "municipal utilities and services." Therefore, a technical amendment is needed to remove this reference from lines 5, 15, 18 on page 1 of the legislation:

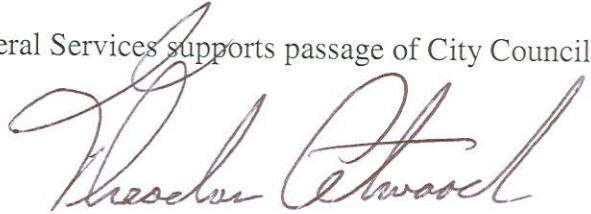
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- Line 5 (beginning on line 4) –
“...the Mayor and City Council of Baltimore to grant a Perpetual Easement ~~for Municipal Utilities and Services~~ through the parcel...”
- Line 15 –
“...an Easement ~~for Municipal Utilities and Services~~ in accordance...”
- Line 18 –
“Beginning for Perpetual Easement ~~for Municipal Utilities and Services~~ at a point...”

Based on these findings, the Department of General Services supports passage of City Council Bill 10-0507 as proposed to be amended.



Theodore Atwood
Acting Director

TA/MMC:pat