

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

April 4, 2014

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

Re: City Council Bill 14-0320 – Acquisition of Property – Baltimore  
Red Line Transit Project

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 14-320 for form and legal sufficiency. The bill authorizes the Mayor and City Council of Baltimore to acquire, by purchase, condemnation or otherwise authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property or portions of property, together with all right, title, interest, and estate that the owner or owners of the property have in all streets, alleys, ways, or lanes, public or private, contained within or abutting the whole area described or contained within the perimeter of the area, being situated in Baltimore City, and needed for the Baltimore Red Line Transit Project. The bill has an immediate effective date.

The City has the power to authorize by ordinance the acquisition of property, by condemnation or otherwise, pursuant to the City Charter. *See* Baltimore City Charter, Art. I, §4, Art. II, §2. City Council Bill 14-0320 is the requisite ordinance. In addition, the City Code, Article 5, Subtitle 18, requires that when an ordinance has been introduced to acquire property by condemnation, property owners must receive notice of the bill's public hearing by mail. City Code, Art. 5, §18-2. Furthermore, the City Council is required to hold the public hearing at no shorter period than one week following the date when property owners ordinarily should have received the notice. City Code, Art. 5, §18-3.

Assuming the procedural requirements are met, the Law Department approves the bill for form and legal sufficiency as drafted.



Sincerely,



Victor K. Tervala  
Chief Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief, Opinions & Advice  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Assistant Solicitor