
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
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September 9, 2024

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

Re: City Council Bill 24-0476 – Partial Release of Right-of-Way for Municipal
Utilities and Services through the Residence at Roland Heights (Formerly
Hedwin Property)

Dear President and City Council Members:

The Law Department reviewed City Council Bill 24-0476 for form and legal sufficiency. The bill would allow the City to the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the variable width right of way heretofore granted the City of Baltimore; the location and course of the variable width right of way to be released being shown on a plat numbered RW 20-36464. The right-of-way is no longer needed for public use because the public utility previously located in the right-of-way was either abandoned or relocated to another City right-of-way. The ordinance would take effect on the date of enactment.

The bill references Articles I and II of the City Charter (page 1, lines 09 through 16) as authority for the ordinance. The Law Department believes this is incorrect. City Charter Article II, § 15(c) grants the Mayor and City Council the power to “sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it has been developed, redeveloped, altered or improved and irrespective of the manner or means in or by which it may have been acquired...” Therefore, the Law Department recommends the following amendment:

09 BY authority of
10 [Article I – General Provisions
11 Section 4
12 and]
13 Article II – General Powers
14 Section [31] 15(c)
15 Baltimore City Charter
16 (1996 Edition)

If an amendment is adopted to correct the technical error in the bill’s citation of authority, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours

A handwritten signature in dark ink, appearing to read "Michele M. Toth", written in a cursive style.

Michele M. Toth
Assistant Solicitor

cc: Stephen Salsbury
Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown
Desiree Luckey
Ahleah Knapp