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| <b>F<br/>R<br/>O<br/>M</b> | Name & Title          | Walter Horton<br>Real Estate Officer   | CITY OF<br>BALTIMORE<br><br><b>MEMO</b> |  |
|                            | Agency Name & Address | Department of Real Estate<br>304 City Hall   |   |   |
|                            | Subject               | City Council Bill 08-0243<br>Release of Right-of-Ways, granted to the mayor and City Council of Baltimore through the property of Pompeian, Inc. |   |   |

**To:** Honorable President and Members  
of the City Council  
c/o Karen Randle  
Mayor's Legislative Liaison to the City Council  
400 City Hall

**Date:** December 05, 2008

As requested, we have reviewed the subject bill, which, if approved, would authorize the release and surrender by the Mayor and City Council of Baltimore of all its interests in and to the following:

- 1) a 12 foot wide right of way heretofore granted to the City of Baltimore..., the location and course of the 12 foot wide right-of-way to be released being shown on Plat B.S.20-20589, as prepared by the department of Public works-Bureau of Sewers, and
- 2) a varying in width right -of-way granted to the City of Baltimore...,the location and course of the varying width right-of-way to be released being shown on Plat R.W.20-36189 prepared by the Survey Control Section.

Pompeian Olive Oil, located at 4201 Pulaski Highway, is expanding their existing Baltimore facility by approximately 35,000 square feet. In addition the project as planned includes the relocation and upgrading of two City Utilities, enhancement of the electrical service and upgrading of production equipment. The existing City utilities, (a 54" storm drain and a 10" sanitary sewer), are currently located where the facility expansion is to take place. The sanitary sewer line had been reported broken and the Department of Public Works (DPW) entered into a temporary easement with Pompeian in order to repair the sanitary sewer line (the terms of this easement has since expired). Baltimore Development Corporation (BDC) has coordinated with DPW and Pompeian to devise a funding strategy for the relocation of the utilities to the perimeter of the Pompeian property, based on an engineers' cost estimate (\$969,740 as of January 2008). Under the proposed funding agreement, Pompeian will contribute approximately 50% of the costs of relocating the two utility lines. The remainder of the cost will be divided between DPW and BDC, up to a maximum of \$490,000. The work will include additional sections of utilities lying to the west of the Pompeian property, and will tie into the existing utility network. Upon completion of the proposed utility relocation project, existing rights of way for public use will not longer be required.

Therefore, the Department of Real Estate has no objection to, and is recommending the passage of City Council Bill 08-0243 for the release of the above referenced rights-of-way.

MFS, jr

cc: Angela Gibson

