

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 19-0440

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 9, 2019
Assigned to: Taxation, Finance and Economic Development Committee
Committee Report: Favorable
Council action: Adopted
Read second time: October 19, 2020

AN ORDINANCE CONCERNING

**Acquisition of Property – Temporary Construction Easements and
Permanent Easements**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests as the Director of Transportation may deem necessary in portions of a descriptive property on the south side of Waterview Avenue, rear of 2200-2208 Round Road and known as Ward 25, Section 05, Block 7610, Lot 19, as shown on Plat RW 20-36410, dated November 8, 2016, in the Office of the Director of Transportation, and needed for the Seamon Avenue Storm Drain Project; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2 and 45
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is necessary to acquire by purchase or by condemnation, for 4 temporary construction easements and a perpetual easement for municipal utilities and services needed for the Seamon Avenue Storm Drain Project, the fee simple or other interests that the Director of Transportation considers needed or sufficient in portions of a descriptive property on the south side of Waterview Avenue, rear of 2200-2208 Round Road and known as Ward 25, Section 05, Block 7610, Lot 19, as shown on Plat RW 20-36410, dated November 8, 2016 and filed in the Office of the Director of Transportation, and more particularly described as follows:

1. Variable Width Perpetual Easement For Municipal Utilities and Services 25,436 square feet or 0.584 acres, more or less, dated November 8, 2016.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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- 1 2. Variable Width Temporary Construction Easement #1 For Municipal Utilities and
2 Services 5,352 square feet or 0.123 acres, more or less, as shown on Plat RW20-
3 36410, dated November 8, 2016.

- 4 3. Variable Width Temporary Construction Easement #2 For Municipal Utilities and
5 Services 1,751 square feet or 0.040 acres, more or less, as shown on Plat RW20-
6 36410, dated November 8, 2016.

- 7 4. 10' Wide Temporary Construction Easement #3 For Municipal Utilities and Services
8 1,424 square feet or 0.033 acres, more or less, as shown on Plat RW-20-36410, dated
9 November 8, 2016.

- 10 5. Variable Width Temporary Construction Easement #4 For Municipal Utilities and
11 Services 5,320 square feet or 0.122 acres, more or less, as shown on Plat RW20-
12 36410, dated November 8, 2016.

13 Together with all right, title, interest, and estate that the owner of that property has in all streets,
14 alleys, ways, or lanes, public or private, contained within or abutting the property.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Department of Real Estate, or any
16 other person or agency that the Board of Estimates designates, may negotiate and acquire on
17 behalf of the Mayor and City Council of Baltimore the fee simple or other interests in the land
18 and improvements described in this Ordinance as needed or sufficient for the purposes described
19 in this Ordinance. If the Department of Real Estate, or the person or agency otherwise
20 designated by the Board of Estimates, is unable to agree with the owner on the purchase price for
21 the property, it shall promptly notify the City Solicitor, who shall institute the necessary legal
22 proceedings to acquire by condemnation the fee simple or other interests needed or sufficient for
23 the purposes described in this Ordinance.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That proceedings for the acquisition by
25 condemnation of the property described in this Ordinance and all rights of all parties interested or
26 affected shall be in accordance with Title 12 of the Real Property Article of the Maryland Code.

27 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
28 enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City