

**CITY OF BALTIMORE
COUNCIL BILL 12-0083
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: May 14, 2012

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Department of Real Estate, Baltimore City Parking Authority Board, Department of Transportation, Department of Finance, Board of Estimates

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Acquisition of Property – A Fee Parcel, Slope Easement, and**
3 **2 Temporary Construction Easements Needed for the Key Highway**
4 **Shared-Use Trail and Landscape Project**

5 FOR the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or
6 condemnation, the fee simple or other interests in certain property located along the east side
7 of Key Highway, known as 1465 Key Highway, being situate between Fort Avenue and Key
8 Highway East and needed for the Key Highway Shared-Use Trail and Landscape Project, as
9 shown on plats RW20-36294 and RW20-36297 filed in the Office of the Director of the
10 Department of General Services; and providing for a special effective date.

11 BY authority of
12 Article I - General Provisions
13 Section 4
14 and
15 Article II - General Powers
16 Sections 2 and 45
17 Baltimore City Charter
18 (1996 Edition)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That it is
20 necessary to acquire, for the Key Highway Shared-Use Trail and Landscape Project, the fee
21 simple or other interests that the Director of General Services considers needed or sufficient in the
22 land and improvements located through the property known as 1465 Key Highway, being situate
23 between Fort Avenue and Key Highway East, and more particularly described as follows:

- 24 1. A Parcel of land as shown on a plat numbered RW20-36294 sheet No. 2 of 6
25 and dated June 26, 2009.
- 26 2. A Temporary Construction Easement as shown on a plat numbered RW20-
27 36294 sheet No. 2 of 6 and dated June 26, 2009.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 3. A Slope Easement as shown on a plat numbered RW20-36297 sheet No. 5 of 6
2 and dated June 26, 2009.

3 4. A Temporary Construction Easement as shown on a plat numbered RW20-
4 36297 sheet No. 5 of 6 and dated June 26, 2009.

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

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

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

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