

1 **..Title**  
2 **Condemnation and Possession of Real Property at 245 West Street** – For the purpose  
3 of authorizing the condemnation and possession of real property at 245 West Street in the  
4 City of Annapolis; removing a severe public health and safety hazard related to a blighted  
5 and vacant lot; and working toward construction of affordable housing on the same blighted  
6 and vacant lot.

7 **..Body**

8 **CITY COUNCIL OF THE**  
9 **City of Annapolis**

10 **Resolution 38-24**

11 **Introduced by: Mayor Buckley**

12 **Co-sponsored by: Alds. Savidge, Gay, and Huntley**

13 **Referred to:**

14 Housing and Human Welfare Committee

15 **A RESOLUTION** concerning

16 **Condemnation and Possession of Real Property at 245 West Street**

17 **FOR** the purpose of authorizing the condemnation and possession of real property at 245  
18 West Street in the City of Annapolis; removing a severe public health and safety  
19 hazard related to a blighted and vacant lot; and working toward construction of  
20 affordable housing on the same blighted and vacant lot.

21 **WHEREAS,** SG Maryland LLC is the owner of a vacant parcel of land at 245 West Street,  
22 Annapolis, Maryland 21401, with a mailing address of 245 West Street, as  
23 evidenced by a deed recorded among the Land Records of Anne Arundel  
24 County, Maryland in Book 25808, Page 342 (Tax ID No. 06-000-  
25 00779087) which is the site of a former gas station; and

26 **WHEREAS,** The 245 West Street property Owner has resisted selling or renovating the  
27 old gas station and has resisted all requests by the City to improve the  
28 property, allowing it instead to deteriorate to a point where it is blighted,  
29 vacant, and poses a severe hazard to the health and safety of the public; and

30 **WHEREAS,** The City desires to acquire the 245 West Street property and undertake the  
31 necessary steps of an eminent domain proceeding to force the sale of the  
32 property to maximize the use of the parcel for City residents and revenue  
33 with the greatest public good and the least private injury; and

1 **WHEREAS,** Under Article III, Section 4 of the Charter of the City of Annapolis, the City  
2 may exercise the power of eminent domain in accordance with the  
3 Constitution and laws of the State of Maryland, subject to any supplemental  
4 procedures or requirements which may be established by the City Council  
5 by ordinance; and

6  
7 **WHEREAS,** Under Article III, Section 7(a) of the Charter of the City of Annapolis, the  
8 City may acquire by gift, grant, purchase, or condemnation any land, with  
9 any improvements thereon, either within or without the limits of the city,  
10 for parks, playgrounds or any other municipal purpose or use; and

11  
12 **WHEREAS,** The Annapolis City Council wishes to approve the condemnation of this  
13 property and authorize the appropriate City staff to negotiate a fair price for  
14 the property and to pursue every legally available process otherwise to  
15 acquire the property to remove a severe public health and safety hazard and  
16 develop the property into an economically viable mix of uses including an  
17 affordable housing component

18  
19 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL**  
20 **that:**

- 21
- 22 1. Acquiring the 245 West Street property is necessary to remove a severe public  
23 health and safety hazard and construct affordable housing;
  - 24  
25 2. If no satisfactory agreement can be reached with the owners of the property as to  
26 the purchase price, the City Attorney is authorized and directed to commence and  
27 prosecute to final determination such condemnation proceedings as may be  
28 necessary to acquire the property; Such action shall be by all applicable laws, rules,  
29 and regulations governing such acquisition;
  - 30  
31 3. Upon final determination of any such proceeding, the deposit of funds and payment  
32 of judgment conveying the property to the City is authorized;
  - 33  
34 4. The City Attorney is authorized and directed to take such action in accordance with  
35 the law to obtain possession of the property as soon as possible; and
  - 36  
37 5. There is authorized the creation of a fund for just compensation for the property,  
38 which shall, upon obtaining possession of the property, be deposited with the Clerk  
39 of the Court wherein the action was commenced for the use of the defendants in the  
40 action, and the City Finance Director is authorized to draw upon the funding source  
41 for deposit.

42  
43 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that  
44 this resolution shall take effect upon passage.