



Legislation Details (With Text)

**File #:** R-38-24      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Second Reader

**File created:** 6/25/2024      **In control:** City Council

**On agenda:** 9/23/2024      **Final action:**

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

**Sponsors:** Gavin Buckley, Rob Savidge, Dajuan K. Gay

**Indexes:**

**Code sections:**

**Attachments:** 1. R-38-24 First Reader, 2. R-38-24 Fiscal Impact Note, 3. R-38-24 Staff Report, 4. R-38-24 Amendment 1 - Savidge

Date	Ver.	Action By	Action	Result
9/16/2024	1	Housing and Human Welfare Committee		
7/22/2024	1	City Council	adopt on first reader	Pass
7/22/2024	1	City Council	amend	Pass
7/22/2024	1	City Council	adopt on first reader	Pass
7/22/2024	1	City Council	refer	
7/22/2024	1	City Council	Cosponsor added	

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

**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution 38-24**

**Introduced by: Mayor Buckley**  
**Co-sponsored by: Aids. Savidge and Gay**

**Referred to:**  
Housing and Human Welfare Committee

**A RESOLUTION** concerning

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

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

**WHEREAS**, SG Maryland LLC is the owner of a vacant parcel of land at 245 West Street, Annapolis, Maryland 214901, with a mailing address of 245 West Street, as evidenced by a deed recorded among the Land Records of Anne Arundel County, Maryland in Book 25808, Page 342 (Tax ID No. 06-000-00779087) which is the site of a former gas station; and

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

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

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

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

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

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

1. Acquiring the 245 West Street property is necessary to remove a severe public health and safety hazard and construct affordable housing;
2. If no satisfactory agreement can be reached with the owners of the property as to the purchase price, the City Attorney is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the property; Such action shall be by all applicable laws, rules, and regulations governing such acquisition;
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the City is authorized;
4. The City Attorney is authorized and directed to take such action in accordance with the law to obtain possession of the property as soon as possible; and

5. There is authorized the creation of a fund for just compensation for the property, which shall, upon obtaining possession of the property, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action, and the City Finance Director is authorized to draw upon the funding source for deposit.

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