

Bond Case Briefs

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EMINENT DOMAIN - MARYLAND

Makowski v. Mayor and City Council of Baltimore

Court of Appeals of Maryland - June 24, 2014 - A.3d - 2014 WL 2853818

City petitioned for immediate possession and title to property owner's office building. The Circuit Court granted city's petition, and property owner appealed.

The Court of Appeals held that:

- Evidence was sufficient to support Circuit Court's finding that property owner was a "hold out," and that city's quick-take action was warranted, and
- Property owner failed to properly authenticate a map he proffered to show that his property was in an area the city had designated as historic.

Evidence was sufficient to support trial court's finding that property owner was the only "hold out" who was preventing city from engaging in demolition in furtherance of an urban renewal plan, and thus, that city's quick-take action was warranted. City had acquired nearly 150 other properties in an entire square city block, it needed to acquire property owner's property before it could begin demolition, and the owner of the only other property it had not obtained title to was willing to sell and was only waiting on a formal conveyance of the property before accepting city's offer.