
330.01 BCRP PARKLAND ACQUISITION AND DISPOSAL PROCEDURE

Associated Policy: 330 Property and Acquisition	Date Introduced: June 15, 2020
Name of Responsible Division: Capital Development	Date Approved: February 19, 2021
BCRP Executive Director: Reginald Moore	

DEFINITIONS

- **Parks Master Plan** is a database and map identifying what the City of Baltimore (“City”) considers its park lands under the control of Baltimore City Recreation and Parks (“BCRP”).
- **Property Location Section**, located in the City’s Department of Transportation’s (“DOT”) Right of Way Division, this office keeps the City’s master property database, which includes official identification, current ownership, taxable amounts, and official surveyor calculated size for every single property parcel in the city.

PROCEDURE

BCRP shall adhere to the following internal and interagency procedures below for Parkland acquisition and disposal:

- I. **INTERNAL REVIEW PROCESS FOR ACQUISITION AND DISPOSAL CHANGES TO BCRP’S LAND HOLDINGS**
 - A. **Property Parcels.** A list of the property parcels in question shall be prepared by the Property Database Administrator (currently GIS coordinator), showing property parcel identifying information (parcel block and lot numbers), address, acreage, and current ownership information.
 - B. **Property Parcel Map.** Property parcel maps for all parcels in question shall be created by the Property Database Administrator, displaying the most recent aerial photograph, property parcel boundaries, and parcel identifying information.
 - C. **Proposed Changes.** Proposed changes to BCRP’s land holdings shall be reviewed by a BCRP panel that may include BCRP’s Director, Deputy Director of Parks, Deputy Director of Recreation, Capital Development Chief, Park Planner, and Property Database Administrator. The following shall occur:
 1. Proposals and recommendations are discussed, and a decision is made by the BCRP panel for each parcel;

2. The Property Database Administrator records the decision in the property parcel list; and
3. The corresponding course of action follows depending on the category of the change.

II. ACQUISITION AND DISPOSAL TRANSFER OF CITY-OWNED PROPERTY BETWEEN CITY AGENCIES

- A. Deed Restrictions or Special Requirements.** Research or determine if any of the properties have deed restrictions or special requirements. For example, properties that have received Program Open Space (“POS”) funding have deed restrictions requiring they be used as open space or for park and recreation purposes in perpetuity (for BCRP, this is done by the Property Manager in conjunction with the Park Planner).
- B. Memo.** Produce a signed Memo or documented correspondence between the top officials of the two City Agencies involved in the transfer. The documentation should include the transfer of specific properties, including each parcel’s block and lot numbers, and street addresses.
- C. Approval**
 - 1. Properties Disposed of or Transferred Out of BCRP Parkland.** For properties that are being disposed of or transferred out of BCRP Parkland, seek approval from the City’s Planning Commission for an amendment to the Parks Master Plan.
 - 2. Properties Transferred in or Added to BCRP Parkland.** For properties transferred in or added to BCRP Parkland, seek approval from the Planning Commission after *Section II(F)* below.
- D. Memo Submission.** Submit documentation from *Section II(B)* above to the City’s Department of Real Estate (part of the City’s Office of the Comptroller) in order to present to the Space Utilization Committee for review and approval.
- E. Submission to BOE.** The Space Utilization Committee shall submit paperwork to the Board of Estimates (“BOE”) for review and approval.
- F. BOE Notification to DOT.** The BOE shall notify the City’s Property Location Section.
- G. BOE Notification to Affected City Agencies.** The BOE shall notify the two City Agencies affected by the property transfer.
- H. Changes Entered.** The Property Location Section shall enter changes into the City’s Real Property Database.
- I. Property Record Change.** The affected City Agencies shall make changes to their property records.
- J. Filing Official Copies.** The Office of the Comptroller and the Property Location Section shall hold the official copies of the deeds, as specified by the City Charter.

III. ACQUISITION OF NON-CITY-OWNED PROPERTY

- A. Documentation to the City’s Department of Real Estate.** BCRP shall provide the following to the City’s Department of Real Estate:

1. Each property parcel's Block and Lot numbers and street address;
2. Copy of property parcel plat map; and
3. Budget Account number to pay for appraisals, title reports, and closing costs.
 - a. Estimated costs depend on the property and situation (based on Year 2015 values):
 - i. **Appraisals.** Approximately \$2,000 - \$3,000;
 - ii. **Title Reports.** Approximately \$150 - \$200; and
 - iii. **Closing Costs for Property Values Under \$40,000.** Approximately \$500 - \$600.

- B. **City's Department of Real Estate Process.** The City's Department of Real Estate shall:
 1. Send the purchase contract to the owner for signature;
 2. Submit the signed contract to the BOE for approval;
 3. Arrange the settlement and order the purchase checks;
 4. Provide a copy of the settlement documents to the acquiring City Agency and file a copy under the Office of the Comptroller; and
 5. Notify the Property Location Section to make the changes to the City's Real Property Database.
- C. **Post-Acquisition.** After the acquisition has occurred, BCRP shall contact the City's Planning Department to have the property added to the Parks Master Plan.

IV. ACCEPTING PROPERTY DONATIONS

- A. **Acceptance.** BCRP shall provide a letter to the City's Department of Real Estate stating the decision to accept the property donation.
 1. BCRP pays the transfer cost, transfer taxes, and recording fees; and
 2. Owner pays liens and property taxes up to closing.
- B. **Title Report.** The City's Department of Real Estate contacts the City's Law Department to order the Title Report from a Title Company.
- C. **City's Department of Real Estate Process.** The City's Department of Real Estate shall:
 1. Order a property appraisal and perform a deed research;
 2. Send the contract to the person making a donation for signature;
 3. Send the signed contract to the BOE for approval;
 4. Handle the settlement;
 5. Send a letter to the City's Department of Assessments to remove the property from the tax rolls and notify lienholder agencies which liens have been paid; and
 6. Notify the Property Location Section to make changes to the City's Real Property Database.
- D. **Filing Process.** The Title Company shall file the Property Deed.
 1. The City's Office of the Comptroller and Property Location Section holds official copies of the deeds, as specified by the City Charter.
 2. Amend the Parks Master Plan after the donation is complete.

V. SURPLUS OF LAND

- A. Deed Restrictions.** Research or determine whether any of the properties have deed restrictions requiring them to be used for open space (*i.e.*, prior use of POS funds) in perpetuity (for BCRP, this is done by the Park Planner.)
- B. Amend the Parks Master Plan.** Seek approval from the City's Planning Commission for an amendment to the Parks Master Plan. In the case of a known City transfer, the Parks Master Plan should be amended at the end, however, if the intent is for private sale or for a substantial parcel, it should remain at this step.
- C. Letter from BCRP Director.** BCRP's Director shall send a letter to the City's Department of Real Estate stating that the land is no longer needed for BCRP's purpose.
- D. Interested City Agencies.** The City's Department of Real Estate will circulate the letter to all City Agencies to see if they are interested in the property.
 - 1. Desire to Acquire.** If another City Agency desires the property, this process follows *Section II* above.
- E. Submission to Space Utilization Committee.** The City's Department of Real Estate shall submit paperwork to the Space Utilization Committee for review and approval.
- F. Submission to BOE.** The Space Utilization Committee shall submit paperwork to the BOE for review and approval.
- G. Submission to City Council.** The BOE shall submit paperwork to the City Council for review and approval.
- H. Sale of Property.** The City Council shall notify the City's Department of Real Estate to proceed with the sale of property.
 - 1.** The City's Department of Real Estate shall notify the City's Department of Assessments to add the property to the tax rolls (if the purchasing entity is subject to taxation).
 - 2.** The City's Department of Real Estate shall notify the Property Location Section and BCRP.