

EDITORIAL

THE SUN

A Tribune Publishing Company

RONDRA J. MATTHEWS, *Publisher and CEO*

TIMOTHY A. FRANKLIN, *Editor*
ROBERT BLAU, *Managing Editor*
SANDRA A. BANISKY, *Deputy Managing Editor*
J. MONTGOMERY COOK, *Deputy Managing Editor*

DIANNE DONOVAN, *Editorial Page Editor*
WILL ENGLUND, *Associate Editorial Page Editor*
ANN LOLORDO, *Deputy Editorial Page Editor*

PAUL M. MOORE, *Public Editor*

RICHARD L. GOLDSTEIN, *Vice President / Chief Financial Officer*
BARRY HASELDEN, *Interim Vice President / Advertising*
LINDA HUTZLER, *Vice President / Information Technology*
LOUIS A. MARANTO, *Vice President / Circulation*

KEVIN P. SCANLON, *Vice President / Human Resources*
STEPHEN G. SEIDL, *Vice President / Operations*
TIMOTHY J. THOMAS, *Vice President / Marketing*
TIMOTHY F. WINDSOR, *General Manager / Interactive*

Not so fast

THE QUICK TAKE ON THE MARYLAND Court of Appeals' ruling restricting Baltimore's use of "quick take" to seize property is this: This extraordinary power can't be used as a matter of course to condemn land.

And when city officials want to use quick take now, they will have to do a lot more explaining of why the city needs the property *immediately* and be more specific on what the city intends to do with it. Unless the city moves to change the decades-old law to eliminate that pesky word, *immediate*.

The court's 58-page opinion was issued in the case of a North Charles Street merchant who challenged the legality of the city's seizing his liquor and package goods store under the quick-take procedure. After months of discussions, owner George Valsamaki had refused the city's \$140,000 offer to buy the property. The city, which is seeking to revitalize the area of Charles and North Avenue at the behest of community residents, filed a petition to condemn the building under the quick-take law, which gives the owner a mere 10 days to respond.

Baltimore Circuit Judge John Philip Miller accepted Mr. Valsamaki's argument that the Baltimore Development Corp. had failed to show why his building was needed immediately, nor had it fully explained the city's plans for the property. City officials would say only that the property would be used for redevelopment; it hasn't had to get any more specific in previous cases because no one had successfully challenged the city's quick-take law until Mr. Valsamaki.

In a lengthy opinion, the Court of Appeals upheld Judge Miller's decision. The court started with the obvious premise that "the right to private property and the protection of that right is a bedrock principle of our constitutional republic."

The city has pursued its right of eminent domain to revitalize Baltimore from the tired city it once was. Blighted neighborhoods remain, and the city's condemnation powers should be used to help transform these areas. But the city must use its power forthrightly, and in the court's words, show "specific and compelling" reasons for quickly taking a property. Vagueness will result only in more successful court challenges.