

**CITY OF BALTIMORE
COUNCIL BILL 15-0517
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: April 20, 2015
Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of General Services, Department of Transportation, Baltimore City Parking Authority Board, Department of Real Estate, Department of Finance, Board of Estimates

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Sale of Property – Air Rights Area Over a Portion of a**
3 **10-Foot Alley in the Rear of 435-439 East Lafayette Avenue**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public
5 or private sale, all its interest in the air rights area over a portion of a 10-foot alley in the rear
6 of 435-439 East Lafayette Avenue, extending westerly 56 feet, more or less, from
7 Greenmount Avenue and no longer needed for public use; and providing for a special
8 effective date.

9 BY authority of
10 Article V - Comptroller
11 Section 5(b)
12 Baltimore City Charter
13 (1996 Edition)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That, in
15 accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either
16 public or private sale, all the interest of the Mayor and City Council of Baltimore in the air rights
17 area over a portion of a 10-foot alley in the rear of 435-439 East Lafayette Avenue, extending
18 westerly 56 feet, more or less, from Greenmount Avenue, and more particularly described as all
19 that land lying above at an elevation of 112.00 feet (Baltimore City Vertical Datum) and
20 contained within the following metes and bounds, to wit:

21 Beginning for Parcel 1 at the intersection of the west side of Greenmount Avenue,
22 as widened by deed dated February 3, 1853 and recorded among the Land Records
23 of Baltimore, Maryland in Liber E.D. 47 Folio 327 from Christian Keener, etal. to
24 the Mayor and City Council of Baltimore, on the north side of a 10-foot alley,
25 lying parallel with and 100 feet south of Lafayette Avenue 66 feet wide, said point
26 of beginning being distant 100.15 feet measured along the west side of said

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 15-0517

1 Greenmount Avenue from the south side of said Lafayette Avenue, and running
2 thence on the west side of said Greenmount Avenue, the following courses and
3 distances:

- 4 1. South 05° 57' 17" East 10.01 feet to the south side of said 10-foot alley, running
5 thence binding on the south side of said 10-foot alley,
- 6 2. South 87° 08' 43" West 56.30 feet, to the new division line of said alley, running
7 thence on said new division line,
- 8 3. North 02° 54' 31" West 10.00 feet to the north side of said 10-foot alley, and
9 running thence binding,
- 10 4. North 87° 08' 43" East 55.76 feet to the point of beginning.

11 Containing 560 square feet or 0.0129 acres, more or less, as surveyed in February of 2014 by
12 S.J. Martenet and Company, Inc.

13 Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be
14 abandoned, over the entire hereinabove described parcel of land.

15 This property being no longer needed for public use.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That no deed may pass under this Ordinance
17 unless the deed has been approved by the City Solicitor.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
19 enacted.