

**CITY OF BALTIMORE  
COUNCIL BILL 06-0324  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: January 23, 2006  
Assigned to: Highways and Franchises Subcommittee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Public Works,  
Department of Real Estate, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Release of Right-of-Way – A Variable Width Right-of-Way Granted**  
3 **to the Mayor and City Council of Baltimore through the Property of**  
4 **Ausa Holding Company C/O R.E. McElroy, Inc.**

5 FOR the purpose of authorizing the release and surrender by the Mayor and City Council  
6 of Baltimore of all of its interests in and to a variable width right-of-way for a Perpetual  
7 Easement for Municipal Utilities and Services granted to the City of Baltimore through the  
8 property of Ausa Holding Company C/O R.E. McElroy, Inc., the location and course of the  
9 variable width right-of-way to be released as shown on Plat 338-A-16C in the Office of the  
10 Department of Public Works; and providing for a special effective date.

11 BY authority of  
12 Article 1 - General Provisions  
13 Section 4  
14 and  
15 Article II - General Powers  
16 Section 31  
17 Baltimore City Charter  
18 (1996 Edition)

19 **Recitals**

20 **WHEREAS**, By a Land Disposition Agreement dated March 20, 1991, and recorded among  
21 the Land Records of Baltimore City in Liber S.E.B. No. 2844, Folio 1, the Mayor and City  
22 Council of Baltimore acting by and through the Department of Housing and Community  
23 Development sold Lot No. 42 of the Mid-Town Belvedere Urban Renewal Area to the Ausa  
24 Holding Company. The Mayor and City Council of Baltimore retained a right-of-way for a  
25 Utility Easement for the entire width of the 10-foot and 20-foot alleys closed and designated as  
26 Lot No. 1 and Lot No. 2 as shown on Plat 338-A-16C and dated November 3, 1987; and

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

1           **WHEREAS**, The right-of-way hereinafter described is no longer needed for public use, the  
2 public utility that had previously been therein having been abandoned and/or relocated to another  
3 right-of-way that was granted to the Mayor and City Council of Baltimore.

4           **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
5 Comptroller of Baltimore City is authorized on behalf of the Mayor and City Council of  
6 Baltimore to execute and deliver to the owner or owners of the land within the right-of-way  
7 hereinafter described, a release and surrender of all of the interest of the City of Baltimore in the  
8 right-of-way described as follows:

9           Beginning for a 20-foot wide Right-of-Way to be extinguished at a point on the  
10 west side of Lovegrove Street, 20 feet wide, said point of beginning being distant  
11 southerly 120 feet measured along the west side of said Lovegrove Street from the  
12 south side of Preston Street, 66 feet wide, and running thence binding on the west  
13 side of said Lovegrove Street, Southerly 20.0 feet, more or less, to intersect the  
14 south side of said 20-foot wide Right-of-Way; thence binding in part on the south  
15 side of said 20-foot wide Right-of-Way, in part on the south side of a 10-foot  
16 wide Right-of-Way to be extinguished, laid out 45 feet east of said Lovegrove  
17 Street, and in all, Westerly 55.0 feet, more or less, to intersect the west side of  
18 said 10- foot wide Right-of-Way; thence binding on the west side of said 10-foot  
19 wide Right-of-Way, Northerly 140.0 feet, more or less, to intersect the south side  
20 of said Preston Street; thence binding on the south side of said Preston Street,  
21 Easterly 10.0 feet, more or less, to intersect the east side of said 10-foot wide  
22 Right-of-Way; thence binding on the east side of said 10-foot wide Right-of-Way,  
23 Southerly 120.0 feet, more or less, to intersect the north side of said 20-foot wide  
24 Right-of-Way, and thence binding on the north side of said 20-foot wide Right-of-  
25 Way, Easterly 45.0 feet, more or less, to the place of beginning.

26           Containing 2,300 square feet of land, more or less.

27           The use of the right-of-way described hereinabove is no longer needed for public purposes.

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

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