

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 12-0078

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: May 7, 2012
Assigned to: Housing and Community Development Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 4, 2012

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Streets and Alleys Bounded by
Sun Street, the CSX Transportation, Inc. Railroad Right of Way,
Vera Street, and Chesapeake Avenue**

FOR the purpose of condemning and closing certain streets and alleys bounded by Sun Street, the CSX Transportation, Inc. Railroad right of way, Vera Street, and Chesapeake Avenue, as shown on Plat 114-A-55A in the Office of the Department of General Services; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of General Services shall proceed to condemn and close certain streets and alleys bounded by Sun Street, the CSX Transportation, Inc. Railroad right of way, Vera Street, and Chesapeake Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Fairfield Road, 60 feet wide, and the north side of Brady Avenue, 50 feet wide, and running thence binding on the north side of said Brady Avenue, Westerly 60.0 feet to intersect the west side of said Fairfield Road; thence binding on the west side of said Fairfield Road, Northerly 450.0 feet, more or less, to intersect the south side of Carbon Avenue, 50 feet wide; thence binding on the south side of said Carbon Avenue, Easterly 60.0 feet to intersect the east side of said Fairfield Road, and thence binding on the east side of said Fairfield Road, Southerly 450.0 feet, more or less, to the place of beginning.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 Beginning for Parcel No. 2 at the point formed by the intersection of the east side
2 of Tate Street, 60 feet wide, and the north side of Brady Avenue, 50 feet wide, and
3 running thence binding on the north side of said Brady Avenue, Westerly 60.0 feet
4 to intersect the west side of said Tate Street; thence binding on the west side of
5 said Tate Street, Northerly 450.0 feet, more or less, to intersect the south side of
6 Carbon Avenue, 50 feet wide; thence binding on the south side of said Carbon
7 Avenue, Easterly 60.0 feet to intersect the east side of said Tate Street, and thence
8 binding on the east side of said Tate Street, Southerly 450.0 feet, more or less, to
9 the place of beginning.

10 Beginning for Parcel No. 3 at the point formed by the intersection of the east side
11 of a 20-foot alley, laid out in part in the rear of the property known as No. 3201
12 Fairfield Road and in part contiguous to the east outline of the property known as
13 No. 1714/1716 Brady Avenue, and the north side of Brady Avenue, 50 feet wide,
14 said point of beginning being distant westerly 150.0 feet, more or less, measured
15 along the north side of said Brady Avenue from the west side of Remley Street, 60
16 feet wide, and running thence binding on the north side of said Brady Avenue,
17 Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence binding
18 on the west side of said 20-foot alley, Northerly 450.0 feet, more or less, to
19 intersect the south side of Carbon Avenue, 50 feet wide; thence binding on the
20 south side of said Carbon Avenue, Easterly 20.0 feet to intersect the east side of
21 said 20-foot alley, and thence binding on the east side of said 20-foot alley,
22 Southerly 450.0 feet, more or less, to the place of beginning.

23 Beginning for Parcel No. 4 at the point formed by the intersection of the south
24 side of a 10-foot alley, laid out in the rear of the properties known as Nos.
25 1500/1502 through 1508/1510 Chesapeake Avenue, and the east side of Sun
26 Street, 60 feet wide, said point of beginning being distant northerly 102.8 feet,
27 more or less, measured along the east side of said Sun Street from the north side
28 of Chesapeake Avenue, 50 feet wide, and running thence binding on the east side
29 of said Sun Street, Northerly 10.2 feet, more or less, to intersect the north side of
30 said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly
31 103.5 feet, more or less, to the easternmost extremity of said 10-foot alley, there
32 situate; thence binding on the easternmost extremity of said 10-foot alley,
33 Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence
34 binding on the south side of said 10-foot alley, Westerly 105.5 feet, more or less,
35 to the place of beginning.

36 Beginning for Parcel No. 5 at the point formed by the intersection of the east side
37 of a 20-foot alley, laid out in the rear of the properties known as Lot Nos. 16
38 through 28 of Block 7364 as referred to among the Real Property Records of the
39 Property Location Section of the Department of General Services of the City of
40 Baltimore, and the north side of Chesapeake Avenue, 50 feet wide, said point of
41 beginning being distant westerly 150.0 feet, more or less, measured along the
42 north side of said Chesapeake Avenue from the west side of Fairfield Road, 60
43 feet wide, and running thence binding on the north side of said Chesapeake
44 Avenue, Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence
45 binding on the west side of said 20-foot alley, Northerly 450.0 feet, more or less,
46 to intersect the south side of Brady Avenue, 50 feet wide; thence binding on the

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1 south side of said Brady Avenue, Easterly 20.0 feet to intersect the east side of
2 said 20-foot alley, and thence binding on the east side of said 20-foot alley,
3 Southerly 450.0 feet, more or less, to the place of beginning.

4 Beginning for Parcel No. 6 at the point formed by the intersection of the south
5 side of Brady Avenue, 50 feet wide, and the east side of Fairfield Road, 60 feet
6 wide, and running thence binding on the east side of said Fairfield Road,
7 Northerly 50.0 feet to intersect the north side of said Brady Avenue; thence
8 binding on the north side of said Brady Avenue, Easterly 760.0 feet, more or less,
9 to the easternmost extremity of said Brady Avenue, there situate; thence binding
10 on the easternmost extremity of said Brady Avenue, Southerly 50.0 feet to
11 intersect the south side of said Brady Avenue, and thence binding on the south
12 side of said Brady Avenue, Westerly 760.0 feet, more or less, to the place of
13 beginning.

14 Beginning for Parcel No. 7 at the point formed by the intersection of the east side
15 of Remley Street, 60 feet wide, and the north side of Chesapeake Avenue, 50 feet
16 wide, and running thence binding on the north side of said Chesapeake Avenue,
17 Westerly 60.0 feet to intersect the west side of said Remley Street; thence binding
18 on the west side of said Remley Street, Northerly 450.0 feet, more or less, to
19 intersect the south side of Brady Avenue, 50 feet wide; thence binding on the
20 south side of said Brady Avenue, Easterly 60.0 feet to intersect the east side of
21 said Remley Street, and thence binding on the east side of said Remley Street,
22 Southerly 450.0 feet, more or less, to the place of beginning.

23 Beginning for Parcel No. 8 at the point formed by the intersection of the east side
24 of Weedon Street, 60 feet wide, and the north side of Chesapeake Avenue, 50 feet
25 wide, and running thence binding on the north side of said Chesapeake Avenue,
26 Westerly 60.0 feet to intersect the west side of said Weedon Street; thence binding
27 on the west side of said Weedon Street, Northerly 450.0 feet, more or less, to
28 intersect the south side of Brady Avenue, 50 feet wide; thence binding on the
29 south side of said Brady Avenue, Easterly 60.0 feet to intersect the east side of
30 said Weedon Street, and thence binding on the east side of said Weedon Street,
31 Southerly 450.0 feet, more or less, to the place of beginning.

32 Beginning for Parcel No. 9 at the point formed by the intersection of the east side
33 of Tate Street, 60 feet wide, and the north side of Chesapeake Avenue, 50 feet
34 wide, and running thence binding on the north side of said Chesapeake Avenue,
35 Westerly 60.0 feet to intersect the west side of said Tate Street; thence binding on
36 the west side of said Tate Street, Northerly 450.0 feet, more or less, to intersect
37 the south side of Brady Avenue, 50 feet wide; thence binding on the south side of
38 said Brady Avenue, Easterly 60.0 feet to intersect the east side of said Tate Street,
39 and thence binding on the east side of said Tate Street, Southerly 450.0 feet, more
40 or less, to the place of beginning.

41 Beginning for Parcel No. 10 at the point formed by the intersection of the south
42 side of Carbon Avenue, 50 feet wide, and the west side of Tate Street, 60 feet
43 wide, and running thence binding on the west side of said Tate Street, Northerly
44 50.0 feet, more or less, to intersect the north side of said Carbon Avenue; thence
45 binding on the north side of said Carbon Avenue, Easterly 820.0 feet, more or

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1 less, to the easternmost extremity of said Carbon Avenue, there situate; thence
2 binding on the easternmost extremity of said Carbon Avenue, Southerly 50.0 feet
3 to intersect the south side of said Carbon Avenue, and thence binding on the south
4 side of said Carbon Avenue, Westerly 820.0 feet, more or less, to the place of
5 beginning.

6 Beginning for Parcel No. 11 at the point formed by the intersection of the east side
7 of Fairfield Road, 60 feet wide, and the north side of Chesapeake Avenue, 50 feet
8 wide, and running thence binding on the north side of said Chesapeake Avenue,
9 Westerly 60.0 feet to intersect the west side of said Fairfield Road; thence binding
10 on the west side of said Fairfield Road, Northerly 450.0 feet, more or less, to
11 intersect the south side of Brady Avenue, 50 feet wide; thence binding on the
12 south side of said Brady Avenue, Easterly 60.0 feet to intersect the east side of
13 said Fairfield Road, and thence binding on the east side of said Fairfield Road,
14 Southerly 450.0 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 12 at the point formed by the intersection of the east side
16 of a 20-foot alley, laid out in the rear of the properties known as Nos. 3201
17 through 3225 Tate Street, and the north side of Brady Avenue, 50 feet wide, said
18 point of beginning being distant westerly 150.0 feet, more or less, measured along
19 the north side of said Brady Avenue from the west side of Fairfield Road, 60 feet
20 wide, and running thence binding on the north side of said Brady Avenue,
21 Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence binding
22 on the west side of said 20-foot alley, Northerly 450.0 feet, more or less, to
23 intersect the south side of Carbon Avenue, 50 feet wide; thence binding on the
24 south side of said Carbon Avenue, Easterly 20.0 feet to intersect the east side of
25 said 20-foot alley, and thence binding on the east side of said 20-foot alley,
26 Southerly 450.0 feet, more or less, to the place of beginning.

27 Beginning for Parcel No. 13 at the point formed by the intersection of the south
28 side of a 20-foot alley, laid out contiguous to the south outline of the property
29 known as Lot No. 8 of Block 7362 as referred to among the Real Property
30 Records of the Property Location Section of the Department of General Services
31 of the City of Baltimore, and the east side of Sun Street, 60 feet wide, said point
32 of beginning being distant northerly 163.0 feet, more or less, measured along the
33 east side of said Sun Street from the north side of Brady Avenue, 50 feet wide,
34 and running thence binding on the east side of said Sun Street, Northerly 20.4 feet,
35 more or less, to intersect the north side of said 20-foot alley; thence binding on the
36 north side of said 20-foot alley, Easterly 203.4 feet, more or less, to intersect the
37 west side of a 20-foot alley, laid out in the rear of the properties known as Lot
38 Nos. 18 through 31 of Block 7362 as referred to among said Real Property
39 Records, Lot No. 31 is also known as No. 3200 Tate Street; thence binding on the
40 west side of last said 20-foot alley, Southerly 20.0 feet to intersect the south side
41 of said 20-foot alley, mentioned firstly herein, and thence binding on the south
42 side of said 20-foot alley, mentioned firstly herein, Westerly 207.2 feet, more or
43 less, to the place of beginning.

44 Beginning for Parcel No. 14 at the point formed by the intersection of the north
45 side of Brady Avenue, 50 feet wide, and the west side of a 20-foot alley, laid out
46 in the rear of the properties known as Lot Nos. 18 through 31 of Block 7362 as

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1 referred to among the Real Property Records of the Property Location Section of
2 the Department of General Services of the City of Baltimore, Lot No. 31 is also
3 known as No. 3200 Tate Street, and running thence binding on the west side of
4 said 20-foot alley, Northerly 450.0 feet, more or less, to intersect the south side of
5 Carbon Avenue, 50 feet wide; thence binding on the south side of said Carbon
6 Avenue, Easterly 20.0 feet to intersect the east side of said 20-foot alley; thence
7 binding on the east side of said 20-foot alley, Southerly 450.0 feet, more or less, to
8 intersect the north side of said Brady Avenue, and thence binding on the north
9 side of said Brady Avenue, Westerly 20.0 feet to the place of beginning.

10 Beginning for Parcel No. 15 at the point formed by the intersection of the east side
11 of Sun Street, 60 feet wide, and the north side of a 20-foot alley, laid out in the
12 rear of the properties known as Nos. 1503 through 1521 Brady Avenue, said point
13 of beginning being distant southerly 220.0 feet, more or less, measured along the
14 east side of said Sun Street from the south side of Brady Avenue, 50 feet wide,
15 and running thence binding on the north side of said 20-foot alley, Easterly 289.4
16 feet, more or less, to intersect the west side of a 20-foot alley, laid out contiguous
17 to the east outlines of the properties known as No. 1521 Brady Avenue and No.
18 1526 Chesapeake Avenue; thence binding on the west side of last said 20-foot
19 alley, Southerly 20.0 feet to intersect the south side of said 20-foot alley,
20 mentioned firstly herein; thence binding on the south side of said 20-foot alley,
21 mentioned firstly herein, Westerly 293.3 feet, more or less, to intersect the east
22 side of said Sun Street, and thence binding on the east side of said Sun Street,
23 Northerly 20.4 feet, more or less, to the place of beginning.

24 Beginning for Parcel No. 16 at the point formed by the intersection of the east side
25 of a 20-foot alley, laid out in part in the rear of the properties known as Nos. 3300
26 through 3324 Remley Street and in part contiguous to the east outline of the
27 property known as No. 1710/1714 Chesapeake Avenue, and the north side of
28 Chesapeake Avenue, 50 feet wide, and running thence binding on the north side of
29 said Chesapeake Avenue, Westerly 20.0 feet to intersect the west side of said 20-
30 foot alley; thence binding on the west side of said 20-foot alley, Northerly 450.0
31 feet, more or less, to intersect the south side of Brady Avenue, 50 feet wide;
32 thence binding on the south side of said Brady Avenue, Easterly 20.0 feet to
33 intersect the east side of said 20-foot alley, and thence binding on the east side of
34 said 20-foot alley, Southerly 450.0 feet, more or less, to the place of beginning.

35 Beginning for Parcel No. 17 at the point formed by the intersection of the east side
36 of a 20-foot alley, laid out in part in the rear of the properties known as Nos. 3304
37 through 3320 Weedon Street and in part contiguous to the west outline of the
38 property known as No. 1753 Brady Avenue, and the north side of Chesapeake
39 Avenue, 50 feet wide, said point of beginning being distant westerly 150.0 feet,
40 more or less, measured along the north side of said Chesapeake Avenue from the
41 west side of Weedon Street, 60 feet wide, and running thence binding on the north
42 side of said Chesapeake Avenue, Westerly 20.0 feet to intersect the west side of
43 said 20-foot alley; thence binding on the west side of said 20-foot alley, Northerly
44 450.0 feet, more or less, to intersect the south side of Brady Avenue, 50 feet wide,
45 and thence binding on the south side of said Brady Avenue, Easterly 20.0 feet to
46 intersect the east side of said 20-foot alley, and thence binding on the east side of
47 said 20-foot alley, Southerly 450.0 feet, more or less, to the place of beginning.

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1 Beginning for Parcel No. 18 at the point formed by the intersection of the east side
2 of Remley Street, 60 feet wide, and the north side of Brady Avenue, 50 feet wide,
3 and running thence binding on the north side of said Brady Avenue, Westerly 60.0
4 feet to intersect the west side of said Remley Street; thence binding on the west
5 side of said Remley Street, Northerly 450.0 feet, more or less, to intersect the
6 south side of Carbon Avenue, 50 feet wide; thence binding on the south side of
7 said Carbon Avenue, Easterly 60.0 feet to intersect the east side of said Remley
8 Street, and thence binding on the east side of said Remley Street, Southerly 450.0
9 feet, more or less, to the place of beginning.

10 Beginning for Parcel No. 19 at the point formed by the intersection of the north
11 side of Chesapeake Avenue, 50 feet wide, and the east side of a 20-foot alley, laid
12 out contiguous to the east outlines of the properties known as Nos. 1526
13 Chesapeake Avenue and 1521 Brady Avenue, said point of beginning being
14 distant easterly 334.8 feet, more or less, measured along the north side of said
15 Chesapeake Avenue from the east side of Sun Street, 60 feet wide, and running
16 thence binding on the west side of said 20-foot alley, Northerly 450.0 feet, more
17 or less, to intersect the south side of Brady Avenue, 50 feet wide; thence binding
18 on the south side of said Brady Avenue, Easterly 20.0 feet to intersect the east side
19 of said 20-foot alley; thence binding on the east side of said 20-foot alley,
20 Southerly 450.0 feet, more or less, to intersect the north side of said Chesapeake
21 Avenue, and thence binding on the north side of said Chesapeake Avenue,
22 Westerly 20.0 feet to the place of beginning.

23 Beginning for Parcel No. 20 at the point formed by the intersection of the east side
24 of Tate Street, 60 feet wide, and the south side of a 20-foot alley, laid out in the
25 rear of the property known as No. 1600 Carbon Avenue, said point of beginning
26 being distant northerly 306.9 feet, more or less, measured along the east side of
27 said Tate Street from the north side of Carbon Avenue, 20 feet wide, and running
28 thence binding on the east side of said Tate Street, Northerly 20.1 feet, more or
29 less, to intersect the north side of said 20-foot alley; thence binding on the north
30 side of said 20-foot alley, Easterly 321.4 feet, more or less, to intersect the west
31 side of Fairfield Road, 60 feet wide; thence binding on the west side of said
32 Fairfield Road, Southerly 20.1 feet, more or less, to intersect the south side of said
33 20-foot alley, and thence binding on the south side of said 20-foot alley, Westerly
34 321.4 feet, more or less, to the place of beginning.

35 Beginning for Parcel No. 21 at the point formed by the intersection of the south
36 side of Carbon Avenue, 50 feet wide, and the west side of Fairfield Road, 60 feet
37 wide, and running thence binding on the west side of said Fairfield Road,
38 Northerly 296.7 feet, more or less, to the northernmost extremity of said Fairfield
39 Road, there situate; thence binding on the northernmost extremity of said Fairfield
40 Road, Easterly 60.3 feet, more or less, to intersect the east side of said Fairfield
41 Road; thence binding on the east side of said Fairfield Road, Southerly 291.0 feet,
42 more or less, to intersect the north side of said Carbon Avenue, and thence
43 binding on the north side of said Carbon Avenue, Westerly 60.0 feet to the place
44 of beginning.

45 Beginning for Parcel No. 22 at the point formed by the intersection of the north
46 side of Carbon Avenue, 50 feet wide, and the west side of Tate Street, 60 feet

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1 wide, and running thence binding on the west side of said Tate Street, Northerly
2 312.7 feet, more or less, to intersect the south side of a 20-foot alley, laid out in
3 the rear of the property known as No. 1500 Carbon Avenue; thence binding on the
4 south side of said 20-foot alley, Easterly 60.3 feet, more or less, to intersect the
5 east side of said Tate Street; thence binding on the east side of said Tate Street,
6 Southerly 306.9 feet, more or less, to intersect the north side of said Carbon
7 Avenue, and thence binding on the north side of said Carbon Avenue, Westerly
8 60.0 feet to the place of beginning.

9 Beginning for Parcel No. 23 at the point formed by the intersection of the south
10 side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1700
11 through 1714/1716 Brady Avenue, and the east side of Fairfield Road, 60 feet
12 wide, said point of beginning being distant northerly 110.0 feet, more or less,
13 measured along the east side of said Fairfield Road from the north side of Brady
14 Avenue, 50 feet wide, and running thence binding on the east side of said Fairfield
15 Road, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence
16 binding on the north side of said 10-foot alley, Easterly 150.0 feet, more or less, to
17 intersect the west side of a 20-foot alley, laid out in part in the rear of the property
18 known as No. 3201 Fairfield Road and in part contiguous to the east outline of the
19 property known as No. 1714/1716 Brady Avenue; thence binding on the west side
20 of said 20-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot
21 alley, and thence binding on the south side of said 10-foot alley, Westerly 150.0
22 feet, more or less, to the place of beginning.

23 As delineated on Plat 114-A-55A, prepared by the Survey Control Section and filed on April 13,
24 2012, in the Office of the Department of General Services.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
26 closing of certain streets and alleys and the rights of all interested parties shall be regulated by
27 and in accordance with all applicable provisions of state and local law and with all applicable
28 rules and regulations adopted by the Director of General Services and filed with the Department
29 of Legislative Reference.

30 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
31 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
32 continue to be the property of the Mayor and City Council, in fee simple, until their use has been
33 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
34 them, that person must first obtain permission from the Mayor and City Council and, in the
35 application for this permission, must agree to pay all costs and expenses, of every kind, arising
36 out of the removal, alteration, or interference.

37 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
38 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
39 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
40 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
41 or, at the expense of the person seeking to erect the building or structure, have been removed and
42 relaid in accordance with the specifications and under the direction of the Director of General
43 Services of Baltimore City.

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1 **SECTION 5. AND BE IT FURTHER ORDAINED**, That after the closing under this Ordinance, all
2 subsurface structures and appurtenances owned by any person other than the Mayor and City
3 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
4 notice to do so from the Director of Public Works.

5 **SECTION 6. AND BE IT FURTHER ORDAINED**, That at all times after the closing under this
6 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized
7 representatives, shall have access to the subject property and to all subsurface structures and
8 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,
9 repairing, altering, relocating, or replacing any of them, without need to obtain permission from
10 or pay compensation to the owner of the property.

11 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
12 enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City