

**CITY OF BALTIMORE
COUNCIL BILL 15-0515
(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: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of General Services, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**City Streets – Opening –**
3 **Air Rights over a Portion of a 10-Foot Alley in the Rear of**
4 **435-439 East Lafayette Avenue**

5 FOR the purpose of condemning and opening air rights over a portion of a 10-foot alley in the
6 rear of 435-439 East Lafayette Avenue, extending westerly 56 feet, more or less, from
7 Greenmount Avenue, as shown on Plat 202-A-61 in the Office of the Department of General
8 Services; and providing for a special effective date.

9 BY authority of
10 Article I - General Provisions
11 Section 4
12 and
13 Article II - General Powers
14 Sections 2, 34, and 35
15 Baltimore City Charter
16 (1996 Edition)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Department of General Services shall proceed to condemn and open air rights over a portion of a
19 10-foot alley in the rear of 435-439 East Lafayette Avenue, extending westerly 56 feet, more or
20 less, from Greenmount Avenue, and more particularly described as all that land lying above an
21 elevation of 112.00 feet (Baltimore City Vertical Datum) and contained within the following
22 metes and bounds, to wit:

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

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

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1 of beginning being distant 100.15 feet measured along the west side of said
2 Greenmount Avenue from the south side of said Lafayette Avenue, and running
3 thence and binding on the west side of said Greenmount Avenue

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

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

12 As delineated on Plat 202-A-61, prepared by the S.J. Martenet and Company, Inc., and filed on
13 February 24, 2014, in the Office of the Department of General Services.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
15 opening of air rights over a portion of a 10-foot alley in the rear of 435-439 East Lafayette
16 Avenue, extending westerly 56 feet, more or less, from Greenmount Avenue, and the rights of all
17 interested parties shall be regulated by and in accordance with all applicable provisions of state
18 and local law and with all applicable rules and regulations adopted by the Director of General
19 Services and filed with the Department of Legislative Reference.

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