

**CITY OF BALTIMORE
COUNCIL BILL 07-0792
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: September 17, 2007
Assigned to: Highways and Franchises Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Philpot Street, Wills Street, Block Street and Dock Street,**
4 **Lying Within the Fells Point Urban Renewal Area**

5 FOR the purpose of condemning and closing certain streets lying within the Fells Point Urban
6 Renewal Area, (1) Philpot Street, extending from Thames Street, Westerly 419.7 feet, more
7 or less, to its westernmost extremity thereof; (2) Wills Street, extending from Philpot Street,
8 Northerly 481.6 feet, more or less, to Dock Street; (3) Block Street, extending from Caroline
9 Street, Westerly 427.4 feet, more or less, to Wills Street; and (4) Dock Street, extending from
10 Caroline Street, Westerly 261.6 feet, more or less, to its westernmost extremity thereof, as
11 shown on Plat 349-A-13A in the Office of the Department of Public Works; and providing
12 for a special effective date.

13 BY authority of
14 Article I - General Provisions
15 Section 4
16 and
17 Article II - General Powers
18 Sections 2, 34, 35
19 Baltimore City Charter
20 (1996 Edition)

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
22 Department of Public Works shall proceed to condemn and close certain streets lying within the
23 Fells Point Urban Renewal Area, (1) Philpot Street, extending from Thames Street, Westerly
24 419.7 feet, more or less, to its westernmost extremity thereof; (2) Wills Street, extending from
25 Philpot Street, Northerly 481.6 feet, more or less, to Dock Street; (3) Block Street, extending
26 from Caroline Street, Westerly 427.4 feet, more or less, to Wills Street; and (4) Dock Street,
27 extending from Caroline Street, Westerly 261.6 feet, more or less, to its westernmost extremity
28 thereof, and more particularly described as follows:

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

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1 Beginning for Parcel No. 1 at the point formed by the intersection of the north
2 side of Philpot Street, varying in width, and the northwest side of Thames Street,
3 60 feet wide, and running thence binding on the northwest side of said Thames
4 Street, Southwesterly 61.9 feet, more or less, to intersect the south side of said
5 Philpot Street; thence binding on the south side of said Philpot Street, Westerly
6 411.0 feet, more or less, to the westernmost extremity of said Philpot Street;
7 thence binding on the westernmost extremity of said Philpot Street, Northerly
8 60.0 feet, to intersect the north side of said Philpot Street, and thence binding on
9 the north side of said Philpot Street, Easterly 428.3 feet, more or less, to the place
10 of beginning.

11 Beginning for Parcel No. 2 at the point formed by the intersection of the east side
12 of Wills Street, 60 feet wide, and the north side of Philpot Street, varying in
13 width, and running thence binding on the north side of said Philpot Street,
14 Westerly 60.0 feet, to intersect the west side of said Wills Street; thence binding
15 on the west side of said Wills Street, Northerly 475.1 feet, more or less, to
16 intersect the south side of Dock Street, varying in width; thence binding on the
17 south side of said Dock Street, Easterly 61.4 feet, more or less, to intersect the
18 east side of said Wills Street, and thence binding on the east side of said Wills
19 Street, Southerly 488.2 feet, more or less, to the place of beginning.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the north
21 side of Block Street, 40 feet wide, and the southwest side of Caroline Street, 80
22 feet wide, and running thence binding on the southwest side of said Caroline
23 Street, Southeasterly 45.9 feet, more or less, to intersect the south side of said
24 Block Street; thence binding on the south side of said Block Street, Westerly
25 438.8 feet, more or less, to intersect the east side of Wills Street, 60 feet wide;
26 thence binding on the east side of said Wills Street, Northerly 40.0 feet, to
27 intersect the north side of said Block Street, and thence binding on the north side
28 of said Block Street, Easterly 416.0 feet, more or less, to the place of beginning.

29 Beginning for Parcel No. 4 at the point formed by the intersection of the north
30 side of Dock Street, varying in width, and the west side of Caroline Street, 80 feet
31 wide, and running thence binding on the west side of said Caroline Street,
32 Southerly 100.3 feet, more or less, to intersect the south side of said Dock Street;
33 thence binding on the south side of said Dock Street, Westerly 279.9 feet, more or
34 less, to the westernmost extremity of said Dock Street; thence binding on the
35 westernmost extremity of said Dock Street, Northerly 81.9 feet, more or less, to
36 intersect the north side of said Dock Street, and thence binding on the north side
37 of said Dock Street, Easterly 243.3 feet, more or less, to the place of beginning.

38 As delineated on Plat 349-A-13A, prepared by the Survey Control Section and filed on
39 September 7, 2007, in the Office of the Department of Public Works.

40 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
41 closing of the streets and the rights of all interested parties shall be regulated by and in
42 accordance with all applicable provisions of state and local law and with all applicable rules and
43 regulations adopted by the Director of Public Works and filed with the Department of
44 Legislative Reference.

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

8 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
9 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
10 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
11 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
12 or, at the expense of the person seeking to erect the building or structure, have been removed and
13 relaid in accordance with the specifications and under the direction of the Director of Public
14 Works of Baltimore City.

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

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

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