

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0321

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

Committee Report: Favorable
Council action: Adopted
Read second time: April 4, 2006

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Streets and Alleys Lying Within the Area Bounded by
Dickman Street, Hanover Street, the Middle Branch of the Patapsco River,
and the Former Bed of Leadenhall Street**

FOR the purpose of condemning and closing certain streets and alleys lying within the area bounded by Dickman Street, Hanover Street, the Middle Branch of the Patapsco River, and the former bed of Leadenhall Street, as shown on Plat 346-A-56A in the Office of the Department of Public Works; 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 Public Works shall proceed to condemn and close certain streets and alleys lying within the area bounded by Dickman Street, Hanover Street, the Middle Branch of the Patapsco River, and the former bed of Leadenhall Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Creek Alley, 20 feet wide, and the south side of Dickman Street, 66 feet wide, and running thence binding on the south side of said Dickman Street, Easterly 20.0 feet to intersect the east side of said Creek Alley; thence binding on the east side of said Creek Alley, Southerly 1213 feet, more or less, to the waters of the Middle Branch of the Patapsco River; thence binding along the waters of the

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 Middle Branch of the Patapsco River, Northwesterly 23 feet, more or less, to
2 intersect the west side of said Creek Alley, and thence binding on the west side of
3 said Creek Alley, Northerly 1201 feet, more or less, to the place of beginning.

4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Race Street, 66 feet wide, and the south side of Dickman Street, 66 feet wide,
6 and running thence binding on the south side of said Dickman Street, Easterly
7 66.0 feet to intersect the east side of said Race Street; thence binding on the east
8 side of said Race Street, Southerly 982 feet, more or less, to the waters of the
9 Middle Branch of the Patapsco River; thence binding along the waters of the
10 Middle Branch of the Patapsco River, Southwesterly 142 feet, more or less, to
11 intersect the west side of said Race Street, and thence binding on the west side of
12 said Race Street, Northerly 1108 feet, more or less, to the place of beginning.

13 Beginning for Parcel No. 3 at the point formed by the intersection of the north
14 side of a 10-foot alley, and the west side of Race Street, 66 feet wide, said point
15 of beginning being distant southerly 75.0 feet, more or less, measured along the
16 west side of said Race Street from the south side of Dickman Street, 66 feet wide,
17 and running thence binding on the west side of said Race Street, Southerly 10.0
18 feet to intersect the south side of said 10-foot alley; thence binding on the south
19 side of said 10-foot alley, Westerly 80.0 feet, more or less, to intersect the east
20 side of a 10-foot alley, there situate; thence binding on the east side of last said
21 10-foot alley, Southerly 75.0 feet, more or less, to intersect the north side of a 12-
22 foot alley, laid out parallel with and distant 160.0 feet, more or less, southerly
23 from the south side of said Dickman Street; thence binding on the north side of
24 said 12-foot alley, Westerly 10.0 feet to intersect the west side of last said 10-foot
25 alley; thence binding on the west side of last said 10-foot alley, Northerly 85.0
26 feet, more or less, to intersect the north side of said 10-foot alley, mentioned
27 firstly herein, and thence binding on the north side of said 10-foot alley,
28 mentioned firstly herein, Easterly 90.0 feet, more or less, to the place of
29 beginning.

30 Beginning for Parcel No. 4 at the point formed by the intersection of the north
31 side of a 12-foot alley, and the west side of Race Street, 66 feet wide, said point
32 of beginning being distant southerly 160.0 feet, more or less, measured along the
33 west side of said Race Street from the south side of Dickman Street, 66 feet wide,
34 and running thence binding on the west side of said Race Street, Southerly 12.0
35 feet to intersect the south side of said 12-foot alley; thence binding on the south
36 side of said 12-foot alley, Westerly 200.0 feet, more or less, to intersect the east
37 side of Creek Alley, 20 feet wide; thence binding on the east side of said Creek
38 Alley, Northerly 12.0 feet to intersect the north side of said 12-foot alley, and
39 thence binding on the north side of said 12-foot alley, Easterly 200.0 feet, more or
40 less, to the place of beginning.

41 Beginning for Parcel No. 5 at the point formed by the intersection of the west side
42 of Clarkson Street, 40 feet wide, and the south side of Dickman Street, 66 feet
43 wide, and running thence binding on the south side of said Dickman Street,
44 Easterly 40.0 feet to intersect the east side of said Clarkson Street; thence binding
45 on the east side of said Clarkson Street, Southerly 409.0 feet, more or less, to
46 intersect the southeast side of Clarkson Street, as realigned and widened to a
47 width of 60 feet; thence binding on the southeast side of last said Clarkson Street,

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1 Southwesterly 113.0 feet, more or less, to intersect the west side of said Clarkson
2 Street, mentioned firstly herein, and thence binding on the west side of said
3 Clarkson Street, mentioned firstly herein, Northerly 516.0 feet, more or less, to
4 the place of beginning.

5 Beginning for Parcel No. 6 at the point formed by the intersection of the west side
6 of Clarkson Street, 40.0 feet wide, and the southwest side of Cromwell Street,
7 varying in width, and running thence binding on the southwest side of said
8 Cromwell Street, Southeasterly 60.1 feet, more or less, to intersect the east side of
9 said Clarkson Street; thence binding on the east side of said Clarkson Street,
10 Southerly 242 feet, more or less, to the waters of the Middle Branch of the
11 Patapsco River; thence binding along the waters of the Middle Branch of the
12 Patapsco River, Northwesterly 62 feet, more or less, to intersect the west side of
13 said Clarkson Street, and thence binding on the west side of said Clarkson Street,
14 Northerly 239 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 7 at the point formed by the intersection of the north
16 side of Moale Street, 66 feet wide, and the west side of Hanover Street, varying in
17 width, and running thence binding on the west and north sides of said Hanover
18 Street, the three following courses and distances; namely, Southerly 28.6 feet,
19 more or less, Easterly 6.0 feet, more or less, and Southerly 37.4 feet, more or less,
20 to intersect the south side of said Moale Street; thence binding on the south side
21 of said Moale Street, Westerly 106.6 feet, more or less, to intersect the east side
22 of Clarkson Street, 60 feet wide; thence binding on the east side of said Clarkson
23 Street, the two following courses and distances; namely, Northerly 19.6 feet, more
24 or less, and Northerly by an arc curving to the left with a radius of 666.84 feet the
25 distance of 50.2 feet, more or less, to intersect the north side of said Moale Street,
26 and thence binding on the north side of said Moale Street, Easterly 75.5 feet,
27 more or less, to the place of beginning.

28 Beginning for Parcel No. 8 at the point formed by the intersection of the east side
29 of Clarkson Street, 40 feet wide, and the north side of Moale Street, 66 feet wide,
30 and running thence binding on the north side of said Moale Street, Easterly 32.5
31 feet, more or less, to intersect the west side of Clarkson Street, as realigned and
32 widened to a width of 60 feet; thence binding on the west side of last said
33 Clarkson Street, the two following courses and distances; namely, Southerly by
34 an arc curving to the right with a radius of 606.84 feet the distance of 28.2 feet,
35 more or less, and Southerly 42.0 feet, more or less, to intersect the south side of
36 said Moale Street; thence binding on the south side of said Moale Street, Westerly
37 8.5 feet, more or less, to intersect the east side of said Clarkson Street, mentioned
38 firstly herein, and thence binding on the east side of said Clarkson Street,
39 mentioned firstly herein, Northerly 66.0 feet to the place of beginning.

40 Beginning for Parcel No. 9 at the point formed by the intersection of the north
41 side of Moale Street, 66 feet wide, and the west side of Clarkson Street, 40 feet
42 wide, and running thence binding on the west side of said Clarkson Street,
43 Southerly 66.0 feet to intersect the south side of said Moale Street; thence binding
44 on the south side of said Moale Street, Westerly 168.0 feet, more or less, to
45 intersect the east side of Race Street, 66 feet wide; thence binding on the east side
46 of said Race Street, Northerly 66.0 feet to intersect the north side of said Moale

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1 Street, and thence binding on the north side of said Moale Street, Easterly 168.0
2 feet, more or less, to the place of beginning.

3 Beginning for Parcel No. 10 at the point formed by the intersection of the north
4 side of Moale Street, 66 feet wide, and the west side of Race Street, 66 feet wide,
5 and running thence binding on the west side of said Race Street, Southerly 66.0
6 feet, to intersect the south side of said Moale Street; thence binding on the south
7 side of said Moale Street, Westerly 200.0 feet, more or less, to intersect the east
8 side of Creek Alley, 20 feet wide; thence binding on the east side of said Creek
9 Alley, Northerly 66.0 feet to intersect the north side of said Moale Street, and
10 thence binding on the north side of said Moale Street, Easterly 200.0 feet, more or
11 less, to the place of beginning.

12 Beginning for Parcel No. 11 the point formed by the intersection of the south side
13 of Cromwell Street, 50 feet wide, and the east side of Clarkson Street, 40 feet
14 wide, and running thence binding on the east side of said Clarkson Street,
15 Northerly 50.0 feet to intersect the north side of said Cromwell Street; thence
16 binding on the north side of said Cromwell Street, Easterly 25.3 feet, more or less,
17 to intersect the southwest side of Cromwell Street, as realigned and widened to a
18 varying width; thence binding on the southwest side of last said Cromwell Street,
19 the three following courses and distances; namely, Southeasterly 13.8 feet, more
20 or less, Southeasterly by an arc curving to the left with a radius of 187.33 feet the
21 distance of 60.8 feet, more or less, and Easterly by an arc curving to the left with
22 a radius of 102.21 feet the distance of 5.6 feet, more or less, to intersect the south
23 side of said Cromwell Street, mentioned firstly herein, and thence binding on the
24 south side of said Cromwell Street, mentioned firstly herein, Westerly 87.0 feet,
25 more or less, to the place of beginning.

26 Beginning for Parcel No. 12 at the point formed by the intersection of the north
27 side of Cromwell Street, 50 feet wide, and the west side of Clarkson Street, 40
28 feet wide, and running thence binding on the west side of said Clarkson Street,
29 Southerly 50.0 feet to intersect the south side of said Cromwell Street; thence
30 binding on the south side of said Cromwell Street, Westerly 168.0 feet, more or
31 less, to intersect the east side of Race Street, 66 feet wide; thence binding on the
32 east side of said Race Street, Northerly 50.0 feet to intersect the north side of said
33 Cromwell Street, and thence binding on the north side of said Cromwell Street,
34 Easterly 168.0 feet, more or less, to the place of beginning.

35 Beginning for Parcel No. 13 at the point formed by the intersection of the north
36 side of Cromwell Street, 50 feet wide, and the west side of Race Street, 66 feet
37 wide, and running thence binding on the west side of said Race Street, Southerly
38 50.0 feet to intersect the south side of said Cromwell Street; thence binding on the
39 south side of said Cromwell Street, Westerly 200.0 feet, more or less, to intersect
40 the east side of Creek Alley, 20 feet wide; thence binding on the east side of said
41 Creek Alley, Northerly 50.0 feet to intersect the north side of said Cromwell
42 Street, and thence binding on the north side of said Cromwell Street, Easterly
43 200.0 feet, more or 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 Cromwell Street, 50 feet wide, and the west side of Creek Alley, 20 feet
46 wide, and running thence binding on the west side of said Creek Alley, Southerly

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1 50.0 feet to intersect the south side of said Cromwell Street; thence binding on the
2 south side of said Cromwell Street, Westerly 200.0 feet, more or less, to intersect
3 the east side of the former bed of Leadenhall Street, 66 feet wide; thence binding
4 on the east side of the former bed of said Leadenhall Street, Northerly 50.0 feet to
5 intersect the north side of said Cromwell Street, and thence binding on the north
6 side of said Cromwell Street, Easterly 200.0 feet, more or less, to the place of
7 beginning.

8 As delineated on Plat 346-A-56A, prepared by the Survey Control Section and filed on October
9 7, 2005, in the Office of the Department of Public Works.

10 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
11 closing of certain streets and alleys and the rights of all interested parties shall be regulated by
12 and in accordance with all applicable provisions of state and local law and with all applicable
13 rules and regulations adopted by the Director of Public Works and filed with the Department of
14 Legislative Reference.

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

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

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

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

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

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City