

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 09-0282**

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Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: February 9, 2009  
Assigned to: Highways and Franchises Subcommittee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: June 8, 2009

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**AN ORDINANCE CONCERNING**

**City Streets – Closing –  
Hawkins Point Road**

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2  
3 FOR the purpose of condemning and closing Hawkins Point Road, extending from Fort  
4 Armistead Road Southwesterly 449.8 feet, more or less, to an access ramp to northbound  
5 Interstate Route No. 695, as shown on Plat 114-A-50 in the Office of the Department of  
6 Public Works; and providing for a special effective date.

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

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
16 Department of Public Works shall proceed to condemn and close Hawkins Point Road,  
17 extending from Fort Armistead Road Southwesterly 449.8 feet, more or less, to an access ramp  
18 to northbound Interstate Route No. 695, and more particularly described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the south  
20 side of Hawkins Point Road, varying in width, and the northwest side of Fort  
21 Armistead Road, varying in width, and running thence binding on the south side  
22 of said Hawkins Point Road Westerly by a line curving to the right with a radius  
23 of 1093.90 feet the distance of 397.1 feet, more or less, to intersect the east side of  
24 an access ramp to north bound Interstate Route No. 695, varying in width, there  
25 situate; thence binding on the east side of said access ramp to north bound  
26 Interstate Route No. 695 Northerly 50.8 feet, more or less, to intersect the  
27 northwest side of said Hawkins Point Road; thence binding on the northwest side  
28 of said Hawkins Point Road Northeasterly by a line curving to the left with a

**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 radius of 987.45 feet the distance of 502.5 feet, more or less, to intersect the  
2 northwest side of said Fort Armistead Road, and thence binding on the northwest  
3 side of said Fort Armistead Road the two following courses and distances;  
4 namely, Southwesterly 51.3 feet, more or less, and Southwesterly by a line  
5 curving to the right with a radius of 1749.72 feet the distance of 97.6 feet, more or  
6 less, to the place of beginning.

7 As delineated on Plat 114-A-50, prepared by the Survey Control Section and filed on September  
8 23, 2008, in the Office of the Department of Public Works.

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

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

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

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

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

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

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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\_\_

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Mayor, Baltimore City