

**CITY OF BALTIMORE
COUNCIL BILL 07-0795
(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 **Certain Streets and 3 Varying in Width Parcels Located in Hollander Ridge**

4 FOR the purpose of condemning and closing certain streets located in Hollander Ridge (1)
5 Dillehunt Drive, extending from 62nd Street, southeasterly, easterly, northeasterly and
6 northerly to Odell Avenue; (2) Odell Avenue, extending from the northwest corner of the
7 property known as No. 1607 Odell Avenue, northwesterly and northerly to the northernmost
8 extremity thereof; and (3) 3 parcels of land located along the west and north sides of Old
9 62nd Street, as shown on Plat 311-A-14E in the Office of the Department of Public Works;
10 and providing for a special effective date.

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

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
20 Department of Public Works shall proceed to condemn and close certain streets located in
21 Hollander Ridge (1) Dillehunt Drive, extending from 62nd Street, southeasterly, easterly,
22 northeasterly and northerly to Odell Avenue; (2) Odell Avenue, extending from the northwest
23 corner of the property known as No. 1607 Odell Avenue, northwesterly and northerly to the
24 northernmost extremity thereof; and (3) 3 parcels of land located along the west and north sides
25 of Old 62nd Street, and more particularly described as follows:

26 Beginning for Parcel No. 1 at the point formed by the intersection of the southeast
27 side of Dillehunt Drive, varying in width, and the east side of 62nd Street, 60 feet
28 wide, said point of beginning being distant 302.7 feet, more or less, measured
29 along the east side of said 62nd Street from the northwest side of Pulaski

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

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1 Highway US Route 40, 150 feet wide, and running thence binding on the east side
2 of said 62nd Street, North 12° 08' 50" West 90.00 feet, to intersect the north side
3 of said Dillehunt Drive, varying in width; thence binding on the north side of said
4 Dillehunt Drive, South 57° 08' 50" East 21.21 feet to intersect the north side of
5 Dillehunt Drive, 60 feet wide; thence binding on the north and northwest sides of
6 last said Dillehunt Drive, the three following courses and distances; namely,
7 North 77° 51' 10" East 104.85 feet, by a tangent arc curving to the left with a
8 radius of 120.00 feet the distance of 118.59 feet which arc is subtended by a chord
9 bearing North 49° 32' 28" East 113.82 feet and by a tangent line North 21° 13'
10 45" East 142.24 feet to intersect the north side of Dillehunt Drive, varying in
11 width; thence by a tangent arc curving to the left with a radius of 95.00 feet the
12 distance of 81.33 feet which arc is subtended by a chord bearing North 03° 17'
13 42" West 78.86 feet to intersect the southwest side of Odell Avenue, 60 feet wide;
14 thence binding in part on said Odell Avenue, 60 feet wide, on the line of Odell
15 Avenue, if projected southeasterly, and in all, South 27° 49' 09" East 122.78 feet
16 to intersect the southeast side of Dillehunt Drive, varying in width; thence binding
17 in part on the southeast side of Dillehunt Drive, varying in width, in part on the
18 southeast side of Dillehunt Drive, 60 feet wide, and in all, South 21° 13' 45" West
19 133.52 feet; thence binding on the southeast and south sides of Dillehunt Drive,
20 60 feet wide, the two following courses and distances; namely, by a tangent arc
21 curving to the right with a radius of 180.00 feet the distance of 177.89 feet which
22 arc is subtended by a chord bearing South 49° 32' 28" West 170.74 feet and by a
23 tangent line, South 77° 51' 10" West 104.85 feet, to intersect the southeast side of
24 said Dillehunt Drive, varying in width, mentioned firstly herein, thence binding
25 on the southeast side of said Dillehunt Drive, mentioned firstly herein, South 32°
26 51' 10" West 21.21 feet to the place of beginning.

27 Containing 26,138 square feet or 0.6000 acre of land, more or less.

28 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast
29 side of Odell Avenue, 50 feet wide, and the northwest corner of the property
30 known as No.1607 Odell Avenue, said point of beginning being distant North 27°
31 49' 09" West 558.45 feet measured along the northeast side of said Odell Avenue
32 from the northwest side of Pulaski Highway US Route 40, 150 feet wide, and
33 running thence binding on the northwest corner of said property, and the line of
34 the northwest corner of said property, if projected southwesterly, and in all, South
35 62° 58' 12" West 60.01 feet to intersect the southwest side of Odell Avenue, as
36 widened from its former width of 50 feet wide to 60 feet wide; thence binding on
37 the southwest and west sides of last said Odell Avenue, the twelve following
38 courses and distances; namely, North 27° 49' 09" West 7.17 feet, by a tangent arc
39 curving to the right with a radius of 350.00 feet the distance of 164.65 feet which
40 arc is subtended by a chord bearing North 14° 20' 32" West 163.14 feet, by a
41 tangent line North 00° 51' 55" West 172.09 feet, by a tangent arc curving to the
42 right with a radius of 350.00 feet the distance of 183.51 feet which arc is
43 subtended by a chord bearing North 14° 09' 17" East 181.41 feet, by a tangent
44 line North 29° 10' 30" East 50.52 feet, by a tangent arc curving to the left with a
45 radius of 250.00 feet the distance of 229.03 feet which arc is subtended by a chord
46 bearing North 02° 55' 48" East 221.11 feet, by a tangent line North 23° 18' 54"
47 West 58.48 feet, by a tangent arc curving to the right with a radius of 350.00 feet
48 the distance of 161.94 feet which arc is subtended by a chord bearing North 10°
49 03' 35" West 160.50 feet, by a tangent line North 03° 11' 44" East 64.81 feet, by

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1 a tangent arc curving to the right with a radius of 350.00 feet the distance of
2 105.71 feet which arc is subtended by a chord bearing North 11° 50' 53" East
3 105.31 feet, by a line curving to the left with a radius of 140.00 feet the distance
4 of 47.85 feet which arc is subtended by a chord bearing North 10° 42' 35" East
5 47.62 feet and by a tangent line North 00° 55' 06" East 112.87 feet to intersect the
6 beginning of the northernmost extremity of the cul-de-sac for Odell Avenue,
7 varying in width; thence binding on the west, north, and east sides of said cul-de-
8 sac by an arc curving to the right with a radius of 70.00 feet the distance of
9 262.60 feet which arc is subtended by a chord bearing South 71° 36' 35" East
10 133.54 feet to intersect the northwest side of Odell Avenue, varying in width;
11 thence binding on the northwest, east and north sides of last said Odell Avenue,
12 the four following courses and distances; namely, by a tangent line South 35° 51'
13 43" West 72.27 feet, by a tangent arc curving to the left with a radius of 300.00
14 feet the distance of 171.04 feet which arc is subtended by a chord bearing South
15 19° 31' 43" West 168.73 feet, by a tangent line South 03° 11' 44" West 40.38 feet
16 and South 80° 13' 53" West 10.64 feet to intersect the east side of Odell Avenue,
17 60 feet wide, and thence binding on the east, northeast, northwest, and northeast
18 sides of last said Odell Avenue, the five following courses and distances; namely,
19 South 09° 45' 16" East 49.20 feet, by a tangent arc curving to the left with a radius
20 of 290.00 feet the distance of 114.60 feet which arc is subtended by a chord
21 bearing South 11° 59' 39" East 113.86 feet, by a tangent line South 23° 18' 54"
22 East 58.48 feet, by a tangent arc curving to the right with a radius of 310.00 feet
23 the distance of 284.00 feet which arc is subtended by a chord bearing South 02°
24 55' 48" West 274.17 feet and by a tangent line South 29° 10' 30" West 13.74 feet
25 to intersect the northwest side of Hilltop Avenue, 40 feet wide; thence binding on
26 the northwest and northeast sides of said Hilltop Avenue, the two following
27 courses and distances; namely, South 61° 20' 05" West 44.02 feet and South 25°
28 11' 35" East 29.49 feet to intersect the east side of Odell Avenue, 60 feet wide,
29 and thence binding on the east and northeast sides of said Odell Avenue, the four
30 following courses and distances; namely, by a non-tangent arc curving to the left
31 with a radius of 290.00 feet the distance of 134.37 feet which arc is subtended by
32 a chord bearing South 12° 24' 29" West 133.17 feet, by a tangent line, South 00°
33 51' 55" East 172.09 feet, by a tangent arc curving to the left with a radius of
34 290.00 feet the distance of 136.43 feet which arc is subtended by a chord bearing
35 South 14° 20' 32" East 135.17 feet and South 27° 49' 09" East 8.00 feet to the
36 place of beginning.

37 Containing 93,715 square feet or 2.1514 acres of land, more or less.

38 Beginning for Parcel No. 3 at a point on the west side of 62nd Street, as now laid
39 out 60 feet wide, said point of beginning being N 12° 08' 50" W 2,850.85 feet
40 measured along the said west side of 62nd Street from the northwest side of
41 Pulaski Highway US Route 40, 150 feet wide, said point of beginning having a
42 coordinate value of East 23,500.44 feet and North 7,274.68 feet, and running
43 thence binding on the west side of the old alignment for 62nd Street, 60 feet wide,
44 the two following courses and distances; namely, by a line curving to the right
45 with a radius of 185.00 feet the distance of 140.12 feet which arc is subtended by
46 a chord bearing North 09° 33' 05" East 136.80 feet and by a tangent line North
47 31° 14' 59" East 380.80 feet to intersect the western new alignment for 62nd
48 Street; thence binding on the western new alignment for 62nd Street, the three
49 following courses and distances; namely, by an line curving to the right with a

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1 radius of 470.00 feet the distance of 36.57 feet which arc is subtended by a chord
2 bearing South 29° 14' 20" West 36.56 feet, by a tangent line South 31° 28' 05"
3 West 318.50 feet and by a tangent arc curving to the left with a radius of 211.33
4 feet the distance of 160.87 feet which arc is subtended by a chord bearing South
5 09° 39' 38" West 157.01 feet to intersect the south side of the newly realigned
6 62nd Street, and thence binding on the south side of the newly realigned 62nd
7 Street, South 77° 51' 10" West 10.00 feet to the place of beginning.

8 Containing 1,243 square feet or 0.0285 acre of land, more or less.

9 Beginning for Parcel No. 4 at a point on the west side of a Portion of Old 62nd
10 Street, 60 feet wide, said point of beginning being approximately 3,410.0 feet,
11 more or less, northerly measured along the west side of said 62nd Street from the
12 northwest side of Pulaski Highway US Route 40, 150 feet wide, having a
13 coordinate value of East 23,636.64 feet and North 7,769.87 feet, and running
14 thence binding on a Portion of Old 62nd Street, the seven following courses and
15 distances; namely, by a line curving to the right with a radius of 470.00 feet the
16 distance of 5.39 feet which arc is subtended by a chord bearing South 22° 40' 40"
17 West 5.39 feet, by a line curving to the left with a radius of 120.00 feet the
18 distance of 36.11 feet which arc is subtended by a chord bearing North 08° 37'
19 02" East 35.98 feet, by a tangent line North 00° 00' 15" West 109.55 feet, by a
20 tangent arc curving to the right with a radius of 180.00 feet the distance of 99.32
21 feet which arc is subtended by a chord bearing North 15° 48' 12" East 98.07 feet,
22 by a tangent line North 31° 36' 39" East 212.73 feet, by a tangent arc curving to
23 the right with a radius of 155.00 feet the distance of 157.95 feet which arc is
24 subtended by a chord bearing North 60° 48' 12" East 151.20 feet and by a tangent
25 line, North 89° 59' 45" East 91.29 feet to intersect the north side of the Realigned
26 62nd Street, 60 feet wide; thence binding on the north side of said Realigned 62nd
27 Street, by a line curving to the left with a radius of 180.00 feet the distance of
28 176.85 feet which arc is subtended by a chord bearing South 61° 50' 58" West
29 169.82 feet to intersect the Old Portion of 62nd Street, and thence binding on the
30 Old Portion of said 62nd Street, the five following courses and distances; namely,
31 by a line curving to the left with a radius of 95.00 feet the distance of 33.85 feet
32 which arc is subtended by a chord bearing South 41° 49' 04" West 33.67 feet, by
33 a tangent line, South 31° 36' 39" West 212.73 feet, by a tangent arc curving to the
34 left with a radius of 120.00 feet the distance of 49.53 feet which arc is subtended
35 by a chord bearing South 19° 47' 09" West 49.18 feet, by a line curving to the left
36 with a radius of 530.00 feet the distance of 1.19 feet which arc is subtended by a
37 chord bearing South 22° 24' 50" West 1.19 feet and by a tangent line, South 22°
38 20' 58" West 168.33 feet to the place of beginning.

39 Containing 28,622 square feet or 0.6571 acre of land, more or less.

40 Beginning for Parcel No. 5 on the east side of a Portion of the Old 62nd Street, 60
41 feet wide, said point of beginning having a coordinate value East 23,673.84 feet
42 and North 7,707.08 feet, and running thence binding on the side of Old 62nd
43 Street and the Realigned 62nd Street, 60 feet wide, the three following courses
44 and distances; namely, South 31° 14' 59" West 1.43 feet, by a line curving to the
45 left with a radius of 530.00 feet the distance of 42.13 feet which arc is subtended
46 by a chord bearing North 24° 58' 48" East 42.12 feet and by a line curving to the

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1 right with a radius of 180.00 feet the distance of 40.78 feet which arc is subtended
2 by a chord bearing South 24° 45' 34" West 40.69 feet to the place of beginning.

3 Containing 23 square feet or 0.0005 acre of land, more or less.

4 As delineated on Plat 311-A-14E, prepared by the Survey Control Section and filed on
5 September 7, 2007, in the Office of the Department of Public Works.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
7 closing of the streets or portions of them and the rights of all interested parties shall be regulated
8 by and in accordance with all applicable provisions of state and local law and with all applicable
9 rules and regulations adopted by the Director of Public Works and filed with the Department of
10 Legislative Reference.

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

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

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

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

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