

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0517

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: September 25, 2006
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: November 20, 2006

AN ORDINANCE CONCERNING

1 Release of Right of Way – a 6.75 Foot Right-of-Way Granted to the Mayor and City
2 Council of Baltimore Through the Property of 316 Guilford Avenue, L.L.C.

3 FOR the purpose of authorizing the release and surrender by the Mayor and City Council
4 of Baltimore of all of its interests in and to the 6.75 foot wide right-of-way heretofore
5 granted to the City of Baltimore through the property of Market Tavern, Inc., currently
6 owned by 316 Guilford Avenue, L.L.C.; the location and course of the 6.75 foot wide right-
7 of-way to be released being shown on a plat numbered R.W.20-35944; and providing for a
8 special effective date.

9 By authority of
10 Article I - General Provisions
11 Section 4
12 and
13 Article II - General Powers
14 Section 31
15 Baltimore City Charter
16 (1996 Edition)

17 Recitals

18 **WHEREAS**, By the Agreement dated September 30, 1999, and recorded among the Land
19 Records of Baltimore City in Liber F.M.C. No. 326, Folio 154, Market Tavern, Inc., granted to
20 the Mayor and City Council of Baltimore the right-of-way shown on a plat numbered R.W.20-
21 35944 and dated September 13, 1999, which plat is recorded with the Agreement; and

22 **WHEREAS**, The right-of-way hereinafter described is no longer needed for public use, the
23 public utility that had previously been therein having been abandoned and/or relocated to another
24 right-of-way that was granted to the Mayor and City Council of Baltimore.

25 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
26 Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City

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 Council of Baltimore to execute and deliver unto the owner or owners of the land within the
2 right-of-way hereinafter described, a release and surrender of all of the interest of the City of
3 Baltimore in the right-of-way described as follows:

4 Beginning for a 6.75 foot Right-of-Way to be extinguished at a point on the east
5 side of Davis Street, 40 feet wide, said point of beginning also being the
6 beginning of a Right-of-Way for Municipal Utilities and Services as shown on a
7 plat numbered R.W.20-35944 dated September 13, 1999 and attached to an
8 agreement by and between Market Tavern, Inc., currently owned by 316 Guilford
9 Avenue, L.L.C., and the Mayor and City Council of Baltimore dated September
10 30, 1999 and recorded among the Land Records of Baltimore City in Liber
11 F.M.C. No. 326, Folio 154, having a coordinate value of East 1,042.754 feet and
12 South 1,608.348 feet, and running thence binding on the east side of said Davis
13 Street, North 02° 51' 12" West 14.00 feet; thence binding on the north, east and
14 south sides of said Right of Way, the three following courses and distances;
15 namely, North 87° 08' 48" East 6.75 feet, South 02° 51' 12" East 13.99 feet and
16 South 87° 03' 44" West 6.75 feet to the place of beginning.

17 Containing 94.47 square feet of land, more or less.

18 All courses and distances in the above description are referred to the true meridian as
19 adopted by the Baltimore Survey Control System.

20 The use of the right-of-way described hereinabove is no longer needed for public purposes.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That no deed may pass under this Ordinance
22 unless the deed has been approved by the City Solicitor.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
24 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