

**CITY OF BALTIMORE
COUNCIL BILL 10-0508
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: May 17, 2010
Assigned to: Highways and Franchises Subcommittee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Ivymount Road**

4 FOR the purpose of condemning and closing Ivymount Road, extending from the westernmost
5 extremity thereof, Easterly 90.0 feet, more or less, as shown on Plat 349-A-25A in the Office
6 of the Department of General Services; 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 General Services shall proceed to condemn and close Ivymount Road, extending
17 from the westernmost extremity thereof, Easterly 90.0 feet, more or less, and more particularly
18 described as follows:

19 Beginning for the same at the point labeled 1 as shown on a plat entitled
20 “Subdivision Plat – Green Meadow” dated April 29, 1988 and recorded among
21 the Land Records of Baltimore City in Plat Book S.E.B. No. 3220, having a
22 coordinate value of North 25,501.96 feet and West 16,040.86 feet as shown
23 thereon; thence departing said point, so fixed, and binding on the west end of
24 Ivymount Road, 50 feet wide, as shown on said plat, Northerly for a distance of
25 50 feet to a point labeled 23 as shown on said plat and the north side of said
26 Ivymount Road; thence binding on the north side of said Ivymount Road, Easterly
27 for a distance of 89.91 feet to a point labeled 28 and also being the southeast
28 corner of Lot 10 as shown on said plat; thence binding on the easterly line of Lot
29 10 of said plat, if projected southerly for a distance of 50 feet to intersect the

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

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1 south side of said Ivymount Road; thence binding on the south side of said
2 Ivymount Road, Westerly for a distance of 90.0 feet, more or less, to the place of
3 beginning.

4 As delineated on Plat 349-A-25A, prepared by the Survey Control Section and filed on January
5 22, 2010, in the Office of the Department of General Services.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
7 closing of Ivymount Road and the rights of all interested parties shall be regulated by and in
8 accordance with all applicable provisions of state and local law and with all applicable rules and
9 regulations adopted by the Director of General Services 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.