

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0174

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: January 8, 2018
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2018

AN ORDINANCE CONCERNING

**City Streets – Closing –
Brunt Court and Certain Alleys Bounded by Robert Street,
Division Street, Wilson Street, and Brunt Street**

FOR the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A in the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southeast side of Robert Street 66 feet wide and the southwest side of a 10-foot alley, the point of beginning being distant Northeasterly 84 feet measured along the southeast side of Robert Street from the northeast side of Brunt Street 20 feet wide; thence binding on the southeast side of Robert Street Northeasterly 10 feet to the northeast side of the 10-foot alley; thence leaving the southeast side of Robert Street and binding on the northeast side of the 10-foot alley Southeasterly 200 feet, more or less, to intersect the northwest side of Mission Court varying in width; thence binding on the northwest side of Mission Court Southwesterly 10

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 feet to the southwest side of the 10-foot alley; thence binding on the southwest
2 side of the 10-foot alley Northwesterly 200 feet, more or less, to the place of
3 beginning.

4 Containing 2,000 square feet or 0.046 acres, more or less.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast
6 side of Brunt Street 20 feet wide and the northwest side of Brunt Court varying in
7 width, the point of beginning being distant Southeasterly 198 feet measured along
8 the northeast side of Brunt Street from the southwest side of Laurens Street 66
9 feet wide; thence leaving the northeast side of Brunt Street and binding on the
10 northwest side of Brunt Court Northeasterly 172 feet, more or less, to intersect the
11 southwest side of Division Street 66 feet wide; thence binding on the southwest
12 side of Division Street Southeasterly 12 feet, more or less, to the southeast side of
13 Brunt Court; thence leaving the southwest side of Division Street and binding on
14 the southeast side of Brunt Court the 3 following courses and distances:
15 Southwesterly 47 feet, more or less, thence Southerly 7 feet, more or less, thence
16 Southwesterly 120 feet, more or less, to intersect the northeast side of Brunt
17 Street; and thence binding on the northeast side of Brunt Street Northwesterly 23
18 feet, more or less, to the place of beginning.

19 Containing 3,025 square feet or 0.069 acres, more or less.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the southeast
21 side of an 8-foot alley and the southwest side of a 10-foot alley, the point of
22 beginning being distant Northeasterly 80 feet measured along the southeastern
23 side of the 8-foot alley from the northeast side of Brunt Street 20 feet wide; thence
24 binding on the southeast side of the 8-foot alley Northeasterly 10 feet to the
25 northeast side of the 10-foot alley; thence leaving the southeast side of the 8-foot
26 alley and binding on the northeast side of the 10-foot alley Southeasterly 120 feet,
27 more or less, to intersect the northwest side of Brunt Court varying in width;
28 thence binding on the northwest side of Brunt Court Southwesterly 10 feet to the
29 southwest side of the 10-foot alley; and thence binding on the southwest side of
30 the 10-foot alley Northwesterly 120 feet, more or less, to the place of beginning.

31 Containing 1,200 square feet or 0.028 acres, more or less.

32 Beginning for Parcel No. 4 at the point formed by the intersection of the northeast
33 side of Brunt Street 20 feet wide and the northwest side of an 8-foot alley, the
34 point of beginning being distant Southeasterly 70 feet measured along the
35 northeast side of Brunt Street from the southeast side of Laurens Street 66 feet
36 wide; thence leaving the northeast side of Brunt Street and binding on the
37 northwest side of the 8-foot alley Northeasterly 172 feet, more or less, to intersect
38 the southwest side of Division Street 66 feet wide; thence binding on the
39 southwest side of Division Street Southeasterly 8 feet to the southeast side of the
40 8-foot alley; thence leaving the southwest side of Division Street and binding on
41 the southeast side of the 8-foot alley Southwesterly 172 feet, more or less, to
42 intersect the northeast side of Brunt Street; and thence binding on the southwest
43 side of the 8-foot alley Northwesterly 8 feet to the place of beginning.

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1 Containing 1,376 square feet or 0.032 acres, more or less.

2 As delineated on Plat 326-A-31A, prepared by the Survey Section and filed on July 24, 2017, in
3 the Office of the Department of Transportation.

4 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
5 closing of Brunt Court and certain alleys and the rights of all interested parties shall be regulated
6 by and in accordance with all applicable provisions of state and local law and with all applicable
7 rules and regulations adopted by the Director of Transportation and filed with the Department of
8 Legislative Reference.

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

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

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

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

33 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
34 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__

Mayor, Baltimore City