

**CITY OF BALTIMORE  
COUNCIL BILL 09-0362  
(First Reader)**

Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: July 13, 2009  
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

## AN ORDINANCE concerning

**City Streets – Closing – Certain Streets Lying Within the Uplands Apartment Complex and Bounded by Edmondson Avenue, Athol Avenue, Pen-Lucy Road, and Uplands Parkway**

FOR the purpose of condemning and closing certain streets lying within the Uplands Apartment Complex and bounded by Edmondson Avenue, Athol Avenue, Pen-Lucy Road, and Uplands Parkway, as shown on Plat 342-A-13A in the Office of the Department of Public Works; 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 Public Works shall proceed to condemn and close certain streets lying within the Uplands Apartment Complex and bounded by Edmondson Avenue, Athol Avenue, Pen-Lucy Road, and Uplands Parkway, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Old Frederick Road, 60 feet wide, and the south side of Edmondson Avenue, 150 feet wide, and running thence binding on the south side of said Edmondson Avenue, North  $82^{\circ} 24' 01''$  East 98.53 feet to intersect the northeast side of said Old Frederick Road; thence binding on the northeast side of said Old Frederick Road, the two following courses and distances; namely, South  $60^{\circ} 05' 15''$  East 402.32 feet and South  $42^{\circ} 07' 40''$  East 305.27 feet to intersect the west side of Swann Avenue, 100 feet wide; thence binding on the west side of said Swann Avenue, South  $35^{\circ} 20' 36''$  West 61.46 feet to intersect the southwest

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

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1 side of said Old Frederick Road, and thence binding on the southwest side of said  
2 Old Frederick Road, the two following courses and distances; namely, North 42°  
3 07' 40" West 309.12 feet and North 60° 05' 15" West 471.00 feet to the place of  
4 beginning.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the east side  
6 of Glen Allen Drive, 60 feet wide, and the north side of Lawnpark Road, 50 feet  
7 wide, and running thence binding on the north side of said Lawnpark Road, the  
8 four following courses and distances; namely, South 87° 54' 00" East 47.72 feet,  
9 by a tangent arc curving to the right with a radius of 350.00 feet the distance of  
10 138.06 feet which arc is subtended by a chord bearing South 76° 36' 00" East  
11 137.16 feet, South 65° 18' 00" East 198.42 feet and by a tangent arc curving to  
12 the left with a radius of 378.44 feet the distance of 203.65 feet which arc is  
13 subtended by a chord bearing South 80° 43' 00" East 201.21 feet to intersect the  
14 west side of Swann Avenue, varying in width; thence binding on the west side of  
15 said Swann Avenue, South 01° 49' 15" West 50.43 feet to intersect the south side  
16 of said Lawnpark Road; thence binding on the south side of said Lawnpark Road,  
17 the four following courses and distances; namely, by a non-tangent arc curving to  
18 the right with a radius of 428.44 feet the distance of 223.59 feet which arc is  
19 subtended by a chord bearing North 80° 15' 00" West 221.06 feet, North 65° 18'  
20 00" West 198.42 feet, by a tangent arc curving to the left with a radius of 300.00  
21 feet the distance of 118.34 feet which arc is subtended by a chord bearing North  
22 76° 36' 00" West 117.57 feet and North 87° 54' 00" West 47.72 feet to intersect  
23 the east side of said Glen Allen Drive, and thence binding on the east side of said  
24 Glen Allen Drive, North 02° 06' 33" East 50.00 feet to the place of beginning.

25 Beginning for Parcel No. 3 at the point formed by the intersection of the north  
26 side of Lawnpark Road, 50 feet wide, and the east side of Manordene Road, 60  
27 feet wide, and running thence binding on the east, northeast, and northwest sides  
28 of said Manordene Road, the six following courses and distances; namely, South  
29 02° 06' 33" West 50.00 feet, by a line curving to the left with a radius of 750.00  
30 feet the distance of 112.78 feet which arc is subtended by a chord bearing South  
31 04° 07' 03" East 112.67 feet, South 08° 25' 30" East 73.38 feet, by a tangent arc  
32 curving to the left with a radius of 270.00 feet the distance of 194.36 feet which  
33 arc is subtended by a chord bearing South 29° 02' 50" East 190.19 feet, by a line  
34 curving to the left with a radius of 570.00 feet the distance of 344.53 feet which  
35 arc is subtended by a chord bearing South 66° 59' 05" East 339.31 feet, and by a  
36 line curving to the left with a radius of 140.00 feet the distance of 203.17 feet  
37 which arc is subtended by a chord bearing North 54° 07' 17" East 185.81 feet to  
38 intersect the line of the northeast side of Manordene Road, 50 feet wide, if  
39 projected northwesterly; thence binding reversely on said line, so projected, South  
40 67° 09' 46" East 60.69 feet to intersect the southeast side of said Manordene  
41 Road, mentioned firstly herein; thence binding on the southeast, southwest, and  
42 west sides of said Manordene Road, mentioned firstly herein, the seven following  
43 courses and distances; namely, South 22° 50' 47" West 50.00 feet, by a line  
44 curving to the right with a radius of 200.00 feet the distance of 229.30 feet which  
45 arc is subtended by a chord bearing South 62° 51' 25" West 216.94 feet, by a line  
46 curving to the right with a radius of 630.00 feet the distance of 380.78 feet which  
47 arc is subtended by a chord bearing North 66° 59' 05" West 375.01 feet, by a line  
48 curving to the right with a radius of 330.00 feet the distance of 237.56 feet which  
49 arc is subtended by a chord bearing North 29° 02' 50" West 232.46 feet, North

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1 08° 25' 30" West 73.38 feet, by a line curving to the right with a radius of 810.00  
2 feet the distance of 34.01 feet which arc is subtended by a chord bearing North  
3 07° 13' 20" West 34.01 feet and by a line curving to the left with a radius of 35.00  
4 feet the distance of 81.00 feet which arc is subtended by a chord bearing North  
5 72° 19' 30" West 64.10 feet to intersect the southeast side of Glen Allen Drive, 60  
6 feet wide, and thence binding on the southeast side of said Glen Allen Drive,  
7 North 45° 07' 25" East 167.14 feet to the place of beginning.

8 Beginning for Parcel No. 4 at the point formed by the intersection of the  
9 northwest side of Swann Avenue, varying in width, and the southwest side of Old  
10 Frederick Road, 60 feet wide, and running thence binding on the southwest side  
11 of said Old Frederick Road, South 42° 52' 00" East 100.01 feet to intersect the  
12 southeast side of said Swann Avenue; thence binding on the southeast and east  
13 sides of said Swann Avenue, the four following courses and distances; namely,  
14 South 47° 08' 00" West 104.70 feet, by a tangent arc curving to the left with a  
15 radius of 209.14 feet the distance of 191.02 feet which arc is subtended by a chord  
16 bearing South 20° 58' 00" West 184.45 feet, South 05° 12' 00" East 101.88 feet,  
17 and by a tangent arc curving to the right with a radius of 200.00 feet the distance  
18 of 72.80 feet which arc is subtended by a chord bearing of South 05° 13' 35"  
19 West 72.40 feet to intersect the line of the northeast side of Manordene Road, 50  
20 feet wide, if projected northwesterly; thence binding reversely on said line, so  
21 projected, North 67° 09' 46" West 60.69 feet to intersect the west side of said  
22 Swann Avenue, and thence binding on the west and northwest sides of said  
23 Swann Avenue, the five following courses and distances; namely, by a non-  
24 tangent arc curving to the left with a radius of 140.00 feet the distance of 43.37  
25 feet which arc is subtended by a chord bearing North 03° 40' 22" East 43.19 feet,  
26 North 05° 12' 00" West 183.29 feet, North 01° 49' 15" East 50.43 feet, by a  
27 tangent arc curving to the right with a radius of 206.31 feet the distance of 137.88  
28 feet which arc is subtended by a chord bearing of North 27° 59' 15" East 135.33  
29 feet, and North 47° 08' 00" East 104.68 feet to the place of beginning.

30 Beginning for Parcel No. 5 at the point formed by the intersection of the south  
31 side of Edmondson Avenue, 150 feet wide, and the west side of Glen Allen Drive,  
32 60 feet wide, and running thence binding on the south side of said Edmondson  
33 Avenue, the two following courses and distances; namely, North 79° 10' 13" East  
34 21.66 feet and by a tangent arc curving to the right with a radius of 1946.18 feet  
35 the distance of 38.68 feet which arc is subtended by a chord bearing North 79° 44'  
36 23" East 38.68 feet to intersect the east side of said Glen Allen Drive; thence  
37 binding on the east and southeast sides of said Glen Allen Drive, the six following  
38 courses and distances; namely, South 04° 24' 45" East 42.71 feet, by a tangent arc  
39 curving to the right with a radius of 420.00 feet the distance of 89.17 feet which  
40 arc is subtended by a chord bearing South 01° 40' 15" West 89.00 feet, South 07°  
41 45' 10" West 322.74 feet, by a tangent arc curving to the left with a radius of  
42 750.00 feet the distance of 49.00 feet which arc is subtended by a chord bearing  
43 South 05° 52' 53" West 48.98 feet, South 45° 07' 25" West 167.14 feet and South  
44 41° 21' 30" West 90.18 feet to intersect the southwest side of Uplands Parkway;  
45 thence binding on the southwest side of said Uplands Parkway, North 17° 18' 00"  
46 West 58.54 feet, to intersect the northwest side of said Glen Allen Drive, and  
47 thence binding on the northwest and west sides of said Glen Allen Drive, the five  
48 following courses and distances; namely, North 41° 21' 30" East 125.44 feet, by a  
49 tangent arc curving to the left with a radius of 270.00 feet the distance of 158.37

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1 feet which arc is subtended by a chord bearing North 24° 33' 20" East 156.11  
2 feet, North 07° 45' 10" East 272.68 feet, by a tangent arc curving to the left with a  
3 radius of 360.00 feet the distance of 76.43 feet which arc is subtended by a chord  
4 bearing North 01° 40' 13" East 76.29 feet and North 04° 24' 45" West 36.35 feet  
5 to the place of beginning.

6 Beginning for Parcel No. 6 at the point formed by the intersection of the northeast  
7 side of Old Frederick Road, 60 feet wide, and the northwest side of Manordene  
8 Road, 60 feet wide, and running thence binding on the northwest and north sides  
9 of said Manordene Road, the three following courses and distances; namely,  
10 North 47° 08' 00" East 210.00 feet, by a tangent arc curving to the right with a  
11 radius of 337.00 feet the distance of 208.01 feet which arc is subtended by a chord  
12 bearing North 64° 48' 55" East 204.72 feet, and by a line curving to the right with  
13 a radius of 463.00 feet the distance of 260.07 feet, which arc is subtended by a  
14 chord bearing South 81° 24' 40" East 256.67 feet; thence by a straight line South  
15 24° 41' 09" West 60.00 feet to intersect the south side of said Manordene Road;  
16 thence binding on the south and southeast sides of said Manordene Road, the  
17 three following courses and distances; namely, by a line curving to the left with a  
18 radius of 403.00 feet the distance of 226.36 feet which arc is subtended by a chord  
19 bearing North 81° 24' 40" West 223.39 feet, by a line curving to the left with a  
20 radius of 277.00 feet the distance of 170.98 feet which arc is subtended by a chord  
21 bearing South 64° 48' 55" West 168.28 feet, and South 47° 08' 00" West 210.00  
22 feet to intersect the northeast side of said Old Frederick Road, and thence binding  
23 on the northeast side of said Old Frederick Road, North 42° 52' 00" West 60.00  
24 feet to the place of beginning.

25 Beginning for Parcel No. 7 at the point formed by the intersection of the northeast  
26 side of Old Frederick Road, 60 feet wide, and the northwest side of Edsdale Road,  
27 60 feet wide, and running thence binding on the northwest, west, and southwest  
28 sides of said Edsdale Road, the four following courses and distances; namely,  
29 North 43° 38' 00" East 77.03 feet, by a tangent arc curving to the left with a  
30 radius of 202.91 feet the distance of 113.05 feet which arc is subtended by a chord  
31 bearing North 27° 40' 15" East 111.60 feet, North 11° 42' 30" East 255.00 feet,  
32 and by a tangent arc curving to the left with a radius of 277.00 feet the distance of  
33 372.40 feet which arc is subtended by a chord bearing North 26° 48' 20" West  
34 344.98 feet; thence by a straight line North 24° 41' 09" East 60.00 feet to intersect  
35 the northeast side of said Edsdale Road; thence binding on the northeast, east and  
36 southeast sides of said Edsdale Road, the four following courses and distances;  
37 namely, by a line curving to the right with a radius of 337.00 feet the distance of  
38 453.06 feet which arc is subtended by a chord bearing South 26° 48' 20" East  
39 419.70 feet, South 11° 42' 30" West 255.00 feet, by a tangent arc curving to the  
40 right with a radius of 262.91 feet the distance of 146.50 feet which arc is  
41 subtended by a chord bearing South 27° 40' 15" West 144.60 feet, and South 43°  
42 38' 00" West 76.68 feet to intersect the northeast side of said Old Frederick Road,  
43 and thence binding on the northeast side of said Old Frederick Road, the two  
44 following courses and distances; namely, by a non-tangent arc curving to the right  
45 with a radius of 3470.00 feet the distance of 49.00 feet which arc is subtended by  
46 a chord bearing North 46° 46' 16" West 49.00 feet and North 46° 22' 00" West  
47 11.00 feet to the place of beginning.

1 Beginning for Parcel No. 8 at the point formed by the intersection of the north  
2 side of Dunland Road, 60 feet wide, and the west side of Athol Avenue, 60 feet  
3 wide, and running thence binding on the west side of said Athol Avenue, South  
4  $10^{\circ} 00' 00''$  East 60.00 feet to intersect the south side of said Dunland Road;  
5 thence binding on the south side of said Dunland Road, the three following  
6 courses and distances; namely, South  $80^{\circ} 00' 00''$  West 84.98 feet, by a tangent  
7 arc curving to the right with a radius of 265.00 feet the distance of 100.40 feet  
8 which arc is subtended by a chord bearing North  $89^{\circ} 08' 45''$  West 99.80 feet, and  
9 North  $78^{\circ} 17' 30''$  West 95.85 feet to intersect the east side of Edsdale Road, 60  
10 feet wide; thence binding on the east side of said Edsdale Road, North  $11^{\circ} 42' 30''$   
11 East 60.00 feet to intersect the north side of said Dunland Road, and thence  
12 binding on the north side of said Dunland Road, the three following courses and  
13 distances; namely, South  $78^{\circ} 17' 30''$  East 95.84 feet, by a tangent arc curving to  
14 the left with a radius of 205.00 feet the distance of 77.67 feet which arc is  
15 subtended by a chord bearing South  $89^{\circ} 08' 45''$  East 77.21 feet, and North  $80^{\circ}$   
16  $00' 00''$  East 84.98 feet to the place of beginning.

17 Beginning for Parcel No. 9 at the point formed by the intersection of the northeast  
18 side of Old Frederick Road, 60 feet wide, and the northwest side of Dunland  
19 Road, 60 feet wide, and running thence binding on the northwest and north sides  
20 of said Dunland Road, the three following courses and distances; namely, North  
21  $47^{\circ} 08' 00''$  East 150.51 feet, by a tangent arc curving to the right with a radius of  
22 123.15 feet the distance of 117.30 feet which arc is subtended by a chord bearing  
23 North  $74^{\circ} 25' 15''$  East 112.92 feet, and South  $78^{\circ} 17' 30''$  East 260.51 feet to  
24 intersect the west side of Edsdale Road, 60 feet wide; thence binding on the west  
25 side of said Edsdale Road, South  $11^{\circ} 42' 30''$  West 60.00 feet to intersect the  
26 south side of said Dunland Road; thence binding on the south and southeast sides  
27 of said Dunland Road, the three following courses and distances; namely, North  
28  $78^{\circ} 17' 30''$  West 260.51 feet, by a tangent arc curving to the left with a radius of  
29 63.15 feet the distance of 60.15 feet which arc is subtended by a chord bearing  
30 South  $74^{\circ} 25' 15''$  West 57.90 feet, and South  $47^{\circ} 08' 00''$  West 149.88 feet to  
31 intersect the northeast side of said Old Frederick Road, and thence binding on the  
32 northeast side of said Old Frederick Road, the two following courses and  
33 distances; namely, North  $46^{\circ} 22' 00''$  West 10.37 feet and North  $42^{\circ} 52' 00''$  West  
34 49.65 feet to the place of beginning.

35 As delineated on Plat 342-A -13A, prepared by the Survey Control Section and filed on May 22,  
36 2009, in the Office of the Department of Public Works.

37 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and  
38 closing of certain streets and the rights of all interested parties shall be regulated by and in  
39 accordance with all applicable provisions of state and local law and with all applicable rules and  
40 regulations adopted by the Director of Public Works and filed with the Department of  
41 Legislative Reference.

42 **SECTION 3. AND BE IT FURTHER ORDAINED**, That after the closing under this Ordinance, all  
43 subsurface structures and appurtenances now owned by the Mayor and City Council of  
44 Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their  
45 use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or  
46 interfere with them, that person must first obtain permission from the Mayor and City Council

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1 and, in the application for this permission, must agree to pay all costs and expenses, of every  
2 kind, arising out of the removal, alteration, or interference.

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

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

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

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