

**CITY OF BALTIMORE
COUNCIL BILL 08-0038
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: February 4, 2008
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 – Sinclair Lane**
3 **Extending from Clareway Easterly 713.1 Feet, More or Less,**
4 **to its Northeasternmost Extremity**

5 FOR the purpose of condemning and closing Sinclair Lane, extending from Clareway easterly
6 713.1 feet, more or less, to its northeasternmost extremity, as shown on Plat 114-A-16B in
7 the Office of the Department of Public Works; and providing for a special effective date.

8 By authority of
9 Article I - General Provisions
10 Section 4
11 and
12 Article II - General Powers
13 Sections 2, 34, 35
14 Baltimore City Charter
15 (1996 Edition)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Department of Public Works shall proceed to condemn and close Sinclair Lane, extending from
18 Clareway easterly 713.1 feet, more or less, to its northeasternmost extremity, and more
19 particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the
21 southwest side of Sinclair Lane, 60 feet wide, and the northwest side of Clareway,
22 varying in width, and running thence binding on the northwest side of said
23 Clareway, North 21° 54' 00" West 60.93 feet to intersect the northeast side of said
24 Sinclair Lane; thence binding on the northeast side of said Sinclair Lane the three
25 following courses and distances; namely, by a non-tangent arc curving to the left
26 with a radius of 3,109.55 feet the distance of 175.15 feet which arc is subtended
27 by a chord bearing North 56° 21' 00" East 175.13 feet, by a tangent line North 54°
28 44' 10" East 457.87 feet and by a tangent arc curving to the left with a radius of
29 4,623.75 feet the distance of 73.00 feet which arc is subtended by a chord bearing

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

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1 of North 54° 17' 02" East 73.00 feet to the northeasternmost extremity of said
2 Sinclair Lane, there situate; thence binding on the northeasternmost extremity of
3 said Sinclair Lane, South 35° 15' 50" East 60.01 feet to intersect the southwest
4 side of said Sinclair Lane, and thence binding in part on the southwest side of said
5 Sinclair Lane, in part on the line of the southwest side of said Sinclair Lane, if
6 projected southwesterly, and in all, the three following courses and distances;
7 namely, by a non-tangent arc curving to the right with a radius of 4,683.75 feet
8 the distance of 73.00 feet which arc is subtended by a bearing South 54° 17' 22.5"
9 West 73.00 feet, by a tangent line South 54° 44' 10" West 562.98 feet and South
10 58° 34' 58" West 84.22 feet to the place of beginning.

11 As delineated on Plat 114-A-16B, prepared by the Survey Control Section and filed on
12 November 14, 2007, in the Office of the Department of Public Works.

13 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
14 closing of Sinclair Lane and the rights of all interested parties shall be regulated by and in
15 accordance with all applicable provisions of state and local law and with all applicable rules and
16 regulations adopted by the Director of Public Works and filed with the Department of
17 Legislative Reference.

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

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

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

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

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