

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 15-0549

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: July 20, 2015
Assigned to: Taxation, Finance and Economic Development Committee
Committee Report: Favorable
Council action: Adopted
Read second time: November 16, 2015

AN ORDINANCE CONCERNING

**Release of Right-of-Way – a 20-Foot Wide Right-of-Way through
the Former Bed of Tyson Street**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all its interests in and to the 20-foot wide right-of-way heretofore granted the City of Baltimore through the former bed of Tyson Street, extending from West Franklin Street northerly 380 feet, more or less, to West Centre Street, in the vicinity of North Howard Street and Park Avenue, the location and course of the 20-foot wide right-of-way to be released being shown on a plat numbered RW 20-36387 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
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

WHEREAS, By Ordinance 41-463, approved May 9, 1941, the Mayor and City Council of Baltimore condemned and closed Tyson Street, 20 feet wide, extending from Franklin Street to Centre Street; and

WHEREAS, Sections 2, 3, and 4 of Ordinance 41-463 provided that a right-of-way through the closed portion of Tyson Street was to be retained by the Mayor and City Council of Baltimore for municipal utilities and services; and

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

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
5 Comptroller of Baltimore City be and is hereby authorized on behalf of the Mayor and City
6 Council of Baltimore to execute and deliver unto the owner or owners of the land within the
7 right-of-way hereinafter described, a release and surrender of all the interest of the City of
8 Baltimore in the right-of-way described as follows:

9 Beginning for a 20-foot right-of-way to be released at the point formed by the
10 intersection of the north side of Franklin Street 73 feet wide, and the west side of
11 the former bed of Tyson Street 20 feet wide, and thence binding on the west side
12 of the former bed of Tyson Street northerly 380.29 feet to the south side of Centre
13 Street 66 feet wide, thence binding on the south side of Centre Street easterly 20
14 feet to the east side of the former bed of Tyson Street, thence binding on the east
15 side of the former bed of Tyson Street southerly 380.35 feet to the north side of
16 Franklin Street, and thence binding on the north side of Franklin Street westerly
17 20 feet to the place of beginning.

18 Containing 7,607.0 square feet, more or less.

19 As delineated on Plat RW 20-36387 as prepared by the Survey Section and filed June 1, 2015, in
20 the Office of the Department of Transportation.

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

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

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

26 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect when it is
27 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