

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0175

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 –
All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue,
East Chase Street, and Fallsway

FOR the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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 all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Barclay Street 66 feet wide, and the south side of East Biddle Street 66 feet wide, the point of beginning being distant Westerly 168.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the west side of Brentwood Avenue 60 feet wide; thence binding on the east side of Barclay Street Southerly 319.0 feet, more or less, to intersect the north side of East Chase Street 66 feet wide; thence binding on the north side of East Chase Street Westerly 66.0 feet, more or less, to intersect the west side of Barclay Street; thence binding on the west side of Barclay Street Northerly 319.0 feet, more or less, to intersect the

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.

Council Bill 18-0175

1 south side of East Biddle Street and thence binding on the south side of East
2 Biddle Street Easterly 66.0 feet, more or less, to the point of beginning.

3 Containing 21,054 square feet or 0.483 acres of land, more or less.
4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Brentwood Avenue 60 feet wide, and the north side of a 10-foot alley, the point
6 of beginning being distant Southerly 78.0 feet, more or less, measured along the
7 west side of Brentwood Avenue from the point formed by the intersection of the
8 west side of Brentwood Avenue and the south side of East Biddle Street 66 feet
9 wide; thence binding on the west side of Brentwood Avenue, Southerly 10.0 feet,
10 more or less, to intersect the south side of the 10-foot alley; thence binding on the
11 south side of the 10-foot alley Westerly 168.0 feet, more less, to intersect the east
12 side of Barclay Street 66 feet wide; thence binding on the east side of Barclay
13 Street Northerly 10 feet, more or less, to intersect the north side of the 10-foot
14 alley and thence binding on the north side of the 10-foot alley Easterly 168.0 feet,
15 more or less, to the point of beginning.

16 Containing 1,680 square feet or 0.039 acres of land, more or less.

17 Beginning for Parcel No. 3 at the point formed by the intersection of the east side
18 of a 10-foot alley and the south side of a second 10-foot alley, the point of
19 beginning being distant Westerly 84.0 feet, more or less, measured along the south
20 side of the second 10-foot alley from the point formed by the intersection of the
21 south side of the second 10-foot alley and the west side of Brentwood Avenue 60
22 feet wide; thence binding on the east side of the first 10-foot alley Southerly 131.0
23 feet, more or less, to intersect the north side of a third 10-foot alley; thence
24 binding on the north side of the third 10-foot alley Westerly 10.0 feet, more less,
25 to intersect the west side of the first 10-foot alley; thence binding on the west side
26 of the first 10-foot alley Northerly 131.0 feet, more or less, to intersect the south
27 side of the second 10-foot alley and thence binding on the south side of the second
28 10-foot alley Easterly 10.0 feet, more or less, to the point of beginning.

29 Containing 1,310 square feet or 0.030 acres of land, more or less.

30 Beginning for Parcel No. 4 at the point formed by the intersection of the west side
31 of Brentwood Avenue 60 feet wide, and the south side of a 10-foot alley, the point
32 of beginning being distant Northerly 90.0 feet, more or less, measured along the
33 west side of Brentwood Avenue from the point formed by the intersection of the
34 west side of Brentwood Avenue and the north side of East Chase Street 66 feet
35 wide; thence binding on the south side of the 10-foot alley Westerly 168.0 feet,
36 more or less, to intersect the east side of Barclay Street 66 feet wide; thence
37 binding on the east side of Barclay Street Northerly 10 feet, more or less, to
38 intersect the north side of the 10-foot alley; thence binding on the north side of the
39 10-foot alley Easterly 168.0 feet, more or less, to intersect the west side of
40 Brentwood Avenue and thence binding on the west side of Brentwood Avenue,
41 Southerly 10.0 feet, more or less, to the point of beginning.

42 Containing 1,680 square feet or 0.039 acres of land, more or less.

Council Bill 18-0175

1 Beginning for Parcel No. 5 at the point formed by the intersection of the south
2 side of East Biddle Street 66 feet wide, and the west side of Brentwood Avenue
3 60 feet wide, the point of beginning being distant Easterly 168.0 feet, more or
4 less, measured along the south side of East Biddle Street from the point formed by
5 the intersection of the south side of East Biddle Street and the east side of Barclay
6 Street 66 feet wide; thence binding on the south side of East Biddle Street Easterly
7 60.0 feet, more or less, to intersect the east side of Brentwood Avenue; thence
8 binding on the east side of Brentwood Avenue Southerly 324.2 feet, more or less,
9 to intersect the north side of East Chase Street 66 feet wide; thence binding on the
10 north side of East Chase Street Westerly 60.0 feet, more or less, to intersect the
11 west side of Brentwood Avenue and thence binding on the west side of
12 Brentwood Avenue Northerly 324.2 feet, more or less, to the point of beginning.

13 Containing 19,454 square feet or 0.447 acres of land, more or less.

14 Beginning for Parcel No. 6 at the point formed by the intersection of the south
15 side of a 10-foot alley and the east side of Brentwood Avenue 60 feet wide, the
16 point of beginning being distant Northerly 115.0 feet, more or less, measured
17 along the east side of Brentwood Avenue from the point formed by the
18 intersection of the east side of Brentwood Avenue and the north side of East
19 Chase Street 66 feet wide; thence binding on the east side of Brentwood Avenue,
20 Northerly 10.0 feet, more or less, to intersect the north side of the 10-foot alley;
21 thence binding on the north side of the 10-foot alley, Easterly 74.3 feet, more or
22 less, to intersect the west side of a 10-foot Alley; thence binding on the west side
23 of the second 10-foot alley Southerly 10.0 feet, more or less, to intersect the south
24 side of the first 10-foot alley and thence binding on the south side of the first 10-
25 foot alley, Westerly 75.0 feet, more or less, to the point of beginning.

26 Containing 747 square feet or 0.017 acres of land, more or less.

27 Beginning for Parcel No. 7 at the point formed by the intersection of the east side
28 of a 10-foot alley and the south side of East Biddle Street 66 feet wide, the point
29 of beginning being distant Westerly 60.0 feet, more or less, measured along the
30 south side of East Biddle Street from the point formed by the intersection of the
31 south side of East Biddle Street and the west side of Forrest Street 50 feet wide;
32 thence binding on the east side of the 10-foot alley Southerly 252.8 feet, more or
33 less, to the southernmost extremity of the 10-foot alley thereof; thence binding on
34 the southernmost extremity of the 10-foot alley Westerly 10 feet, more or less, to
35 intersect the west side of the 10-foot alley; thence binding on the west side of the
36 10-foot alley Northerly 252.8 feet, more or less, to intersect the south side of East
37 Biddle Street and thence binding on the south side of East Biddle Street Easterly
38 10.0 feet, more or less, to the point of beginning.

39 Containing 2,528 square feet or 0.058 acres of land, more or less.

40 Beginning for Parcel No. 8 at the point formed by the intersection of the west side
41 of Forrest Street 50 feet wide and the south side of East Biddle Street 66 feet
42 wide, the point of beginning being distant Easterly 131.0 feet, more or less,
43 measured along the south side of East Biddle Street from the point formed by the
44 intersection of the south side of East Biddle Street and the east side of Brentwood

Council Bill 18-0175

1 Avenue 60 feet wide; thence binding on the south side of East Biddle Street
2 Easterly 50.6 feet, more or less, to intersect the east side of Forrest Street; thence
3 binding on the east side of Forrest Street Southerly 328.1 feet, more or less, to
4 intersect the north side of East Chase Street 66 feet wide; thence binding on the
5 north side of East Chase Street Westerly 50.6 feet, more or less, to intersect the
6 west side of Forrest Street and thence binding on the west side of Forrest Street
7 Northerly 328.1 feet, more or less, to the point of beginning.

8 Containing 16,405 square feet or 0.377 acres of land, more or less.

9 Beginning for Parcel No. 9 at the point formed by the intersection of the east side
10 of Forrest Street 50 feet wide, and the north side of a 10-foot alley, the point of
11 beginning being distant Southerly 75.0 feet, more or less, measured along the east
12 side of Forrest Street from the point formed by the intersection of the east side of
13 Forrest Street and the south side of East Biddle Street 66 feet wide; thence binding
14 on the north side of the 10-foot alley Easterly 93.4 feet, more or less, to intersect
15 the west side of Nursery Place varying in width; thence binding on the west side
16 of Nursery Place Southerly 10.1 feet, more less, to intersect the south side of the
17 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 93.4
18 feet, more or less, to intersect the east side of Forrest Street and thence binding on
19 the east side of Forrest Street Northerly 10.1 feet, more or less, to the point of
20 beginning.

21 Containing 934 square feet or 0.021 acres of land, more or less.

22 Beginning for Parcel No. 10 at the point formed by the intersection of the east side
23 of Nursery Place, varying in width, and the south side of East Biddle Street 66 feet
24 wide, the point of beginning being distant Westerly 120.0 feet, more or less,
25 measured along the south side of East Biddle Street from the point formed by the
26 intersection of the south side of East Biddle Street and the west side of
27 Greenmount Avenue 66 feet wide; thence binding on the east side of Nursery
28 Place Southerly 328.1 feet, more or less, to intersect the north side of East Chase
29 Street 66 feet wide; thence binding on the north side of East Chase Street
30 Westerly 12.1 feet, more or less, to intersect the west side of Nursery Place;
31 thence binding on the west side of Nursery Place the 7 following courses and
32 distances Northerly 205.9 feet, more or less, Westerly 6.6 feet, more or less,
33 Northerly 7.2 feet, more or less, Easterly 1.6 feet, more or less, Northerly 15.0
34 feet, more or less, Westerly 1.6 feet, more or less, Northerly 100.0 feet, more or
35 less, to intersect to the south side of East Biddle Street and thence binding on the
36 south side of East Biddle Street Easterly 18.7 feet, more or less, to the point of
37 beginning.

38 Containing 4,711 square feet or 0.108 acres of land, more or less.

39 As delineated on Plat 331-A-14A, prepared by the Survey Section and filed on June 21, 2017, in
40 the Office of the Department of Transportation.

41 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
42 closing of all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase
43 Street, and Fallsway and the rights of all interested parties shall be regulated by and in

Council Bill 18-0175

1 accordance with all applicable provisions of state and local law and with all applicable rules and
2 regulations adopted by the Director of Transportation and filed with the Department of
3 Legislative Reference.

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

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

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

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

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

Council Bill 18-0175

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