

**CITY OF BALTIMORE
COUNCIL BILL 19-0433
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 9, 2019
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**City Streets – Opening –**
3 **Air Rights over a Portion of the Public Right of Way**
4 **of the 200 Block of North Broadway**

5 FOR the purpose of condemning and opening the air rights area over a portion of the public right
6 of way of the 200 block of North Broadway, as shown on Plat 306-A-23 in the Office of the
7 Department of Transportation; 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, and 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 Transportation shall proceed to condemn and open the air rights area over a
18 portion of the public right of way of the 200 block of North Broadway, and more particularly
19 described as follows:

20 Beginning for the same at a point formed by the intersection of the east side of
21 North Broadway 132 feet wide and the north side of East Fayette Street 72 feet
22 wide, the point also being in a horizontal plane having an elevation of 141.5 feet
23 at its lower limit and an elevation of 254.0 feet at its upper limit, as referenced to
24 the Baltimore City Vertical Datum, running thence the four following courses and
25 distances the point also being in a horizontal plane 40.0 feet above street level at
26 its lowest point; thence binding on the north side of East Fayette Street Westerly
27 10.5 feet to the new division line of the airspace over a portion of the public right
28 of way of 201 North Broadway; thence on the new division line Northerly 174.5
29 feet; thence crossing North Broadway Easterly 10.5 feet to intersect the east side

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

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1 of North Broadway; and thence binding on the east side of North Broadway
2 Southerly 174.5 feet to the point of beginning.

3 Containing 1,832 square feet or 0.042 acres, more or less.

4 As delineated on Plat 306-A-23, prepared by the Survey Section and filed on January 22, 2019, in
5 the Office of the Department of Transportation.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
7 opening of the air rights area over a portion of the public right of way of the 200 block of North
8 Broadway and the rights of all interested parties shall be regulated by and in accordance with all
9 applicable provisions of state and local law and with all applicable rules and regulations adopted
10 by the Director of Transportation and filed with the Department of Legislative Reference.

11 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
12 enacted.