

**CITY OF BALTIMORE
COUNCIL BILL 08-0155
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: July 21, 2008
Withdrawn: July 21, 2008

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing – Certain Streets or Portions of them**
3 **Lying Within the Middle East Urban Renewal Project**

4 FOR the purpose of condemning and closing certain streets or portions of them lying within the
5 Middle East Urban Renewal Project, bounded by Ashland Avenue, McDonogh Street, Chase
6 Street, and Washington Street, as shown on Plat 348-A-80E in the Office of the Department
7 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 certain streets or portions of
18 them lying within the Middle East Urban Renewal Project, bounded by Ashland Avenue,
19 McDonogh Street, Chase Street, and Washington Street, and more particularly described as
20 follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of the north
22 side of Eager Street, 66 feet wide, and the west side of Chapel Street, 30 feet
23 wide, and running thence binding on the west side of said Chapel Street,
24 Northerly 432.5 feet, more or less, to intersect the south side of Chase Street, 66
25 feet wide; thence binding on the south side of said Chase Street, Easterly 30.0 feet
26 to intersect the east side of said Chapel Street; thence binding on the east side of
27 said Chapel Street, Southerly 432.5 feet, more or less, to intersect the north side
28 of said Eager Street, and thence binding on the north side of said Eager Street,
29 Westerly 30.0 feet to the place of beginning.

30 Beginning for Parcel No. 2 at the point formed by the east side of Wolfe Street,
31 60 feet wide, and the north side of Eager Street, 66 feet wide, and running thence

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

Council Bill 08-0155

1 binding on the north side of said Eager Street, Westerly 5.0 feet to intersect a line
2 drawn parallel with and distant 5.00 feet measured at a right angle to the east side
3 of said Wolfe Street; thence binding on said line, so drawn, Northerly 432.5 feet,
4 more or less, to intersect the south side of Chase Street, 66 feet wide; thence
5 binding on the south side of said Chase Street, Easterly 5.0 feet to intersect the
6 east side of said Wolfe Street, and thence binding on the east side of said Wolfe
7 Street, Southerly 432.5 feet, more or less, to the place of beginning.

8 Beginning for Parcel No. 3 at the point formed by the intersection of the north
9 side of Eager Street, 66 feet wide, and the west side of Wolfe Street, 60 feet wide,
10 and running thence binding on the west side of said Wolfe Street, Northerly 432.5
11 feet, more or less, to intersect the south side of Chase Street, 66 feet wide; thence
12 binding on the south side of said Chase Street, Easterly 5.0 feet to intersect a line
13 drawn parallel with and distant 5.00 feet measured at a right angle to the west side
14 of said Wolfe Street; thence binding on said line, so drawn, Southerly 432.5 feet,
15 more or less, to intersect the north side of said Eager Street, and thence binding
16 on the north side of said Eager Street, Westerly 5.0 feet to the place of beginning.

17 Beginning for Parcel No. 4 at the point formed by the intersection of the east side
18 of Rutland Avenue, 70 feet wide, and the north side of Eager Street, 66 feet wide,
19 and running thence binding on the north side of said Eager Street, Westerly 6.0
20 feet to intersect a line drawn parallel with and distant 6.00 feet measured at a right
21 angle to the east side of said Rutland Avenue; thence binding on said line so
22 drawn, Northerly 432.5 feet, more or less, to intersect the south side of Chase
23 Street, 66 feet wide; thence binding on the south side of said Chase Street,
24 Easterly 6.0 feet to intersect the east side of said Rutland Avenue, and thence
25 binding on the east side of said Rutland Avenue, Southerly 432.5 feet, more or
26 less, to the place of beginning.

27 Beginning for Parcel No. 5 at the point formed by the intersection of the north
28 side of Eager Street, 66 feet wide, and the west side of Rutland Avenue, 70 feet
29 wide, and running thence binding on the west side of said Rutland Avenue,
30 Northerly 432.5 feet, more or less, to intersect the south side of Chase Street, 66
31 feet wide; thence binding on the south side of said Chase Street, Easterly 6.0 feet
32 to intersect a line drawn parallel with and distant 6.00 feet measured at a right
33 angle to the west side of said Rutland Avenue; thence binding on said line so
34 drawn, Southerly 432.5 feet, more or less, to intersect the north side of said Eager
35 Street, and thence binding on the north side of said Eager Street, Westerly 6.0 feet
36 to the place of beginning.

37 Beginning for Parcel No. 6 at the point formed by the intersection of the west side
38 of Rutland Avenue, 70 feet wide, and the north side of Ashland Avenue, 66 feet
39 wide, and running thence binding on the west side of said Rutland Avenue,
40 Northerly 432.5 feet, more or less, to intersect the south side of Eager Street, 66
41 feet wide; thence binding on the south side of said Eager Street, Easterly 1.5 feet
42 to intersect a line drawn parallel with and distant 1.5 feet measured at a right
43 angle to the west side of said Rutland Avenue; thence binding on said line, so
44 drawn, Southerly 432.5 feet, more or less, to intersect the north side of said
45 Ashland Avenue, and thence binding on the north side of said Ashland Avenue,
46 Westerly 1.5 feet to the place of beginning.

Council Bill 08-0155

1 As delineated on Plat 348-A-80E, prepared by the Survey Control Section and filed on May 12,
2 2008, in the Office of the Department of Public Works.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
4 closing of the streets or portions of them and the rights of all interested parties shall be regulated
5 by and in accordance with all applicable provisions of state and local law and with all applicable
6 rules and regulations adopted by the Director of Public Works and filed with the Department of
7 Legislative Reference.

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

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

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

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

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