

**CITY OF BALTIMORE
COUNCIL BILL 07-0595
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: February 26, 2007
Assigned to: Highways and Franchises Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Public Works,
Department of Finance, Board of Estimates, Department of Real Estate

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Property - Grant of Easements**

3 FOR the purpose of authorizing the Mayor and City Council of Baltimore to grant Perpetual
4 Easements for a proposed 115 KV Underground Duct Bank through the parcels of land
5 known as Lot 4/5 of Block 7427, Lot 1/2 and 2A of Block 828, and Block 812 as shown on
6 plats numbered R. W. 20-36215, R.W. 20-36216 and R.W. 20-36217, prepared by Dewberry
7 & Davis LLC, and filed in the Office of the Department of Public Works; and providing for a
8 special effective date.

9 By authority of
10 Article 5 - Comptroller
11 Section 5(b)
12 Baltimore City Charter (1996 Edition)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 Comptroller of Baltimore City is hereby authorized to grant to the Baltimore Gas & Electric
15 Company Four Perpetual Easements for a proposed 115 KV Underground Duct Bank in
16 accordance with Article V, Section 5(b) of the Baltimore City Charter, on the parcels of land
17 situate in Baltimore City known as Lot 4/5 of Block 7427, Lot 1/2 and 2A of Block 828 and
18 Block 812, and described as follows:

19 Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank
20 No. 1 at a point on the southeast side of the Gwynns Falls, and the third line of a
21 parcel of land conveyed by J.R.S. Transportation Services, Inc. to the Mayor and
22 City Council of Baltimore by deed dated April 16, 1998, and recorded among the
23 Land Records of Baltimore City in Liber P.M.B. No.7324, Folio 76, and having a
24 coordinate value of West 4,914.204 feet and South 11,313.161 feet, and running
25 thence binding on the southeast side of said Gwynns Falls, and on part on the
26 third line of the parcel of land described in said deed, North 65° 31' 03" East
27 10.79 feet; thence by lines through the property now or formerly owned by the
28 Mayor and City Council of Baltimore, the five following courses and distances;
29 namely, South 46° 32' 42" East 60.43 feet, by a tangent arc curving to the right
30 with a radius of 205.00 feet the distance of 24.79 feet which arc is subtended by a
31 chord bearing South 43° 04' 51" East 24.77, South 39° 37' 01" East 122.26 feet,

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

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1 by a tangent arc curving to the right with a radius of 205.00 feet the distance of
2 20.39 feet which arc is subtended by a chord bearing South 36° 46' 02" East
3 20.38 feet and South 33° 55' 03" East 16.61 feet to intersect the northeast side of
4 a 20.0 foot wide Right of Way for Easement No.1 for the Baltimore Gas and
5 Electric Company and recorded among the Land Records of Baltimore City in
6 Liber M.L.P. No.10259, Folio 315, there situate; thence binding on the northeast
7 side of said 20.0 foot Right of Way, North 45° 18' 18" West 74.03 feet, and
8 thence by lines through said property, the three following courses and distances;
9 namely, North 39° 37' 01" West 85.48 feet, by a non-tangent arc curving to the
10 left with a radius of 195.00 feet the distance of 23.58 feet which arc is subtended
11 by a chord bearing North 43° 04' 51" West 23.57 feet and North 46° 32' 42" West
12 64.48 feet to the place of beginning.

13 Containing 2,150.360 square feet or 0.04937 acre of land, more or less.

14 Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank
15 No. 2 at a point on the southeast side of CSX Transportation, Inc, Variable Width
16 Right of Way and the fourth line of a parcel of land conveyed by The Real Estate
17 and Improvement Company of Baltimore City to The Mayor and City Council of
18 Baltimore by deed dated November 25, 1991, and recorded among the Land
19 Records of Baltimore City in Liber S.E.B. No.3100, Folio 482, said point of
20 beginning being distant South 41° 58' 55" West 133.09 feet measured along the
21 southeast side of said CSX Transportation, Inc. Right of Way Line, from the end
22 of the fourth line of said deed, and having a coordinate value of West 6,329.995
23 feet and South 10,241.374 feet, and running thence by lines through the property
24 now or formerly owned by the Mayor and City Council of Baltimore, the sixteen
25 following courses and distances; namely, South 46° 16' 37" East 44.81 feet, by a
26 tangent arc curving to the left with a radius of 95.00 feet the distance of 49.73 feet
27 which arc is subtended by a chord bearing South 61° 16' 21" East 49.16 feet, by a
28 tangent line, South 76° 16' 05" East 25.78 feet, North 13° 43' 55" East 2.00 feet,
29 South 76° 16' 05" East 49.81 feet, by a tangent arc curving to the right with a
30 radius of 407.00 feet the distance of 13.42 feet which arc is subtended by a chord
31 bearing South 75° 19' 24" East 13.42 feet, South 15° 37' 17" West 2.00 feet, by a
32 non-tangent arc curving to the right with a radius of 405.00 feet the distance of
33 21.06 feet which arc is subtended by a chord bearing South 72° 53' 19" East
34 21.06 feet, by a tangent line South 71° 23' 55" East 102.83 feet, by a tangent arc
35 curving to the right with a radius of 305.00 feet the distance of 162.72 feet which
36 arc is subtended by a chord bearing South 56° 06' 52" East 160.80 feet, by a
37 tangent line, South 40° 49' 49" East 46.45 feet, by a tangent arc curving to the
38 right with a radius of 205.00 feet the distance of 55.29 feet which arc is subtended
39 by a chord bearing South 33° 06' 14" East 55.12 feet, by a tangent line, South 25°
40 22' 39" East 37.06 feet, by a tangent arc curving to the left with a radius of
41 195.00 feet the distance of 101.63 feet which arc is subtended by a chord bearing
42 South 40° 18' 30" East 100.49 feet, by a tangent line, South 55° 14' 21" East
43 79.15 feet and by a tangent arc curving to the left with a radius of 195.00 feet the
44 distance of 9.25 feet which arc is subtended by a chord bearing South 56° 35' 50"
45 East 9.24 feet to intersect the west side of Russell Street, Variable Width Right of
46 Way; thence binding on the west side of said Russell Street, South 00° 57' 10"
47 West 11.58 feet; thence by lines through the property now or formerly owned by
48 the Mayor and City Council of Baltimore the sixteen following courses and
49 distances; namely, by a non-tangent arc curving to the right with a radius of

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1 205.00 feet the distance of 15.70 feet which arc is subtended by a chord bearing
2 of North 57° 25' 58" West 15.69 feet, by a tangent line, North 55° 14' 21" West
3 79.15 feet, by a tangent arc curving to the right with a radius of 205.00 feet the
4 distance of 106.84 feet which arc is subtended by a chord bearing North 40° 18'
5 30" West 105.64 feet, by a tangent line, North 25° 22' 39" West 37.06 feet, by a
6 tangent arc curving to the left with a radius of 195.00 feet the distance of 52.59
7 feet which arc is subtended by a chord bearing North 33° 06' 14" West 52.43 feet,
8 by a tangent line, North 40° 49' 49" West 46.45 feet, by a tangent arc curving to
9 the left with a radius of 295.00 feet the distance of 157.39 feet which arc is
10 subtended by a chord bearing North 56° 06' 52" West 155.53 feet, by a tangent
11 line North 71° 23' 55" West 102.83 feet, by a tangent arc curving to the left with a
12 radius of 395.00 feet the distance of 20.54 feet which arc is subtended by a chord
13 bearing North 72° 53' 19" West 20.54 feet, by a non-tangent line, South 15° 37'
14 17" West 2.00 feet, by a non-tangent arc curving to the left with a radius of
15 393.00 feet the distance of 12.96 feet which arc is subtended by a chord bearing
16 North 75° 19' 24" West 12.96 feet, by a tangent line, North 76° 16' 05" West
17 49.81 feet, North 13° 43' 55" East 2.00 feet, North 76° 16' 05" West 25.78 feet,
18 by a tangent arc curving to the right with a radius of 105.00 feet the distance of
19 54.96 feet which arc is subtended by a chord bearing North 61° 16' 21" West
20 54.34 feet and by a tangent line, North 46° 16' 38" West 44.51 feet, to intersect
21 the southeast side of said CSX Transportation, Inc. Right of Way, and thence
22 binding on the southeast side of said CSX Transportation, Inc. Right of Way,
23 North 41° 58' 55" East 10.00 feet to the place of beginning.

24 Containing 8,279.885 square feet or 0.19008 acre of land, more or less.

25 Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank
26 No. 3 at a point on the west side of the CSX Variable Width Right of Way Line,
27 as shown on Right of Way Plat Nos. I-95-136A & 238A, and filed in the Office of
28 the Department of Transportation, said point of beginning being distant by a non-
29 tangent arc curving to the right with a radius of 305.27 feet the distance of 30.32
30 feet which arc is subtended by a chord bearing South 00° 03' 26" East 30.31 feet
31 measured along the west side of said CSX Variable Width Right of Way from the
32 south Right of Way Line of Through Highway for Interstate Route No. 95, and
33 having a coordinate value of West 6,427.859 feet and South 10,094.798 feet, and
34 running thence binding on the west side of said CSX Variable Width Right of
35 Way Line, by a tangent arc curving to the right with a radius of 305.27 feet the
36 distance of 38.62 feet which arc is subtended by a chord bearing South 06° 24'
37 44" West 38.59 feet, and thence through the property now or formerly owned by
38 the Mayor and City Council of Baltimore by a non-tangent arc curving to the right
39 with a radius of 80.00 feet the distance of 38.98 feet which arc is subtended by a
40 chord bearing N 06° 24' 44" East 38.59 feet to the place of beginning.

41 Containing 76.657 square feet or 0.00176 acre of land, more or less.

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

44 Subject to the following conditions:

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- 1 1. The plans and specifications for the use of the Perpetual Easements shall be approved
2 in writing by the City before construction.
- 3 2. The City and its employees or agents shall have access to the Perpetual Easement
4 areas at all time when necessary for public purposes.
- 5 3. Grantee shall maintain the Perpetual Easements at its sole cost and expense.
- 6 4. The City shall be protected, indemnified, and saved harmless from all legal action,
7 losses, and damages resulting from injury to persons or damage to property caused by
8 the use of the Perpetual Easements by the Grantee, its assigns and invitees.
- 9 5. No structures shall be erected by the Grantee over the Perpetual Easements area
10 except for facilities approved in advance by the City.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That no easement or easements shall be
12 granted under this Ordinance until the same has been approved by the City Solicitor.

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