

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0595

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

Committee Report: Favorable
Council action: Adopted
Read second time: June 4, 2007

AN ORDINANCE CONCERNING

City Property - Grant of Easements

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

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

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

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

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 chord bearing South 43° 04' 51" East 24.77, South 39° 37' 01" East 122.26 feet,
2 by a tangent arc curving to the right with a radius of 205.00 feet the distance of
3 20.39 feet which arc is subtended by a chord bearing South 36° 46' 02" East
4 20.38 feet and South 33° 55' 03" East 16.61 feet to intersect the northeast side of
5 a 20.0 foot wide Right of Way for Easement No.1 for the Baltimore Gas and
6 Electric Company and recorded among the Land Records of Baltimore City in
7 Liber M.L.P. No.10259, Folio 315, there situate; thence binding on the northeast
8 side of said 20.0 foot Right of Way, North 45° 18' 18" West 74.03 feet, and
9 thence by lines through said property, the three following courses and distances;
10 namely, North 39° 37' 01" West 85.48 feet, by a non-tangent arc curving to the
11 left with a radius of 195.00 feet the distance of 23.58 feet which arc is subtended
12 by a chord bearing North 43° 04' 51" West 23.57 feet and North 46° 32' 42" West
13 64.48 feet to the place of beginning.

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

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

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

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

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

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

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

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1 Subject to the following conditions:

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

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

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

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