

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 25-0049

Introduced by: Councilmember McCray
Introduced and read first time: March 24, 2025
Assigned to: Land Use and Transportation

Committee Report: Favorable
Council action: Adopted
Read second time: July 21, 2025

AN ORDINANCE CONCERNING

**Release of Access Easement – Vehicular Access to U.S. Route 40
through 6709 Pulaski Highway**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the access easement generally described as a 30 foot wide parcel, which extends from Pulaski Highway on the north to the southern boundary of the Property along the entire eastern boundary of the Property (“the Easement Area”), previously granted by WH-Pulaski, LLC, predecessor in interest to the current land owner, 6709 Pulaski, LLC; the location and course of the access easement to be released being created and described by that certain Access Easement Agreement dated October 7, 2011 and recorded among the Land Records of Baltimore City, Liber 13806, Page 235 (“the Access Easement”).

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

WHEREAS, by the Access Easement, the City of Baltimore was granted the right to vehicular access over the Easement Area to access a different parcel of land owned by the City of Baltimore.

WHEREAS, the City of Baltimore does not have the legal right to cross the railroad tracks between the Property and the parcel owned by the City of Baltimore and the determination that the cost of grading the Easement Area and constructing a road thereon if the City of Baltimore were to be able to obtain the right to cross the railroad tracks would be prohibitively expensive and impractical.

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 **WHEREAS**, because the Access Easement has never been used for public use and cannot
2 practically be used in the future, the City of Baltimore has determined that the Access Easement
3 should be released of record and terminated.

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
5 Comptroller of Baltimore City be and is hereby authorized on behalf of the Mayor and City
6 Council of Baltimore to execute and deliver unto the owner or owners of the Property, a release,
7 termination, and surrender of all the interest of the City of Baltimore in the Access Easement and
8 the Easement Area.

9 The Easement Area is generally described as a thirty foot wide parcel, which extends from
10 Pulaski Highway on the north to the southern boundary of Block 6235, Lots 009 and 009A, and
11 along the entire eastern boundary of Block 6235, Lots 009 and 009A.

12 The use of the Access Easement and the Easement Area described hereinabove is no longer
13 needed for public purposes and has not been used for public purposes.

14 **SECTION 2. AND BE IT FURTHER ORDAINED**, That no deed may pass under this Ordinance
15 unless the deed, release, and surrender has been approved by the City Solicitor.

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City