CITY OF BALTIMORE ORDINANCE ______ Council Bill 06-0516

Introduced by: The Council President

At the request of: The Administration (Department of Public Works)

Introduced and read first time: September 25, 2006 Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable Council action: Adopted

Read second time: November 20, 2006

AN ORDINANCE CONCERNING

Release of Right-of-Way – a 15.0 Foot Right-of-Way Granted to the Mayor and City Council of Baltimore Through the Property of Loyola – Notre Dame Library, Inc.

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 15.0 foot wide right-of-way heretofore granted to the City of Baltimore through the property of John W. Garrett (and Alice W. Garrett, his wife), currently owned by Loyola-Notre Dame Library, Inc. The location and course of the 15.0 foot wide right-of-way to be released is shown on a plat numbered H-20-16716 prepared by the Department of Public Improvements – Highways Department – Sewer Division; and providing for a special effective date.

By authority of 10 Article 1 - General Provisions 11 Section 4 12 and 13 14 Article II - General Powers Section 31 15 **Baltimore City Charter** 16 (1996 Edition) 17

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18 Recitals

WHEREAS, By Agreement dated February 17, 1925, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 4346, Folio 61, John W. Garrett and Alice W. Garrett, his wife, granted to the Mayor and City Council of Baltimore the right-of-way shown on a plat numbered H-20-16716 and dated January 6, 1925 and revised January 28, 1925, which plat is recorded with the Agreement; and

WHEREAS, The right-of-way hereinafter described is no longer needed for public use, the public utility that had previously been therein having been abandoned and/or relocated to another right-of-way that was granted to the Mayor and City Council of Baltimore.

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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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City Council of Baltimore to execute and deliver unto the owner or owners of the land within the right-of-way hereinafter described, a release and surrender of all of the interest of the City of Baltimore in the right-of-way described as follows:

Beginning for a 15.0 foot Right-of-Way to be extinguished at the intersection of the westernmost extremity of Winston Avenue, 40 feet wide, and the north side of a Right-of-Way for Municipal Utilities and Services as shown on a plat numbered H-20-16716 dated January 6, 1925 and revised on January 28, 1925 and attached to an agreement between John W. Garrett (and Alice W. Garrett, his wife), currently owned by Loyola-Notre Dame Library, Inc., and the Mayor and City Council of Baltimore dated February 17, 1925 and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 4346, Folio 61, and running thence binding on the westernmost extremity of said Winston Avenue, South 03° 51' 47" West 15.22 feet; thence binding on the south, west and north sides of said Right-of-Way the seven following courses and distances; namely, South 84° 01' 00" West 400.68 feet, South 82° 11' 00" West 184.00 feet, South 84° 04' 00" East 137.14 feet, North 82° 11' 00" East 184.00 feet and North 84° 01' 00" East 403.52 feet to the place of beginning.

- 21 Containing 11,007.50 square feet or 0.2527 acre of land, more or less.
- All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.
- The use of the right-of-way described hereinabove is no longer needed for public purposes.
- SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.
- SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is 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, 20	
	Chief Clerk
Approved this day of	
	Mayor, Baltimore City