

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0153

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

Committee Report: Favorable
Council action: Adopted
Read second time: January 26, 2009

AN ORDINANCE CONCERNING

1 City Streets – Closing – Certain Streets or Portions of them Lying
2 Within the Area Bounded by Patterson Avenue, Parr Avenue, Spring Avenue,
3 and the CSX Transportation, Inc. Railroad Right-of-Way

4 FOR the purpose of condemning and closing certain streets or portions of them lying within
5 the area bounded by Patterson Avenue, Parr Avenue, Spring Avenue and the CSX
6 Transportation, Inc. Railroad Right-of-Way, as shown on Plat 114-A-30A in the Office of the
7 Department 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 area bounded by Patterson Avenue, Parr Avenue, Spring Avenue and the
19 CSX Transportation, Inc. Railroad Right-of-Way, and more particularly described as follows:

20 Beginning for Parcel No. 1 at a point on the northwest side of Patterson Avenue,
21 60 feet wide, distant Northeasterly 100.0 feet, more or less, measured along the
22 northwest side of said Patterson Avenue from the northeast side of Vincennes
23 Avenue, 60 feet wide, and running thence by a straight line through the property
24 now or formerly owned by the State of Maryland, Northwesterly 222.3 feet, more
25 or less, to intersect the northeast side of said Vincennes Avenue; thence binding
26 on the northeast side of said Vincennes Avenue, Northwesterly 72.7 feet, more or
27 less; thence by lines through the property, now or formerly owned by the State of
28 Maryland, the two following courses and distances; namely, Southeasterly 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 line curving to the left with a radius of 5780.0 feet the distance of 174.8 feet,
2 more or less, and Northeasterly by a line curving to the left with a radius of 200.1
3 feet the distance of 187.3 feet, more or less, to intersect the northwest side of said
4 Patterson Avenue, and thence binding on the northwest side of said Patterson
5 Avenue, Southwesterly 114.6 feet, more or less, to the place of beginning.

6 Beginning for Parcel No. 2 at the point formed by the intersection of the southeast
7 side of Ridge Avenue, 60 feet wide, and the northeast side of Vincennes Avenue,
8 60 feet wide, and running thence binding on the northeast side of said Vincennes
9 Avenue, Southeasterly 307.4 feet, more or less; thence by a straight line through
10 the bed of said Vincennes Avenue, Northwesterly 131.0 feet, more or less, to
11 intersect the southwest side of said Vincennes Avenue; thence binding on the
12 southwest side of said Vincennes Avenue, Northwesterly 190.9 feet, more or less,
13 to intersect the southeast side of said Ridge Avenue, and thence binding on the
14 southeast side of said Ridge Avenue, Northeasterly 60.0 feet to the place of
15 beginning.

16 Beginning for Parcel No. 3 at the point formed by the intersection of the northeast
17 side of Vincennes Avenue, 60 feet wide, and the southeast side of Ridge Avenue,
18 60 feet wide, and running thence binding on the southeast side of said Ridge
19 Avenue, Southwesterly 158.3 feet, more or less; thence by a straight line through
20 the bed of said Ridge Avenue, Northwesterly 64.2 feet, more or less, to intersect
21 the northwest side of said Ridge Avenue; thence binding on the northwest side of
22 said Ridge Avenue, Northeasterly 178.9 feet, more or less, to intersect the
23 southwest side of the CSX Transportation, Inc. Railroad Right-of-Way; thence
24 binding on the southwest side of said CSX Transportation, Inc. Railroad Right-of-
25 Way, Southeasterly 19.3 feet, more or less, to intersect the line of the northeast
26 side of said Vincennes Avenue, if projected northwesterly, and thence binding
27 reversely on the line of the northeast side of said Vincennes Avenue,
28 Southeasterly 39.9 feet, more or less, to the place of beginning.

29 Beginning for Parcel No. 4 at a point on the northeast side of Armstrong Avenue,
30 60 feet wide, said point of beginning being distant Northwesterly 25.0 feet, more
31 or less, measured along the northeast side of said Armstrong Avenue from the
32 northwest side of Ridge Avenue, 60 feet wide, and running thence by a straight
33 line drawn at a right angle to the northeast side of Armstrong Avenue,
34 Southwesterly 60.0 feet, to intersect the southwest side of said Armstrong
35 Avenue; thence binding on the southwest side of said Armstrong Avenue,
36 Northwesterly 164.4 feet, more or less; thence by a straight line through the bed
37 of said Armstrong Avenue, Southeasterly 133.6 feet, more or less, to intersect the
38 northeast side of said Armstrong Avenue, and thence binding on the northeast
39 side of said Armstrong Avenue, Southeasterly 45.0 feet, more or less, to the place
40 of beginning.

41 Beginning for Parcel No. 5 at a point on the northeast side of Armstrong Avenue,
42 60 feet wide, said point of beginning being distant Northwesterly 179.2 feet, more
43 or less, measured along the northeast side of said Armstrong Avenue, from the
44 northwest side of Ridge Avenue, 60 feet wide, and running thence by lines
45 through the bed of said Armstrong Avenue, the four following courses and
46 distances; namely, Northwesterly 48.6 feet, more or less, Northwesterly by a line
47 curving to the right with a radius of 75.0 feet the distance of 35.7 feet, more or

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1 less, Northwesterly 180.6 feet, more or less, and Southeasterly 66.8 feet, more or
2 less, to intersect the northeast side of said Armstrong Avenue, and thence binding
3 on the northeast side of said Armstrong Avenue, Southeasterly 198.7 feet, more or
4 less, to the place of beginning.

5 Beginning for Parcel No. 6 at the point formed by the intersection of the
6 northwest side of Patterson Avenue, 60 feet wide, and the northeast side of
7 Vincennes Avenue, 60 feet wide, and running thence binding on the northeast
8 side of said Vincennes Avenue, Northwesterly 82.2 feet, more or less; thence by
9 lines through the property now or formerly owned by the State of Maryland, the
10 two following courses and distances; namely, Southeasterly by a line curving to
11 the right with a radius of 18.5 feet the distance of 8.3 feet, more or less, and
12 Southeasterly 85.4 feet, more or less, to intersect the northwest side of said
13 Patterson Avenue, and thence binding on the northwest side of said Patterson
14 Avenue, Southwesterly 44.4 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 7 at the point formed by the intersection of the northeast
16 side of Vincennes Avenue, 60 feet wide, and the northwest side of Patterson
17 Avenue, 60 feet wide, and running thence binding on the northwest side of said
18 Patterson Avenue, Southwesterly 29.6 feet, more or less; thence by lines through
19 the bed of said Vincennes Avenue, the two following courses and distances;
20 namely, Northwesterly 67.3 feet, more or less, and Northeasterly by a line curving
21 to the right with a radius of 18.5 feet the distance of 41.1 feet, more or less, to
22 intersect the northeast side of said Vincennes Avenue, and thence binding on the
23 northeast side of said Vincennes Avenue, Southeasterly 82.2 feet, more or less, to
24 the place of beginning.

25 As delineated on Plat 114-A-30A, prepared by the Survey Control Section and filed on June 18,
26 2008, in the Office of the Department of Public Works.

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

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

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

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

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

11 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it
12 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