

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0130

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 18, 2017
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: December 4, 2017

AN ORDINANCE CONCERNING

**City Streets – Closing –
Towanda Avenue and a Portion of Suffolk Avenue**

FOR the purpose of condemning and closing Towanda Avenue, extending from Druid Park Drive northeasterly 537 feet, more or less, to Suffolk Avenue, and a portion of Suffolk Avenue, extending from Towanda Avenue northeasterly 210 feet, more or less, to the southeast side of Suffolk Avenue, as shown on Plat 242-A-76A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Transportation shall proceed to condemn and close Towanda Avenue, extending from Druid Park Drive northeasterly 537 feet, more or less, to Suffolk Avenue, and a portion of Suffolk Avenue, extending from Towanda Avenue northeasterly 210 feet, more or less, to the southeast side of Suffolk Avenue, and more particularly described as follows:

Beginning for Parcel 1 at a point formed by the intersection of the northeast side of Druid Park Drive 80 feet wide, and the northeast side of Towanda Avenue 50 feet wide, the point of beginning being distant southwesterly 342.38 feet, measured along the northeast side of Druid Park Drive, from the west side of Park Circle; thence binding on the northeast side of Druid Park Drive South 59° 57' 25" West 87.00 feet, to the west side of Towanda Avenue; thence binding on the west side of Towanda Avenue the two following courses and distances: North 30° 02' 35" West 270.26 feet: thence North 23° 43' 40" West 267.87 feet, to the point

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.

Council Bill 17-0130

1 on a curve on the northwest side of Towanda Avenue; thence binding on the
2 northwest side of Towanda Avenue by a line curving to the right with a radius of
3 152.81 feet, for an arc distance of 119.84 feet the curve being subtended by a
4 chord bearing North 01° 15' 35" East the distance of 116.80 feet to the
5 southwesternmost extremity of Suffolk Avenue 50 feet wide; thence binding on
6 the southwesternmost extremity of Suffolk Avenue South 68° 47' 17" East 50.00
7 feet to intersect point on a curve on the southeast side of Towanda Avenue; thence
8 binding on the southeast side of Towanda Avenue by a line curving to the left
9 with a radius of 102.81 feet for an arc distance of 80.63 feet the arc being
10 subtended by a chord bearing South 01° 15' 35" West the distance of 78.58 feet;
11 thence still binding on the southeast side of Towanda Avenue the three following
12 courses and distances: South 23° 43' 40" East 265.12 feet; thence South 30° 02'
13 35" East 187.50 feet; thence South 32° 35' 16" East 45.04 feet, and thence
14 binding on the southeast side Towanda Avenue by a line curving to the left with a
15 radius of 35.00 feet the distance of 54.98 feet the curve being subtended by a
16 chord bearing South 75° 02' 35" East 49.50 feet to the place of beginning.

17 Containing 32,158.48 square feet or 0.7382 acres more or less.

18 Beginning for Parcel 2 at a point on of the south side of Suffolk Avenue 50 feet
19 wide, the point of beginning being distant South 59° 57' 25" West 288.09 feet
20 measured from the southwest side of Reisterstown Road varying in width; thence
21 binding on the southwest side of Suffolk Avenue South 22° 10' 51" West 171.20
22 feet to a point on the southwest side of Suffolk Avenue; thence binding on the
23 southwest side of Suffolk Avenue South 21° 12' 30" West 20.00 feet to the
24 northeasternmost extremity of Towanda Avenue 50 feet wide; thence binding on
25 the northeasternmost extremity of Towanda Avenue North 68° 47' 17" West
26 50.00 feet to the north side of Suffolk Avenue thence binding on the northeast
27 side of Suffolk Avenue North 21° 12' 30" East 210.00 feet to intersect the
28 northwest side of a 10-foot alley; and thence crossing Suffolk Avenue South 49°
29 12' 10" East 56.15 feet to the place of beginning.

30 Containing 10,304.93 square feet or 0.2365 acres more or less.

31 As delineated on Plat 242-A-76A, prepared by the Survey Section and filed on March 20, 2017,
32 in the Office of the Department of Transportation.

33 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
34 closing of Towanda Avenue and a portion of Suffolk Avenue and the rights of all interested
35 parties shall be regulated by and in accordance with all applicable provisions of state and local
36 law and with all applicable rules and regulations adopted by the Director of Transportation and
37 filed with the Department of Legislative Reference.

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

Council Bill 17-0130

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

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

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

18 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
19 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