

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0777

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: September 19, 2011
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: November 21, 2011

AN ORDINANCE CONCERNING

1 City Streets – Closing – Certain Streets and Alleys Bounded by
2 Sarah Ann Street, Poppleton Street, Fairmount Avenue, and Schroeder Street

3 FOR the purpose of condemning and closing certain streets and alleys bounded by Sarah Ann
4 Street, Poppleton Street, Fairmount Avenue, and Schroeder Street, as shown on Plat 329-A-
5 21A in the Office of the Department of General Services; and providing for a special
6 effective date.

7 BY authority of
8 Article I - General Provisions
9 Section 4
10 and
11 Article II - General Powers
12 Sections 2, 34, 35
13 Baltimore City Charter
14 (1996 Edition)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
16 Department of Public Works shall proceed to condemn and close certain streets and alleys
17 bounded by Sarah Ann Street, Poppleton Street, Fairmount Avenue, and Schroeder Street, and
18 more particularly described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the south
20 side of Kierle Court, 10 feet wide, and the east side of Schroeder Street, 66 feet
21 wide, and running thence binding on the east side of said Schroeder Street
22 Northerly 10.0 feet to intersect the north side of said Kierle Court; thence binding
23 on the north side of said Kierle Court Easterly 152.3 feet, more or less, to intersect
24 the west side of Amity Street, 40 feet wide; thence binding on the west side of
25 said Amity Street Southerly 10.0 feet, to intersect the south side of said Kierle
26 Court, and thence binding on the south side of said Kierle Court Westerly 152.3
27 feet, more or less, to the place of beginning.

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 Beginning for Parcel No. 2 at the point formed by the intersection of the south
2 side of Vine Street, 10 feet wide, and the east side of Schroeder Street, 66 feet
3 wide, and running thence binding on the east side of said Schroeder Street
4 Northerly 10.0 feet, to intersect the north side of said Vine Street; thence binding
5 on the north side of said Vine Street Easterly 152.3 feet, more or less, to intersect
6 the west side of Amity Street, 40 feet wide; thence binding on the west side of
7 said Amity Street Southerly 10.0 feet, to intersect the south side of said Vine
8 Street, and thence binding on the south side of said Vine Street Westerly 152.3
9 feet, more or less, to the place of beginning.

10 Beginning for Parcel No. 3 at the point formed by the intersection of the south
11 side of a 3-foot alley, laid out in the rear of the properties known as No. 929
12 through No. 949 W. Lexington Street, and the east side of Schroeder Street, 66
13 feet wide, said point of beginning being distant Northerly 49.6 feet, more or less,
14 measured along the east side of said Schroeder Street from the north side of Kierle
15 Court, 10 feet wide, and running thence binding on the east side of said Schroeder
16 Street Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence
17 binding on the north side of said 3-foot alley Easterly 152.3 feet, more or less, to
18 intersect the west side of Amity Street, 40 feet wide; thence binding on the west
19 side of said Amity Street Southerly 3.0 feet, to intersect the south side of said 3-
20 foot alley, and thence binding on the south side of said 3-foot alley Westerly 152.3
21 feet, more or less, to the place of beginning.

22 Beginning for Parcel No. 4 at the point formed by the intersection of the north
23 side of Kierle Court, 10 feet wide, and the west side of a 3-foot alley, laid out in
24 the rear of the properties known as No. 123 through No. 129 N. Schroeder Street,
25 said point of beginning being distant Easterly 73.2 feet, more or less, measured
26 along the north side of said Kierle Court from the east side of Schroeder Street, 66
27 feet wide, and running thence binding on the west side of said 3-foot alley
28 Northerly 48.8 feet, more or less, to intersect the south side of a 3-foot alley, laid
29 out in the rear of the properties known as No. 929 through No. 949 W. Lexington
30 Street; thence binding on the south side of last said 3-foot alley Easterly 3.0 feet,
31 to intersect the east side of said 3-foot alley, mentioned firstly herein; thence
32 binding on the east side of said 3-foot alley, mentioned firstly herein Southerly
33 48.8 feet, more or less, to intersect the north side of said Kierle Court, and thence
34 binding on the north side of said Kierle Court, Westerly 3.0 feet to the place of
35 beginning.

36 Beginning for Parcel No. 5 at the point formed by the intersection of the west side
37 of a 3-foot alley, laid out in the rear of the properties known as No. 115 through
38 No. 121 N. Schroeder Street, and the south side of Kierle Court, 10 feet wide, said
39 point of beginning being distant Easterly 61.0 feet, more or less, measured along
40 the south side of said Kierle Court from the east side of Schroeder Street, 66 feet
41 wide, and running thence binding on the south side of said Kierle Court Easterly
42 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east
43 side of said 3-foot alley Southerly 46.8 feet, more or less, to the southernmost
44 extremity of said 3-foot alley, there situate; thence binding on the southernmost
45 extremity of said 3-foot alley Westerly 3.0 feet to intersect the west side of said 3-
46 foot alley, and thence binding on the west side of said 3-foot alley Northerly 46.8
47 feet, more or less, to the place of beginning.

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1 Beginning for Parcel No. 6 at the point formed by the intersection of the south
2 side of Kierle Court, 10 feet wide, and the east side of a 3-foot alley, laid out in
3 the rear of the properties known as No. 112/114 through No. 122 N. Amity Street,
4 said point of beginning being distant Westerly 72.0 feet, more or less, measured
5 along the south side of said Kierle Court from the west side of Amity Street, 40
6 feet wide, and running thence binding on the east side of said 3-foot alley
7 Southerly 47.3 feet, more or less, to the southernmost extremity of said 3-foot
8 alley, there situate; thence binding on the southernmost extremity of said 3-foot
9 alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence
10 binding on the west side of said 3-foot alley Northerly 47.3 feet, more or less, to
11 intersect the south side of said Kierle Court, and thence binding on the south side
12 of said Kierle Court, Easterly 3.0 feet to the place of beginning.

13 Beginning for Parcel No. 7 at the point formed by the intersection of the west side
14 of a 4-foot alley, laid out in the rear of the properties known as No. 103 through
15 No. 109 N. Schroeder Street, and the south side of Vine Street, 10 feet wide, said
16 point of beginning being distant Easterly 54.0 feet, more or less, measured along
17 the south side of said Vine Street from the east side of Schroeder Street, 66 feet
18 wide, and running thence binding on the south side of said Vine Street Easterly
19 4.0 feet to intersect the east side of said 4-foot alley; thence binding on the east
20 side of said 4-foot alley Southerly 48.0 feet, more or less, to the southernmost
21 extremity of said 4-foot alley, there situate; thence binding on the southernmost
22 extremity of said 4-foot alley Westerly 4.00 feet to intersect the west side of said
23 4-foot alley, and thence binding on the west side of said 4-foot alley Northerly
24 48.0 feet, more or less, to the place of beginning.

25 Beginning for Parcel No. 8 at the point formed by the intersection of the east side
26 of Amity Street, 40 feet wide, and the north side of a 3-foot alley, laid out in the
27 rear of the properties known as No. 921 through No. 925/927 W. Lexington
28 Street, said point of beginning being distant Southerly 70.0 feet, more or less,
29 measured along the east side of said Amity Street from the south side of
30 Lexington Street, 66 feet wide, and running thence binding on the north side of
31 said 3-foot alley Easterly 62.0 feet, more or less, to the easternmost extremity of
32 said 3-foot alley, there situate; thence binding on the easternmost extremity of said
33 3-foot alley Southerly 3.0 feet to intersect the south side of said 3-foot alley;
34 thence binding on the south side of said 3-foot alley Westerly 62.0 feet, more or
35 less, to intersect the east side of said Amity Street, and thence binding on the east
36 side of said Amity Street Northerly 3.00 feet to the place of beginning.

37 Beginning for Parcel No. 9 at the point formed by the intersection of the north
38 side of Kierle Court, 10 feet wide, and the west side of a 2.5 foot alley, laid out in
39 the rear of the property known as No. 125 N. Amity Street, said point of beginning
40 being distant Easterly 60.0 feet, more or less, measured along the north side of
41 said Kierle Court from the east side of Amity Street, 40 feet wide, and running
42 thence binding on the west side of said 2.5 foot alley, Northerly 23.2 feet, more or
43 less, to the northernmost extremity of said 2.5 foot alley, there situate; thence
44 binding on the northernmost extremity of said 2.5 foot alley Easterly 2.5 feet to
45 intersect the east side of said 2.5 foot alley; thence binding on the east side of said
46 2.5 foot alley, Southerly 23.2 feet, more or less, to intersect the north side of said

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1 Kierle Court, and thence binding on the north side of said Kierle Court Westerly
2 2.5 feet to the place of beginning.

3 Beginning for Parcel No. 10 at the point formed by the intersection of the south
4 side of Sarah Ann Street, 20 feet wide, and the west side of a 2-foot alley laid out
5 in the rear of the properties known as Nos. 313 and 315 N. Schroeder Street said
6 point of beginning being distant Easterly 50 feet, more or less, measured along the
7 south side of said Sarah Ann Street, from the east side of Schroeder Street, 66 feet
8 wide, and running thence binding on the south side of said Sarah Ann Street
9 Easterly 2.0 feet to intersect the east side of said 2-foot alley; thence binding on
10 the east side of said 2-foot alley Southerly 30.0 feet, more or less, to the
11 southernmost extremity of said 2-foot alley, there situate; thence binding on the
12 southernmost extremity of said 2-foot alley Westerly 2.0 feet, to intersect the west
13 side of said 2-foot alley, and thence binding on the west side of said 2-foot alley
14 Northerly 30.0 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 11 at the point formed by the intersection of the north
16 side of a 2.5 foot alley laid out in the rear of the properties known as Nos. 950
17 through 956 W. Saratoga Street and the west side of a 3-foot alley laid out in the
18 rear of the properties known as Nos. 303 through 311 N. Schroeder Street, said
19 point of beginning being distant Easterly 47.0 feet, more or less, measured along
20 the north side of said 2.5 foot alley, from the east side of Schroeder Street, 66 feet
21 wide, and running thence binding on the west side of said 3-foot alley Northerly
22 60.4 feet, more or less, to the northernmost extremity of said 3-foot alley, there
23 situate; thence binding on the northernmost extremity of said 3-foot alley Easterly
24 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east
25 side of 3-foot alley Southerly 60.4 feet, more or less, to intersect the north side of
26 said 2.5 alley, and thence binding on the north side of said 2.5 foot alley Westerly
27 3.0 feet to the place of beginning.

28 Beginning for Parcel No. 12 at the point formed by the intersection of the east side
29 of Schroeder Street, 66 feet wide, and the south side of a 2.5 foot alley, laid out in
30 the rear of the properties known as Nos. 950 through 956 W. Saratoga Street said
31 point of beginning being distant Northerly 57.5 feet, more or less, measured along
32 the east side of said Schroeder Street from the north side of Saratoga Street, 60
33 feet wide, and running thence binding on the east side of said Schroeder Street
34 Northerly 2.5 feet to intersect the north side of said 2.5 foot alley; thence binding
35 on the north side of said 2.5 foot alley Easterly 50.0 feet, more or less, to the
36 easternmost extremity of said 2.5 foot alley, there situate; thence binding on the
37 easternmost extremity of said 2.5 foot alley Southerly 2.5 feet to intersect the
38 south side of said 2.5 foot alley, and thence binding on the south side of said 2.5
39 foot alley Westerly 50.0, feet more or less, to the place of beginning.

40 Beginning for Parcel No. 13 at the point formed by the intersection of the east side
41 of Schroeder Street, 66 feet wide, and the north side of Born Alley, 20 feet wide,
42 said point of beginning being distant Southerly 75.0 feet, more or less, measured
43 along the east side of said Schroeder Street from the south side of Saratoga Street,
44 60 feet wide, and running thence binding on the north side of said Born Alley
45 Easterly 152.0 feet, more or less, to intersect the west side of Amity Street, 40 feet
46 wide; thence binding on the west side of said Amity Street Southerly 20.0 feet to

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1 intersect the south side of said Born Alley; thence binding on the south side of
2 said Born Alley Westerly 152.0 feet, more or less, to intersect the east side of said
3 Schroeder Street, and thence binding on the east side of said Schroeder Street
4 Northerly 20.0 feet to the place of beginning.

5 Beginning for Parcel No. 14 at the point formed by the intersection of the east side
6 of Schroeder Street, 66 feet wide, and the south side of Cloney Alley, 20 feet
7 wide, said point of beginning being distant Northerly 199.0 feet, more or less,
8 measured along the east side of said Schroeder Street from the north side of
9 Lexington Street, 66 feet wide, and running thence binding on the east side of said
10 Schroeder Street Northerly 20.0 feet to intersect the north side of said Cloney
11 Alley; thence binding on the north side of said Cloney Alley Easterly 152.0 feet,
12 more or less, to intersect the west side of Amity Street, 40 feet wide; thence
13 binding on the west side of said Amity Street Southerly 20.0 feet to intersect the
14 south side of said Cloney Alley, and thence binding on the south side of said
15 Cloney Alley Westerly 152.0 feet, more or less, to the place of beginning.

16 Beginning for Parcel No. 15 at the point formed by the intersection of the south
17 side of Born Alley, 20 feet wide, and the east side of Osing Court, 11.5 feet wide,
18 said point of beginning being distant Westerly 71.0 feet, more or less, measured
19 along the south side of said Born Alley from the west side of Amity Street, 40 feet
20 wide, and running thence binding on the east side of said Osing Court Southerly
21 160.0 feet, more or less, to intersect the north side of Cloney Alley, 20 feet wide;
22 thence binding on the north side of said Cloney Alley Westerly 11.5 feet to
23 intersect the west side of said Osing Court; thence binding on the west side of said
24 Osing Court Northerly 160.0 feet, more or less, to intersect the south side of said
25 Born Alley and thence binding on the south side of said Born Alley Easterly 11.5
26 feet to the place of beginning.

27 Beginning for Parcel No. 16 at the point formed by the intersection of the south
28 side of Cloney Alley, 20 feet wide, and the east side of Osing Court, 11.5 feet
29 wide, said point of beginning being distant Westerly 71.0 feet, more or less,
30 measured along the south side of said Cloney Alley from the west side of Amity
31 Street, 40 feet wide, and running thence binding on the east side of said Osing
32 Court Southerly 127.0 feet, more or less, to intersect the north side of a 5-foot
33 alley laid out in the rear of the properties known as Nos. 928 through 942 W.
34 Lexington Street; thence binding on the north side of said 5-foot alley Westerly
35 11.5 feet to intersect the west side of said Osing Court; thence binding on the west
36 side of said Osing Court Northerly 127.0 feet, more or less, to intersect the south
37 side of said Cloney Alley and thence binding on the south side of said Cloney
38 Alley Easterly 11.5 feet to the place of beginning.

39 Beginning for Parcel No. 17 at the point formed by the intersection of the west
40 side of Amity Street, 40 feet wide, and the south side of a 5-foot alley laid out in
41 the rear of the properties known as Nos. 928 through 942 W. Lexington Street,
42 said point of beginning being distant Northerly 70.0 feet, more or less, measured
43 along the west side of said Amity Street from the north side of Lexington Street,
44 66 feet wide, and running thence binding on the south side of said 5-foot alley
45 Westerly 110.5 feet, more or less, to the westernmost extremity of said 5-foot
46 alley, there situate; thence binding on the westernmost extremity of said 5-foot

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1 alley Northerly 5.0 feet to intersect the north side of said 5-foot alley; thence
2 binding on the north side of said 5-foot alley, Easterly 110.5 feet, more or less, to
3 intersect the west side of said Amity Street and thence binding on the west side of
4 said Amity Street Southerly 5.0 feet to the place of beginning.

5 Beginning for Parcel No. 18 at the point formed by the intersection of the west
6 side of a 3-foot alley laid out in the rear of the properties known as Nos. 253
7 through 263 N. Schroeder Street and the south side of Saratoga Street, 60 feet
8 wide, said point of beginning being distant Easterly 61.0 feet, more or less,
9 measured along the south side of said Saratoga Street from the east side of
10 Schroeder Street, 66 feet wide, and running thence binding on the south side of
11 said Saratoga Street Easterly 3.0 feet to intersect the east side of said 3-foot alley;
12 thence binding on the east side of said 3-foot alley Southerly 75.0 feet, more or
13 less, to intersect the north side of Born Alley, 20 feet wide; thence binding on the
14 north side of said Born Alley Westerly 3.0 feet to intersect the west side of said 3-
15 foot alley and thence binding on the west side of said 3-foot alley Northerly 75.0
16 feet, more or less, to the place of beginning.

17 Beginning for Parcel No. 19 at the point formed by the intersection of the east side
18 of a 5 foot alley laid out in the rear of the properties known as Nos. 207 and 209
19 N. Schroeder Street and the north side of a 5-foot alley laid out in the rear of the
20 properties known as Nos. 928 through 942 W. Lexington Street, said point of
21 beginning being distant Westerly 105.5 feet, more or less, measured along the
22 north side of last said 5 foot alley from the west side of Amity Street, 40 feet
23 wide, and running thence binding on the north side of last said 5 foot alley
24 Westerly 5.0 feet to intersect the west side of said 5-foot alley, mentioned firstly
25 herein; thence binding on the west side of said 5-foot alley, mentioned firstly
26 herein, Northerly 24.0 feet, more or less, to the northernmost extremity of said 5-
27 foot alley, mentioned firstly herein, there situate; thence binding on the
28 northernmost extremity of said 5-foot alley, mentioned firstly herein, Easterly 5.0
29 feet to intersect the east side of said 5-foot alley, mentioned firstly herein, and
30 thence binding on the east side of said 5-foot alley, mentioned firstly herein,
31 Southerly 24.0 feet, more or less, to the place of beginning.

32 Beginning for Parcel No. 20 at the point formed by the intersection of the east side
33 of Schroeder Street, 66 feet wide, and the north side of Page Court, 10 feet wide,
34 and running thence binding on the north side of said Page Court Easterly 169.0
35 feet, more or less, to intersect the west side of Amity Street, 20 feet wide; thence
36 binding on the west side of said Amity Street Southerly 10.0 feet to intersect south
37 side of said Page Court; thence binding on the south side of said Page Court,
38 Westerly 169.0 feet, more or less, to intersect the east side of said Schroeder
39 Street, and thence binding on the east side of said Schroeder Street Northerly 10.0
40 feet to the place of beginning.

41 Beginning for Parcel No. 21 at the point formed by the intersection of the north
42 side of Fairmount Avenue, 66 feet wide, and the west side of a 4-foot alley laid
43 out contiguous to the west outline of the properties known as No. 924 W.
44 Fairmount Avenue and No. 933 Page Court, said point of beginning being distant
45 Easterly 87.5 feet, more or less, measured along the north side of said Fairmount
46 Avenue from the east side of Schroeder Street, 66 feet wide, and running thence

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1 binding on the west side of said 4-foot alley Northerly 74.0 feet, more or less, to
2 intersect the south side of Page Court, 10 feet wide; thence binding on the south
3 side of said Page Court Easterly 4.0 feet to intersect the east side of said 4-foot
4 alley; thence binding on the east side of said 4-foot alley Southerly 74.0 feet,
5 more or less, to intersect the north side of said Fairmount Avenue, and thence
6 binding on the north side of said Fairmount Avenue Westerly 4.0 feet to the place
7 of beginning.

8 Beginning for Parcel No. 22 at the point formed by the intersection of the south
9 side of Page Court, 10 feet wide, and the east side of a 3-foot alley laid out in the
10 rear of the properties known as Nos. 22 through 28 N. Amity Street, said point of
11 beginning being distant Westerly 51.5 feet, more or less, measured along the south
12 side of said Page Court from the west side of Amity Street, 20 feet wide, and
13 running thence binding on the east side of said 3-foot alley Southerly 45.0 feet,
14 more or less, to the southernmost extremity of said 3-foot alley, there situate;
15 thence binding on the southernmost extremity of said 3-foot alley Westerly 3.0
16 feet to intersect the west side of said 3-foot alley; thence binding on the west side
17 of said 3-foot alley Northerly 45.0 feet, more or less, to intersect the south side of
18 said Page Court, and thence binding on the south side of said Page Court Easterly
19 3.0 feet to the place of beginning.

20 Beginning for Parcel No. 23 at the point formed by the intersection of the south
21 side of Page Court, 10 feet wide, and the west side of a 1.6 foot alley laid out
22 contiguous to the east outline of the property known as No. 937 Page Court, said
23 point of beginning being distant Easterly 72.5 feet, more or less, measured along
24 the south side of said Page Court from the east side of Schroeder Street, 66 feet
25 wide, and running thence binding on the south side of said Page Court, Easterly
26 1.6 feet to intersect the east side of said 1.6 foot alley; thence binding on the east
27 side of said 1.6 foot alley, Southerly 29.0 feet, more or less, to the southernmost
28 extremity of said 1.6 foot alley, there situate; thence binding on the southernmost
29 extremity of said 1.6 foot alley, Westerly 1.6 feet to intersect the west of side of
30 said 1.6 foot alley, and thence binding on the west side of said 1.6 foot alley,
31 Northerly 29.0 feet, more or less, to the place of beginning.

32 As delineated on Plat 329-A-21A, prepared by the Survey Control Section and filed on May 12,
33 2011, in the Office of the Department of General Services.

34 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
35 closing of certain streets and alleys and the rights of all interested parties shall be regulated by
36 and in accordance with all applicable provisions of state and local law and with all applicable
37 rules and regulations adopted by the Director of General Services and filed with the Department
38 of Legislative Reference.

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

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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 General
7 Services 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