

**CITY OF BALTIMORE
COUNCIL BILL 23-0391
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: June 12, 2023

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Department of Planning, Baltimore Development Corporation, Department of Transportation, Office of Equity and Civil Rights

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing – A Portion of Boston Street**

3 FOR the purpose of condemning and closing a portion of Boston Street, bounded by the east side
4 of Haven Street, the southernmost property line of 1201 South Haven, LLC, the west side of
5 Canton Railroad Right-of-Way, and the north side of Boston Street, as shown on a plat
6 numbered 307-A-22A, dated March 17, 2022, and filed in the Department of Transportation;
7 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 Transportation shall proceed to condemn and close a portion of Boston Street,
18 bounded by the east side of Haven Street, the southernmost property line of 1201 South Haven,
19 LLC, the west side of Canton Railroad Right-of-Way, and the north side of Boston Street, and
20 more particularly described as follows:

FORMAT ONLY

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DEP'T OF LEGISLATIVE REFERENCE

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 Beginning for Parcel 1 at the point formed by the intersection of the north side of
2 Boston Street, 70 feet wide, and the east side of Haven Street, 60 feet wide, said
3 point of beginning being distant Easterly 1,339.8 feet, more or less, measured
4 along the north side of said Boston Street from the intersection of the east side of
5 South Conkling Street and the north side of said Boston Street; thence binding on
6 the east side of said Haven Street, Northwesterly 107.4 feet, more or less, to the
7 southernmost property line of 1201 S. Haven, LLC, formerly the Lands of Exxon
8 Corporation; thence binding on the southernmost property line of said 1201 S.
9 Haven LLC, Northeasterly 181.3 feet to intersect the west side of Canton Railroad
10 Right-of-Way, Southeasterly 108.1 feet, more or less, to intersect the north side of
11 said Boston Street and thence binding on the north side of said Boston Street
12 Southwesterly 181.3 feet, more or less, to the point of beginning.

13 Containing 19,535 square feet or 0.448 acres of land, more or less.

14 As delineated on a plat numbered 307-A-22A, prepared by the Survey Control
15 Section and filed on March 17, 2022 in the Office of the Department of Transportation.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
17 closing of a portion of Boston Street, bounded by the east side of Haven Street, the southernmost
18 property line of 1201 South Haven, LLC, the west side of Canton Railroad Right-of-Way, and
19 the north side of Boston Street, and the rights of all interested parties shall be regulated by and in
20 accordance with all applicable provisions of state and local law and with all applicable rules and
21 regulations.

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

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

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

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

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