

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 14-0437**

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Introduced by: The Council President  
At the request of: The Administration (Department of General Services)  
Introduced and read first time: September 15, 2014  
Assigned to: Housing and Community Development Committee  

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Committee Report: Favorable  
Council action: Adopted  

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Read second time: May 11, 2015  

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**AN ORDINANCE CONCERNING**

**City Streets – Closing –  
A Portion of Old Hawkins Point Road  
Between Curtis Creek and Pennington Avenue**

FOR the purpose of condemning and closing a portion of Old Hawkins Point Road between Pennington Avenue and the waters of Curtis Creek, as shown on Plat 204-A-28A in the Office of the Department of General Services; 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 General Services shall proceed to condemn and close a portion of Old Hawkins Point Road, extending from the south side of Pennington Avenue to the waters of Curtis Creek, and more particularly described as follows:

Beginning for Parcel No. 1 at the point with a coordinate value North -33,218.328 East 11,259.648 formed by the intersection of the south side of Old Hawkins Point Road (70 feet wide) and the south side of Pennington Avenue (varying in width) and running thence binding on the south side of Old Hawkins Point Road, the following courses and distances;

1. North 75°37'46" West for a distance of 551.08 feet to a point at the beginning of a curve to the left; thence with a chord bearing of

**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           2. North 78°37'33" West for a distance of 323.07 feet with a radius of  
2           3090.36 feet for a length of 323.22 feet to a tangent point; thence
- 3           3. North 81°37'19" West for a distance of 112.78 feet to The Waters of  
4           Curtis Creek; thence running along The Waters of Curtis Creek
- 5           4. North 07°52'54" East for a distance of 70.00 feet to a point on the  
6           south side of the Right of Way for the State of Maryland as shown on  
7           plat 41615; thence binding on said Right of Way line for the State of  
8           Maryland
- 9           5. South 81°37'19" East for a distance of 113.39 feet to a point at the  
10          beginning of a curve to the right; thence with a chord bearing
- 11          6. South 78°37'32" East for a distance of 330.39 feet with a radius of  
12          3160.36 feet for a length of 330.54 feet to a tangent point; thence still  
13          binding on said Right of Way line for the State of Maryland
- 14          7. South 75°37'46" East for a distance of 337.37 feet to a point on a  
15          curve on the south side of said Pennington Avenue with a radius of  
16          1,198.42 feet and a chord bearing North 56°56'19" West for a distance  
17          of 352.75 feet as recorded in Baltimore City Ordinance number 897  
18          Approved on July 8, 1970; thence binding reversely on said  
19          Pennington Avenue curve to the left with a chord bearing
- 20          8. South 57°29'36" East for a distance of 224.88 feet with a radius of 1,198.42  
21          feet for a length of 225.21 feet, to the point of beginning.

22                   Containing 61,100 square feet or 1.4027 acres.

23   As delineated on Plat 204-A-28A, prepared by the Survey Control Section and filed on  
24   November 7, 2013, in the Office of the Department of General Services.

25       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
26   closing of Old Hawkins Point Road extending from Pennington Avenue to the water of Curtis  
27   Creek and the rights of all interested parties shall be regulated by and in accordance with all  
28   applicable provisions of state and local law and with all applicable rules and regulations adopted  
29   by the Director of General Services and filed with the Department of Legislative Reference.

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

37       **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind  
38   (including but not limited to railroad tracks) may be constructed or erected in or on any part of  
39   the street closed under this Ordinance until all subsurface structures and appurtenances owned by

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1 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council  
2 or, at the expense of the person seeking to erect the building or structure, have been removed and  
3 relaid in accordance with the specifications and under the direction of the Director of General  
4 Services of Baltimore City.

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

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

15 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
16 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\_\_

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Mayor, Baltimore City