

**CITY OF BALTIMORE
COUNCIL BILL 06-0534
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: October 30, 2006
Assigned to: Highways and Franchises Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Certain Streets and Alleys Lying Within the Area Bounded by Biddle Street,**
4 **Collington Avenue, Preston Street, and Patterson Park Avenue and Lying**
5 **Within the Broadway East Urban Renewal Project**

6 FOR the purpose of condemning and closing certain streets and alleys lying within the area
7 bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park Avenue
8 and lying within the Broadway East Urban Renewal Project, as shown on Plat 346-A-57A in
9 the Office of the Department of Public Works; and providing for a special effective date.

10 BY authority of
11 Article I - General Provisions
12 Section 4
13 and
14 Article II - General Powers
15 Sections 2, 34, 35
16 Baltimore City Charter
17 (1996 Edition)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
19 Department of Public Works shall proceed to condemn and close certain streets and alleys lying
20 within the area bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park
21 Avenue and lying within the Broadway East Urban Renewal Project, and more particularly
22 described as follows:

23 Beginning for Parcel No. 1 at the point formed by the intersection of the south
24 side of Mura Street, 40 feet wide, and the east side of Collington Avenue, 70 feet
25 wide, and running thence binding on the east side of said Collington Avenue,
26 Northerly 40.0 feet to intersect the north side of said Mura Street; thence binding
27 on the north side of said Mura Street, Easterly 363.1 feet, more or less, to
28 intersect the west side of Patterson Park Avenue, 70 feet wide; thence binding on
29 the west side of said Patterson Park Avenue, Southerly 40.0 feet, to intersect the

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

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1 south side of said Mura Street, and thence binding on the south side of said Mura
2 Street, Westerly 363.1 feet, more or less, to the place of beginning.

3 Beginning for Parcel No. 2 at the point formed by the intersection of the south
4 side of a 10-foot alley laid out in the rear of the properties known as Nos.
5 2200/2202 through 2238 E. Biddle Street, and the east side of Collington Avenue,
6 70 feet wide, said point of beginning being distant northerly 71.5 feet, more or
7 less, measured along the east side of said Collington Avenue from the north side
8 of Biddle Street, 66 feet wide; thence binding on the east side of said Collington
9 Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley;
10 thence binding on the north side of said 10-foot alley, Easterly 285.1 feet, more or
11 less, to the easternmost extremity of said 10-foot alley; thence binding on the
12 easternmost extremity of said 10-foot alley, Southerly 10.0 feet to intersect the
13 south side of said 10-foot alley, and thence binding on the south side of said 10-
14 foot alley, Westerly 285.1 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 3 at the point formed by the intersection of the south
16 side of Mura Street, 40 feet wide, and the east side of a 12-foot alley, laid out in
17 the rear of the properties known as Nos. 1210 through 1218 N. Patterson Park
18 Avenue, said point of beginning being distant westerly 78.0 feet, measured along
19 the south side of said Mura Street from the west side of Patterson Park Avenue,
20 70 feet wide, and running thence binding on the east side of said 12-foot alley,
21 Southerly 60.0 feet, more or less, to intersect the north side of a 10-foot alley, laid
22 out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle
23 Street; thence binding on the north side of said 10-foot alley, Westerly 12.0 feet to
24 intersect the west side of said 12-foot alley; thence binding on the west side of
25 said 12-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of
26 said Mura Street, and thence binding on the south side of said Mura Street,
27 Easterly 12.0 feet to the place of beginning.

28 Beginning for Parcel No. 4 at the point formed by the east side of a 10-foot alley,
29 laid out in the rear of the properties known as Nos. 1220 through 1226 N.
30 Patterson Park Avenue, and the north side of Mura Street, 40 feet wide, said point
31 of beginning being distant westerly 70.0 feet, measured along the north side of
32 said Mura Street from the west side of Patterson Park Avenue, 70 feet wide, and
33 running thence binding on the north side of said Mura Street, Westerly 10.0 feet
34 to intersect the west side of said 10-foot alley; thence binding on the west side of
35 said 10-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of
36 a 10-foot alley, laid out in the rear of the properties known as Nos. 2201 through
37 2251 E. Preston Street; thence binding on the south side of last said 10-foot alley,
38 Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly
39 herein, and thence binding on the east side of said 10-foot alley, mentioned firstly
40 herein, Southerly 60.0 feet, more or less, to the place of beginning.

41 Beginning for Parcel No. 5 at the point formed by the intersection of the east side
42 of a 4-foot alley, laid out in the rear of the properties known as Nos. 1200 through
43 1208 N. Patterson Park Avenue, and the north side of E. Biddle Street, 66 feet
44 wide, said point of beginning being distant westerly 78.0 feet, more or less,
45 measured along the north side of said Biddle Street from the west side of
46 Patterson Park Avenue, 70 feet wide, and running thence binding on the north
47 side of said Biddle Street, Westerly 4.0 feet to intersect the west side of said 4-

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1 foot alley; thence binding on the west side of said 4-foot alley, Northerly 71.5
2 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear
3 of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street; thence
4 binding on the south side of said 10-foot alley, Easterly 4.0 feet to intersect the
5 east side of said 4-foot alley, and thence binding on the east side of said 4-foot
6 alley, Southerly 71.5 feet, more or less, to the place of beginning.

7 As delineated on Plat 346-A-57A, prepared by the Survey Control Section and filed on October
8 11, 2006 in the Office of the Department of Public Works.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
10 closing of the streets and alleys and the rights of all interested parties shall be regulated by and in
11 accordance with all applicable provisions of state and local law and with all applicable rules and
12 regulations adopted by the Director of Public Works and filed with the Department of
13 Legislative Reference.

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

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

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

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

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