

**CITY OF BALTIMORE
COUNCIL BILL 06-0516
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: September 25, 2006
Assigned to: Highways and Franchises Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Public Works,
Department of Real Estate, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Release of Right-of-Way – a 15.0 Foot Right-of-Way Granted to the Mayor and City**
3 **Council of Baltimore Through the Property of Loyola – Notre Dame Library, Inc.**

4 FOR the purpose of authorizing the release and surrender by the Mayor and City Council
5 of Baltimore of all of its interests in and to the 15.0 foot wide right-of-way heretofore
6 granted to the City of Baltimore through the property of John W. Garrett (and Alice W.
7 Garrett, his wife), currently owned by Loyola-Notre Dame Library, Inc. The location and
8 course of the 15.0 foot wide right-of-way to be released is shown on a plat numbered H-20-
9 16716 prepared by the Department of Public Improvements – Highways Department – Sewer
10 Division; and providing for a special effective date.

11 BY authority of
12 Article 1 - General Provisions
13 Section 4
14 and
15 Article II - General Powers
16 Section 31
17 Baltimore City Charter
18 (1996 Edition)

19 **Recitals**

20 **WHEREAS**, By Agreement dated February 17, 1925, and recorded among the Land Records
21 of Baltimore City in Liber S.C.L. No. 4346, Folio 61, John W. Garrett and Alice W. Garrett, his
22 wife, granted to the Mayor and City Council of Baltimore the right-of-way shown on a plat
23 numbered H-20-16716 and dated January 6, 1925 and revised January 28, 1925, which plat is
24 recorded with the Agreement; and

25 **WHEREAS**, The right-of-way hereinafter described is no longer needed for public use, the
26 public utility that had previously been therein having been abandoned and/or relocated to another
27 right-of-way that was granted to the Mayor and City Council of Baltimore.

28 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
29 Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City

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

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1 Council of Baltimore to execute and deliver unto the owner or owners of the land within the
2 right-of-way hereinafter described, a release and surrender of all of the interest of the City of
3 Baltimore in the right-of-way described as follows:

4 Beginning for a 15.0 foot Right-of-Way to be extinguished at the intersection of
5 the westernmost extremity of Winston Avenue, 40 feet wide, and the north side of
6 a Right-of-Way for Municipal Utilities and Services as shown on a plat numbered
7 H-20-16716 dated January 6, 1925 and revised on January 28, 1925 and attached
8 to an agreement between John W. Garrett (and Alice W. Garrett, his wife),
9 currently owned by Loyola-Notre Dame Library, Inc., and the Mayor and City
10 Council of Baltimore dated February 17, 1925 and recorded among the Land
11 Records of Baltimore City in Liber S.C.L. No. 4346, Folio 61, and running thence
12 binding on the westernmost extremity of said Winston Avenue, South 03° 51' 47"
13 West 15.22 feet; thence binding on the south, west and north sides of said Right-
14 of-Way the seven following courses and distances; namely, South 84° 01' 00"
15 West 400.68 feet, South 82° 11' 00" West 184.00 feet, South 84° 04' 00" West
16 158.32 feet, North 48° 26' 30" East 25.75 feet, North 84° 04' 00" East 137.14
17 feet, North 82° 11' 00" East 184.00 feet and North 84° 01' 00" East 403.52 feet to
18 the place of beginning.

19 Containing 11,007.50 square feet or 0.2527 acre of land, more or less.

20 All courses and distances in the above description are referred to the true meridian as
21 adopted by the Baltimore Survey Control System.

22 The use of the right-of-way described hereinabove is no longer needed for public purposes.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That no deed may pass under this Ordinance
24 unless the deed has been approved by the City Solicitor.

25 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
26 is enacted.