

**CITY OF BALTIMORE
COUNCIL BILL 06-0321
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: January 23, 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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Certain Streets and Alleys Lying Within the Area Bounded by**
4 **Dickman Street, Hanover Street, the Middle Branch of the Patapsco River,**
5 **and the Former Bed of Leadenhall Street**

6 FOR the purpose of condemning and closing certain streets and alleys lying within the area
7 bounded by Dickman Street, Hanover Street, the Middle Branch of the Patapsco River, and
8 the former bed of Leadenhall Street, as shown on Plat 346-A-56A in the Office of the
9 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 Dickman Street, Hanover Street, the Middle Branch of the Patapsco
21 River, and the former bed of Leadenhall Street, and more particularly described as follows:

22 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
23 of Creek Alley, 20 feet wide, and the south side of Dickman Street, 66 feet wide,
24 and running thence binding on the south side of said Dickman Street, Easterly
25 20.0 feet to intersect the east side of said Creek Alley; thence binding on the east
26 side of said Creek Alley, Southerly 1213 feet, more or less, to the waters of the
27 Middle Branch of the Patapsco River; thence binding along the waters of the
28 Middle Branch of the Patapsco River, Northwesterly 23 feet, more or less, to

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

1 intersect the west side of said Creek Alley, and thence binding on the west side of
2 said Creek Alley, Northerly 1201 feet, more or less, to the place of beginning.

3 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
4 of Race Street, 66 feet wide, and the south side of Dickman Street, 66 feet wide,
5 and running thence binding on the south side of said Dickman Street, Easterly
6 66.0 feet to intersect the east side of said Race Street; thence binding on the east
7 side of said Race Street, Southerly 982 feet, more or less, to the waters of the
8 Middle Branch of the Patapsco River; thence binding along the waters of the
9 Middle Branch of the Patapsco River, Southwesterly 142 feet, more or less, to
10 intersect the west side of said Race Street, and thence binding on the west side of
11 said Race Street, Northerly 1108 feet, more or less, to the place of beginning.

12 Beginning for Parcel No. 3 at the point formed by the intersection of the north
13 side of a 10-foot alley, and the west side of Race Street, 66 feet wide, said point
14 of beginning being distant southerly 75.0 feet, more or less, measured along the
15 west side of said Race Street from the south side of Dickman Street, 66 feet wide,
16 and running thence binding on the west side of said Race Street, Southerly 10.0
17 feet to intersect the south side of said 10-foot alley; thence binding on the south
18 side of said 10-foot alley, Westerly 80.0 feet, more or less, to intersect the east
19 side of a 10-foot alley, there situate; thence binding on the east side of last said
20 10-foot alley, Southerly 75.0 feet, more or less, to intersect the north side of a 12-
21 foot alley, laid out parallel with and distant 160.0 feet, more or less, southerly
22 from the south side of said Dickman Street; thence binding on the north side of
23 said 12-foot alley, Westerly 10.0 feet to intersect the west side of last said 10-foot
24 alley; thence binding on the west side of last said 10-foot alley, Northerly 85.0
25 feet, more or less, to intersect the north side of said 10-foot alley, mentioned
26 firstly herein, and thence binding on the north side of said 10-foot alley,
27 mentioned firstly herein, Easterly 90.0 feet, more or less, to the place of
28 beginning.

29 Beginning for Parcel No. 4 at the point formed by the intersection of the north
30 side of a 12-foot alley, and the west side of Race Street, 66 feet wide, said point
31 of beginning being distant southerly 160.0 feet, more or less, measured along the
32 west side of said Race Street from the south side of Dickman Street, 66 feet wide,
33 and running thence binding on the west side of said Race Street, Southerly 12.0
34 feet to intersect the south side of said 12-foot alley; thence binding on the south
35 side of said 12-foot alley, Westerly 200.0 feet, more or less, to intersect the east
36 side of Creek Alley, 20 feet wide; thence binding on the east side of said Creek
37 Alley, Northerly 12.0 feet to intersect the north side of said 12-foot alley, and
38 thence binding on the north side of said 12-foot alley, Easterly 200.0 feet, more or
39 less, to the place of beginning.

40 Beginning for Parcel No. 5 at the point formed by the intersection of the west side
41 of Clarkson Street, 40 feet wide, and the south side of Dickman Street, 66 feet
42 wide, and running thence binding on the south side of said Dickman Street,
43 Easterly 40.0 feet to intersect the east side of said Clarkson Street; thence binding
44 on the east side of said Clarkson Street, Southerly 409.0 feet, more or less, to
45 intersect the southeast side of Clarkson Street, as realigned and widened to a
46 width of 60 feet; thence binding on the southeast side of last said Clarkson Street,
47 Southwesterly 113.0 feet, more or less, to intersect the west side of said Clarkson

1 Street, mentioned firstly herein, and thence binding on the west side of said
2 Clarkson Street, mentioned firstly herein, Northerly 516.0 feet, more or less, to
3 the place of beginning.

4 Beginning for Parcel No. 6 at the point formed by the intersection of the west side
5 of Clarkson Street, 40.0 feet wide, and the southwest side of Cromwell Street,
6 varying in width, and running thence binding on the southwest side of said
7 Cromwell Street, Southeasterly 60.1 feet, more or less, to intersect the east side of
8 said Clarkson Street; thence binding on the east side of said Clarkson Street,
9 Southerly 242 feet, more or less, to the waters of the Middle Branch of the
10 Patapsco River; thence binding along the waters of the Middle Branch of the
11 Patapsco River, Northwesterly 62 feet, more or less, to intersect the west side of
12 said Clarkson Street, and thence binding on the west side of said Clarkson Street,
13 Northerly 239 feet, more or less, to the place of beginning.

14 Beginning for Parcel No. 7 at the point formed by the intersection of the north
15 side of Moale Street, 66 feet wide, and the west side of Hanover Street, varying in
16 width, and running thence binding on the west and north sides of said Hanover
17 Street, the three following courses and distances; namely, Southerly 28.6 feet,
18 more or less, Easterly 6.0 feet, more or less, and Southerly 37.4 feet, more or less,
19 to intersect the south side of said Moale Street; thence binding on the south side
20 of said Moale Street, Westerly 106.6 feet, more or less, to intersect the east side
21 of Clarkson Street, 60 feet wide; thence binding on the east side of said Clarkson
22 Street, the two following courses and distances; namely, Northerly 19.6 feet, more
23 or less, and Northerly by an arc curving to the left with a radius of 666.84 feet the
24 distance of 50.2 feet, more or less, to intersect the north side of said Moale Street,
25 and thence binding on the north side of said Moale Street, Easterly 75.5 feet,
26 more or less, to the place of beginning.

27 Beginning for Parcel No. 8 at the point formed by the intersection of the east side
28 of Clarkson Street, 40 feet wide, and the north side of Moale Street, 66 feet wide,
29 and running thence binding on the north side of said Moale Street, Easterly 32.5
30 feet, more or less, to intersect the west side of Clarkson Street, as realigned and
31 widened to a width of 60 feet; thence binding on the west side of last said
32 Clarkson Street, the two following courses and distances; namely, Southerly by
33 an arc curving to the right with a radius of 606.84 feet the distance of 28.2 feet,
34 more or less, and Southerly 42.0 feet, more or less, to intersect the south side of
35 said Moale Street; thence binding on the south side of said Moale Street, Westerly
36 8.5 feet, more or less, to intersect the east side of said Clarkson Street, mentioned
37 firstly herein, and thence binding on the east side of said Clarkson Street,
38 mentioned firstly herein, Northerly 66.0 feet to the place of beginning.

39 Beginning for Parcel No. 9 at the point formed by the intersection of the north
40 side of Moale Street, 66 feet wide, and the west side of Clarkson Street, 40 feet
41 wide, and running thence binding on the west side of said Clarkson Street,
42 Southerly 66.0 feet to intersect the south side of said Moale Street; thence binding
43 on the south side of said Moale Street, Westerly 168.0 feet, more or less, to
44 intersect the east side of Race Street, 66 feet wide; thence binding on the east side
45 of said Race Street, Northerly 66.0 feet to intersect the north side of said Moale
46 Street, and thence binding on the north side of said Moale Street, Easterly 168.0
47 feet, more or less, to the place of beginning.

1 Beginning for Parcel No. 10 at the point formed by the intersection of the north
2 side of Moale Street, 66 feet wide, and the west side of Race Street, 66 feet wide,
3 and running thence binding on the west side of said Race Street, Southerly 66.0
4 feet, to intersect the south side of said Moale Street; thence binding on the south
5 side of said Moale Street, Westerly 200.0 feet, more or less, to intersect the east
6 side of Creek Alley, 20 feet wide; thence binding on the east side of said Creek
7 Alley, Northerly 66.0 feet to intersect the north side of said Moale Street, and
8 thence binding on the north side of said Moale Street, Easterly 200.0 feet, more or
9 less, to the place of beginning.

10 Beginning for Parcel No. 11 the point formed by the intersection of the south side
11 of Cromwell Street, 50 feet wide, and the east side of Clarkson Street, 40 feet
12 wide, and running thence binding on the east side of said Clarkson Street,
13 Northerly 50.0 feet to intersect the north side of said Cromwell Street; thence
14 binding on the north side of said Cromwell Street, Easterly 25.3 feet, more or less,
15 to intersect the southwest side of Cromwell Street, as realigned and widened to a
16 varying width; thence binding on the southwest side of last said Cromwell Street,
17 the three following courses and distances; namely, Southeasterly 13.8 feet, more
18 or less, Southeasterly by an arc curving to the left with a radius of 187.33 feet the
19 distance of 60.8 feet, more or less, and Easterly by an arc curving to the left with
20 a radius of 102.21 feet the distance of 5.6 feet, more or less, to intersect the south
21 side of said Cromwell Street, mentioned firstly herein, and thence binding on the
22 south side of said Cromwell Street, mentioned firstly herein, Westerly 87.0 feet,
23 more or less, to the place of beginning.

24 Beginning for Parcel No. 12 at the point formed by the intersection of the north
25 side of Cromwell Street, 50 feet wide, and the west side of Clarkson Street, 40
26 feet wide, and running thence binding on the west side of said Clarkson Street,
27 Southerly 50.0 feet to intersect the south side of said Cromwell Street; thence
28 binding on the south side of said Cromwell Street, Westerly 168.0 feet, more or
29 less, to intersect the east side of Race Street, 66 feet wide; thence binding on the
30 east side of said Race Street, Northerly 50.0 feet to intersect the north side of said
31 Cromwell Street, and thence binding on the north side of said Cromwell Street,
32 Easterly 168.0 feet, more or less, to the place of beginning.

33 Beginning for Parcel No. 13 at the point formed by the intersection of the north
34 side of Cromwell Street, 50 feet wide, and the west side of Race Street, 66 feet
35 wide, and running thence binding on the west side of said Race Street, Southerly
36 50.0 feet to intersect the south side of said Cromwell Street; thence binding on the
37 south side of said Cromwell Street, Westerly 200.0 feet, more or less, to intersect
38 the east side of Creek Alley, 20 feet wide; thence binding on the east side of said
39 Creek Alley, Northerly 50.0 feet to intersect the north side of said Cromwell
40 Street, and thence binding on the north side of said Cromwell Street, Easterly
41 200.0 feet, more or less, to the place of beginning.

42 Beginning for Parcel No. 14 at the point formed by the intersection of the north
43 side of Cromwell Street, 50 feet wide, and the west side of Creek Alley, 20 feet
44 wide, and running thence binding on the west side of said Creek Alley, Southerly
45 50.0 feet to intersect the south side of said Cromwell Street; thence binding on the
46 south side of said Cromwell Street, Westerly 200.0 feet, more or less, to intersect
47 the east side of the former bed of Leadenhall Street, 66 feet wide; thence binding

1 on the east side of the former bed of said Leadenhall Street, Northerly 50.0 feet to
2 intersect the north side of said Cromwell Street, and thence binding on the north
3 side of said Cromwell Street, Easterly 200.0 feet, more or less, to the place of
4 beginning.

5 As delineated on Plat 346-A-56A, prepared by the Survey Control Section and filed on October
6 7, 2005, in the Office of the Department of Public Works.

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

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

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

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

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

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