

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0090

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: June 8, 2021
Assigned to: Economic and Community Development Committee
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: October 18, 2021

AN ORDINANCE CONCERNING

**City Streets – Closing –
Etting Street and four 10 Foot Alleys bounded by
Druid Hill Avenue, Gold Street, Division Street and Baker Street**

FOR the purpose of condemning and closing of Etting Street and four ten-foot alleys bounded by
Druid Hill Avenue, Gold Street, Division Street and Baker Street as shown on a plat
numbered 337-A-28A and filed in the Office of the Department of Transportation; 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 ~~Public Works~~ Transportation shall proceed to condemn and close Etting Street
and four ten-foot alleys bounded by Druid Hill Avenue, Gold Street, Division Street and Baker
Street, and more particularly described as follows:

**DESCRIPTION OF
ETTING STREET AND FOUR 10 FOOT ALLEYS BOUNDED BY DRUID HILL
AVENUE, GOLD STREET, DIVISION STREET AND BAKER STREET**

Beginning for Parcel 1 at the point formed by the intersection of the southeast side of
Baker Street 66 feet wide, and the northeast side of a 10 foot alley said point of beginning
being distant 80 feet, more or less, measured along the southeast side of said Baker Street
from the intersection of the southwest side of side of Druid Hill Avenue, varying in
width; thence binding on the northeast side of said 10 foot alley, Southeasterly 330 feet,

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 more or less, to intersect the northwest side of Gold Street 66 feet wide; thence binding
2 on the northwest side of said Gold Street, Southwesterly 10 feet to the southwest side of
3 said 10 foot alley; thence binding on the southwest side of said alley Northwesterly 330
4 feet more or less, to intersect the southeast side of said Baker Street and thence binding
5 on the southeast side of said Baker Street Northeasterly 10 feet more or less, to the place
6 of beginning.

7 Containing 3,300 square feet or 0.076 acres more or less

8 Beginning for Parcel 2 at the point formed by the intersection of the northwest side of
9 Gold Street 66 feet wide, and the southwest side of Etting Street, 40 feet wide, said point
10 of beginning being distant 161 feet, more or less, measured along the northwest side of
11 said Gold Street from the intersection of the northeast side of Division Street, 66 feet
12 wide; thence leaving the northwest side of said Gold Street Northwesterly 330 feet, more
13 or less, to intersect the southeast side of Baker Street 66 feet wide; thence binding on the
14 southeast side of said Baker Street Northeasterly 40 feet to the northeast side of said
15 Etting Street; thence binding on the northeast side of said Etting Street Southeasterly 330
16 feet, more or less, to intersect the northwest side of said Gold Street and thence binding
17 on the northwest side of said Gold Street Southwesterly 40 feet to the place of beginning.

18 Containing 13,200 square feet or 0.303 acres more or less

19 Beginning for Parcel 3 at the point formed by the intersection of the northwest corner of
20 the property known as number 2215-2217 Division Street and the southwest side of a 10
21 foot alley said point of beginning being distant 80 feet more or less, measured along the
22 northwesternmost outline of property known as number 2215-2217 Division Street from
23 the intersection of the northwest side of said Division Street; thence leaving the northwest
24 outline of said property Northwesterly 34.8 feet, more or less, to a point on the southwest
25 side of said 10 foot alley there situate; thence binding on the southwest side of said 10
26 foot alley Northwesterly 45 feet, more or less; thence crossing said 10 foot alley
27 Northeasterly 10.4 feet, more or less, to the northeast side of said 10 foot alley; thence
28 binding on the northeast side of said alley Southeasterly 46.4 feet, more or less, to a point
29 on northeast side of said alley there situate; thence binding on the northeast of said alley
30 Southeasterly 33.4 feet, more or less, to intersect the northwesternmost outline of the
31 property known as number 2220-2222 Etting Street and thence binding on the
32 northwesternmost outline of said property and the northwest side of said 10 foot alley,
33 Southeasterly 10 feet to the place of beginning.

34 Containing 798 square feet or 0.018 acres more or less

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1 Beginning for Parcel 4 at the point formed by the intersection of the northwest side of a
2 10 foot alley and the southwest side of another 10 foot alley said point of beginning being
3 distant 80 feet, more or less, measured along the northwest side of said 10 foot alley
4 firstly mention herein from the intersection of the northeast side of Division Street 66 feet
5 wide, thence binding on the southwest side of said second mentioned 10 foot alley
6 Northwesterly 55 feet, more or less, to intersect the southeasternmost outline of the
7 property known as number 2212 Etting Street and the southeast side of said 10 foot alley;
8 thence binding on the southeasternmost outline of said property and the southeast side of
9 said 10 foot alley Northeasterly 10 feet to the northeast side of said 10 foot alley; thence
10 binding on the northeast side of said 10 foot alley Southeasterly 55 feet, more or less, to
11 intersect the northwest side of a 10 foot alley; and thence binding on the northwest side of
12 said alley Southwesterly 10 feet to the place of beginning.

13 Containing 550 square feet or 0.013 acres more or less

14 Beginning for Parcel 5 at the point formed by the intersection of the southeast side of a 10
15 foot alley and the northeast side of Division Street 66 feet wide, said point of beginning
16 being distant 66 feet, more or less, measured along the northeast side of said Division
17 Street from the intersection of the northwest side of side of Gold Street 66 feet wide;
18 thence binding on the northeast side of said Division Street Northwesterly 10 feet to the
19 northwest side of said 10 foot alley; thence binding on the northwest side of said 10 foot
20 alley Northeasterly 161 feet, more or less, to intersect the southwest side of Etting Street,
21 40 feet wide; thence binding on the southwest side of said Etting Street Southeasterly 10
22 feet to the southeast side of said of said 10 foot alley; and thence binding on the southeast
23 side of said 10 foot alley Southwesterly 161 feet, more or less, to the place of beginning.

24 Containing 1,610 square feet or 0.037 acres more or less

25 As delineated on a plat numbered 337-A-28A prepared by the Survey Section and filed on
26 February 3, 2021 in the Office of the Department of Transportation.

27 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
28 closing of Etting Street and four ten-foot alleys bounded by Druid Hill Avenue, Gold Street,
29 Division Street and Baker Street and the rights of all interested parties shall be regulated by and
30 in accordance with all applicable provisions of state and local law and with all applicable rules
31 and regulations, ~~adopted by the Director of Public Works and filed with the Department of~~
32 ~~Legislative Reference.~~

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

40 **SECTION 4. AND BE IT FURTHER ORDAINED**, That no building or structure of any kind
41 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
42 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
43 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council

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1 or, at the expense of the person seeking to erect the building or structure, have been removed and
2 relaid in accordance with the specifications and under the direction of the Director of ~~Public~~
3 ~~Works~~ Transportation of Baltimore City.

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

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

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

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Certified as duly passed this 01 day of November, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 01 day of November, 2021



Chief Clerk

Approved this 7 day of December, 2021



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 10th Day of November, 2021.

Elena R. DiPietro

Chief Solicitor