

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0227

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: April 23, 2018
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2018

AN ORDINANCE CONCERNING

**City Streets – Closing –
Wilcox Street and 5 Alleys Bounded by East Chase Street,
Ensor Street, East Eager Street, and Valley Street**

FOR the purpose of condemning and closing Wilcox Street and 5 alleys bounded by East Chase Street, Ensor Street, East Eager Street, and Valley Street, as shown on Plat 331-A-15A 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 Transportation shall proceed to condemn and close Wilcox Street and 5 alleys bounded by East Chase Street, Ensor Street, East Eager Street, and Valley Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Wilcox Street 30 feet wide, and the south side of a 5-foot alley, the point of beginning being distant Northerly 80 feet, more or less, measured along the east side of Wilcox Street from the point formed by the intersection of the east side of Wilcox Street and the north side of East Eager Street 66 feet wide; thence binding on the east side of Wilcox Street Northerly 5.0 feet to intersect the north side of the 5-foot alley; thence binding on the north side of the 5-foot alley Easterly 53.6 feet, more or less, to the easternmost extremity of the 5-foot alley; thence binding on the easternmost extremity of the 5-foot alley Southerly 5.0 feet to the south

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 side of the 5-foot alley and thence binding on the south side of the 5-foot alley
2 Westerly 54.2 feet, more or less, to the point of beginning.

3 Containing 270 square feet or 0.006 acres of land, more or less.

4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Wilcox Street 30 feet wide, and the north side of a 3-foot alley, the point of
6 beginning being distant Southerly 57 feet, more or less, measured along the west
7 side of Wilcox Street from the point formed by the intersection of the west side of
8 Wilcox Street and the south side of East Chase Street 66 feet wide; thence binding
9 on the west side of Wilcox Street Southerly 3.0 feet to intersect the south side of
10 the 3-foot alley; thence binding on the south side of the 3-foot alley the 5
11 following courses and distances Westerly 38.0 feet, more or less, Southerly 3.0
12 feet, Westerly 27.5 feet, more or less, Southerly 11.0 feet, more or less, and
13 Westerly 3.5 feet, more or less, to intersect the east side of a 12-foot alley; thence
14 binding on the east side of the 12-foot alley so projected Northerly 14.0 feet, more
15 or less, to intersect the north side of the 3-foot alley; thence binding on the north
16 side of the 3-foot alley the 3 following courses and distances Easterly 28.0 feet,
17 more or less, Northerly 3.0 feet, more or less, and Easterly 41.0 feet, more or less
18 to the point of beginning.

19 Containing 254 square feet or 0.006 acres of land, more or less.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the east side
21 of Valley Street 65 feet wide, and the north side of a variable width alley, the
22 point of beginning being distant Southerly 100 feet, more or less, measured along
23 the east side of Valley Street from the point formed by the intersection of the east
24 side of Valley Street and the south side of East Chase Street 66 feet wide; thence
25 binding on the north side of the variable width alley the 2 following courses and
26 distances Easterly 56.3 feet, more or less, and Easterly 24.2 feet, more or less, to
27 intersect the west side of a 12-foot alley; thence binding on the west side of the
28 12-foot alley Southerly 13.0 feet, more or less, to intersect the south side of the
29 variable width alley; thence binding on the south side of the variable width alley
30 Westerly 80.3 feet, more or less, to intersect the east side of Valley Street; and
31 thence binding on the east side of Valley Street Northerly 10.0 feet, more or less,
32 to the point of beginning.

33 Containing 839 square feet or 0.019 acres of land, more or less.

34 Beginning for Parcel No. 4 at the point formed by the intersection of the west side
35 of Wilcox Street 30 feet wide, and the north side of East Eager Street 66 feet
36 wide, the point of beginning being distant Easterly 163 feet, more or less,
37 measured along the north side of East Eager Street from the point formed by the
38 intersection of the north side of East Eager Street and the east side of Valley Street
39 65 feet wide; thence binding on the west side of Wilcox Street Northerly 90.0 feet,
40 more or less, to the northernmost extremity of Wilcox Street; thence binding on
41 the northernmost extremity of Wilcox Street Easterly 30.0 feet, more or less, to
42 intersect the east side of Wilcox Street; thence binding on the east side of Wilcox
43 Street Southerly 90.0 feet, more or less, to intersect the north side of East Eager

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1 Street; and thence binding on the north side of East Eager Street Westerly 30.0
2 feet to the place of beginning.

3 Containing 2,700 square feet or 0.062 acres of land, more or less.

4 Beginning for Parcel No. 5 at the point formed by the intersection of the west side
5 of a 12-foot alley, laid out in the rear of the properties known as No. 1001 through
6 No. 1029 Valley Street and the north side of a 10-foot alley, the point of
7 beginning being distant Easterly 80 feet, more or less, measured along the north
8 side of the 10-foot alley from the point formed by the intersection of the north side
9 of the 10-foot alley and the east side of Valley Street 65 feet wide; thence binding
10 on the west side of the 12-foot alley Northerly 264.3 feet, more or less, to the
11 northernmost extremity of the 12-foot alley; thence binding on the northernmost
12 extremity of the 12-foot alley the 3 following courses and distances Easterly 5.0
13 feet, more or less, Northerly 9.0 feet, more or less, and Easterly 7.0 feet, more or
14 less, to intersect the east side of the 12-foot alley; thence binding on the east side
15 of the 12-foot alley Southerly 273.3 feet, more or less, to intersect the north side
16 of the 10-foot alley; and thence binding on the north side of the 10-foot alley
17 Westerly 12.0 feet, more or less, to the point of beginning.

18 Containing 3,235 square feet or 0.074 acres of land, more or less.

19 Beginning for Parcel No. 6 at the point formed by the intersection of the south
20 side of a 10-foot alley and the east side of Valley Street 65 feet wide, the point of
21 beginning being Northerly 80 feet, more or less, measured along the east side of
22 Valley Street from the point formed by the intersection of the east side of Valley
23 Street and the north side of East Eager Street 66 feet wide; thence binding on the
24 east side of Valley Street Northerly 10.0 feet, more or less, to intersect the north
25 side of the 10-foot alley; thence binding on the north side of the 10-foot alley
26 Easterly 162.8 feet, more or less, to intersect the west side of Wilcox Street 30
27 feet wide; thence binding on the west side of Wilcox Street Southerly 10.0 feet,
28 more or less, to intersect the south side of the 10-foot alley; and thence binding on
29 the south side of the 10-foot alley Westerly 162.8 feet, more or less, to the point of
30 beginning.

31 Containing 1,628 square feet or 0.037 acres of land, more or less.

32 As delineated on Plat 331-A-15A, prepared by the Survey Section and filed on October 18, 2017,
33 in the Office of the Department of Transportation.

34 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
35 closing of Wilcox Street and 5 alleys bounded by East Chase Street, Ensor Street, East Eager
36 Street, and Valley Street and the rights of all interested parties shall be regulated by and in
37 accordance with all applicable provisions of state and local law and with all applicable rules and
38 regulations adopted by the Director of Transportation and filed with the Department of
39 Legislative Reference.

40 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
41 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
42 continue to be the property of the Mayor and City Council, in fee simple, until their use has been

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1 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
2 them, that person must first obtain permission from the Mayor and City Council and, in the
3 application for this permission, must agree to pay all costs and expenses, of every kind, arising
4 out of the removal, alteration, or interference.

5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
6 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
7 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
8 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
9 or, at the expense of the person seeking to erect the building or structure, have been removed and
10 relaid in accordance with the specifications and under the direction of the Director of
11 Transportation of Baltimore City.

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

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

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

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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__

Mayor, Baltimore City