

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0691

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

Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2007

AN ORDINANCE CONCERNING

**City Streets – Closing –
A Portion of Lancaster Street**

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3 FOR the purpose of condemning and closing a portion of Lancaster Street, extending from the
4 southwest side of President Street westerly and northwesterly to the south side of Aliceanna
5 Street, as shown on Plat 114-A-22 in the Office of the Department of Public Works; and
6 providing for a special effective date.

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

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
16 Department of Public Works shall proceed to condemn and close a portion of Lancaster Street,
17 extending from the southwest side of President Street westerly and northwesterly to the south
18 side of Aliceanna Street, and more particularly described as follows:

19 Beginning for Parcel No. 1 at the intersection of the southwest side of President
20 Street, 60 feet wide, and the north side of Lancaster Street, varying in width,
21 having a coordinate value of East 4,086.53 feet and South 5,474.66 feet, and
22 running thence binding on the line of the southwest side of said President Street,
23 if projected southeasterly, South 28° 21' 17" East 73.81 feet to intersect the south
24 side of said Lancaster Street, 52 feet wide; thence binding on the south,
25 southwest, southeast and west sides of last said Lancaster Street, the six following
26 courses and distances; namely, South 87° 34' 53" West 287.84 feet, by a tangent
27 arc curving to the right with a radius of 252.00 feet the distance of 221.33 feet
28 which arc is subtended by a chord bearing North 67° 15' 28.5" West 214.28 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 by a tangent line North 42° 05' 50" West 52.85 feet, North 32° 54' 10" East 8.28
2 feet, North 42° 05' 19" West 7.34 feet, and by a non-tangent arc curving to the
3 right with a radius of 185.00 feet the distance of 72.55 feet which arc is subtended
4 by a chord bearing North 02° 12' 07" West 72.08 feet to intersect the line of the
5 south side of Aliceanna Street, 42 feet wide, if projected southwesterly; thence
6 binding reversely on the line of the south side of said Aliceanna Street, North 76°
7 56' 36" East 26.33 feet, to intersect the northeast side of Lancaster Street, varying
8 in width and thence binding on the northeast and north sides of last said Lancaster
9 Street, in part on the northeast and north sides of Lancaster Street, mentioned
10 secondly herein, and in all, the five following courses and distances; namely, by a
11 line curving to the left with a radius of 17.00 feet the distance of 35.32 feet which
12 arc is subtended by a chord bearing South 17° 25' 19.5" West 29.30 feet, South
13 42° 05' 50" East 89.99 feet, by a tangent arc curving to the left with a radius of
14 200.00 feet the distance of 175.65 feet which arc is subtended by a chord bearing
15 South 67° 15' 28.5" East 170.06 feet, North 87° 34' 53" East 246.56 feet and by a
16 tangent arc curving to the left with a radius of 10.00 feet the distance of 20.25 feet
17 which arc is subtended by a chord bearing of North 29° 36' 57.5" East 16.96 feet
18 to the place of beginning.

19 As delineated on Plat 114-A-22, prepared by the Survey Control Section and filed on May 8,
20 2007 in the Office of the Department of Public Works.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
22 closing of a portion of Lancaster Street and the rights of all interested parties shall be regulated
23 by and in accordance with all applicable provisions of state and local law and with all applicable
24 rules and regulations adopted by the Director of Public Works and filed with the Department of
25 Legislative Reference.

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

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

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

44 **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this
45 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized

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1 representatives, shall have access to the subject property and to all subsurface structures and
2 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,
3 repairing, altering, relocating, or replacing any of them, without need to obtain permission from
4 or pay compensation to the owner of the property.

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

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