

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0036

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: February 4, 2008
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: June 2, 2008

AN ORDINANCE CONCERNING

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

FOR the purpose of condemning and closing a portion of Monroe Street, contiguous to the southwest side thereof and extending from Reisterstown Road, southeasterly 253.5 feet, more or less, as shown on Plat 346-A-60A in the Office of the Department of Public Works; 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 shall proceed to condemn and close a portion of Monroe Street, contiguous to the southwest side thereof and extending from Reisterstown Road, southeasterly 253.5 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Reisterstown Road, 95 feet wide, and the west side of Monroe Street, varying in width, and having a coordinate value of East 1,410,861.811 feet and North 601,422.273 feet, and running thence through the bed of said Monroe Street, the seven following courses and distances; namely, by a tangent arc curving to the right with a radius of 152.80 feet the distance of 37.18 feet which arc is subtended by a chord bearing, South 36° 40' 39" East 37.09 feet, South 29° 42' 26" East 35.66 feet, South 48° 01' 49" East 14.37 feet, South 25° 36' 34" East 19.49 feet, South 19° 44' 17" East 95.03 feet, by a tangent arc curving to the right with a radius of 125.00 feet the distance of 43.64 feet which arc is subtended by a

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 chord bearing, South 09° 44' 09" East 43.42 feet and South 00° 16' 00" West 8.41
2 feet to intersect the west side of said Monroe Street, and thence binding on the
3 west side of said Monroe Street, the six following courses and distances; namely,
4 by a tangent arc curving to the left with a radius of 119.00 feet the distance of
5 66.98 feet which arc is subtended by a chord bearing, North 15° 51' 31" West
6 66.10 feet, by a tangent arc curving to the left with a radius of 474.00 feet the
7 distance of 96.49 feet which arc is subtended by a chord bearing North 37° 48'
8 56" West 96.32 feet, North 43° 38' 49" West 27.00 feet, North 46° 21' 07" East
9 26.00 feet, North 12° 29' 33" West 19.78 feet and by a tangent arc curving to the
10 left with a radius of 67.69 feet the distance of 36.81 feet which arc is subtended
11 by a chord bearing North 28° 04' 13" West 36.36 feet to the place of beginning.

12 All courses, distances and coordinates in the above description are referred to the true meridian
13 as adopted by the State of Maryland NAD 83/91 Datum.

14 As delineated on Plat 346-A-60A, prepared by the Survey Control Section and filed on
15 December 24, 2007, in the Office of the Department of Public Works.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
17 closing of a portion of Monroe Street and the rights of all interested parties shall be regulated by
18 and in accordance with all applicable provisions of state and local law and with all applicable
19 rules and regulations adopted by the Director of Public Works and filed with the Department of
20 Legislative Reference.

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

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

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

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

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1 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
2 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