

**CITY OF BALTIMORE
COUNCIL BILL 09-0282
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: February 9, 2009
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, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Hawkins Point Road**

4 FOR the purpose of condemning and closing Hawkins Point Road, extending from Fort
5 Armistead Road Southwesterly 449.8 feet, more or less, to an access ramp to northbound
6 Interstate Route No. 695, as shown on Plat 114-A-50 in the Office of the Department of
7 Public Works; and providing for a special effective date.

8 By authority of
9 Article I - General Provisions
10 Section 4
11 and
12 Article II - General Powers
13 Sections 2, 34, 35
14 Baltimore City Charter
15 (1996 Edition)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Department of Public Works shall proceed to condemn and close Hawkins Point Road,
18 extending from Fort Armistead Road Southwesterly 449.8 feet, more or less, to an access ramp
19 to northbound Interstate Route No. 695, and more particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the south
21 side of Hawkins Point Road, varying in width, and the northwest side of Fort
22 Armistead Road, varying in width, and running thence binding on the south side
23 of said Hawkins Point Road Westerly by a line curving to the right with a radius
24 of 1093.90 feet the distance of 397.1 feet, more or less, to intersect the east side of
25 an access ramp to north bound Interstate Route No. 695, varying in width, there
26 situate; thence binding on the east side of said access ramp to north bound
27 Interstate Route No. 695 Northerly 50.8 feet, more or less, to intersect the
28 northwest side of said Hawkins Point Road; thence binding on the northwest side
29 of said Hawkins Point Road Northeasterly by a line curving to the left with a

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

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1 radius of 987.45 feet the distance of 502.5 feet, more or less, to intersect the
2 northwest side of said Fort Armistead Road, and thence binding on the northwest
3 side of said Fort Armistead Road the two following courses and distances;
4 namely, Southwesterly 51.3 feet, more or less, and Southwesterly by a line
5 curving to the right with a radius of 1749.72 feet the distance of 97.6 feet, more or
6 less, to the place of beginning.

7 As delineated on Plat 114-A-50, prepared by the Survey Control Section and filed on September
8 23, 2008, in the Office of the Department of Public Works.

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

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

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

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

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

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