

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0593

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: February 26, 2007
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: June 4, 2007

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Streets Lying Within the Freedom and Claremont Homes Project**

FOR the purpose of condemning and closing certain streets lying within the area bounded by Sinclair Lane, Erdman Avenue, Federal Street, the Baltimore Gas and Electric Company Right-of-Way, and Shannon Drive, as shown on Plat 114-A-16 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 certain streets lying within the area bounded by Sinclair Lane, Erdman Avenue, Federal Street, the Baltimore Gas and Electric Company Right-of-Way, and Shannon Drive, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the west side of Freedomway North, 60 feet wide, distant Northerly 166.7 feet, more or less, measured along the west side of said Freedomway North from the north side of Federal Street, 80 feet wide, and running thence binding on the west side of said Freedomway North, Northerly 39.0 feet, more or less, to intersect the southwest side of Freedomway West, varying in width; thence binding on the southwest side of said Freedomway West, Northwesterly by a line curving to the left with a radius of 150.00 feet the distance of 125.0 feet, more or less, to intersect the southwest side of Freedomway West, 50 feet wide, there situate; thence binding on last said Freedomway West, the two following courses and distances; namely, by a tangent

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.

Council Bill 07-0593

1 line, Northwesterly 443.7 feet, more or less, and Northeasterly by a line curving
2 to the right with a radius of 90.00 feet the distance of 207.7 feet, more or less, to
3 intersect the north side of Freedomway North, 50 feet wide; thence binding on the
4 north and northeast sides of last said Freedomway North, the three following
5 courses and distances; namely, by a tangent line, Easterly 314.5 feet, more or less,
6 Southeasterly by a line curving to the right with a radius of 175.00 feet the
7 distance of 190.1 feet, more or less, and by a tangent line, Southeasterly 282.8
8 feet, more or less, to intersect the northwest side of said Freedomway North,
9 mentioned firstly herein; and thence binding on the northwest side of said
10 Freedomway North, mentioned firstly herein, Southwesterly 50.6 feet, more or
11 less, to intersect the southwest side of Freedomway North, mentioned secondly
12 herein; thence binding on the southwest and south sides of Freedomway North,
13 mentioned secondly herein, the three following courses and distances; namely,
14 Northwesterly 290.4 feet, more or less, Northwesterly by a line curving to the left
15 with a radius of 125.00 feet the distance of 135.9 feet, more or less, and Westerly
16 314.5 feet, more or less, to intersect the northeast side of last said Freedomway
17 West; thence binding on the northeast side of last said Freedomway West,
18 Southwesterly by a line curving to the left with a radius of 40.00 feet the distance
19 of 94.9 feet, more or less, and thence binding in part on the northeast side of last
20 said Freedomway West, in part on the northeast side of said Freedomway West,
21 mentioned firstly herein, and in all, by a tangent line, Southeasterly 561.2 feet,
22 more or less, to intersect the northwest side of said Freedomway North,
23 mentioned firstly herein, and thence binding on the northwest side of said
24 Freedomway North, mentioned firstly herein, Southwesterly by a line curving to
25 the left with a radius of 160.00 feet, the distance of 129.2 feet, more or less, to the
26 place of beginning.

27 Beginning for Parcel No. 2 at the point formed by the intersection of the southeast
28 side of Sinclair Lane, 60 feet wide, and the northeast side of Clareway, varying in
29 width, and running thence binding on the northeast side of said Clareway by a
30 tangent arc curving to the left with a radius of 30.00 feet the distance of 40.13 feet
31 which arc is subtended by a chord bearing South 16° 25' 05" West 37.20 feet to
32 intersect the northeast side of Clareway, 60 feet wide; thence binding on the
33 northeast, east and southeast sides of last said Clareway, the nine following
34 courses and distances; namely, by a tangent line, South 21° 54' 00" East 23.86
35 feet, by a tangent arc curving to the right with a radius of 250.00 feet the distance
36 of 193.83 feet which arc is subtended by a chord bearing South 00° 18' 40" West
37 189.01 feet, by a tangent line, South 22° 31' 20" West 253.91 feet, by a tangent
38 arc curving to the left with a radius of 545.00 feet the distance of 491.40 feet
39 which arc is subtended by a chord bearing South 03° 18' 30" East 474.93 feet, by
40 a tangent line, South 29° 08' 20" East 90.46 feet, by a tangent arc curving to the
41 right with a radius of 870.00 feet the distance of 357.23 feet which arc is
42 subtended by a chord bearing South 17° 22' 33.35" East 354.72 feet, by a tangent
43 arc curving to the right with a radius of 245.00 feet the distance of 213.03 feet
44 which arc is subtended by a chord bearing, South 19° 17' 48.5" West 206.39 feet,
45 by a tangent line, South 47° 53' 34" West 31.50 feet and South 53° 05' 48" West
46 80.54 feet to the southwesternmost extremity of last said Clareway, there situate;
47 thence binding on the southwesternmost extremity of last said Clareway, North
48 36° 54' 12" West 60.00 feet to intersect the northwest side of last said Clareway;
49 thence binding on the northwest, west and southwest sides of last said Clareway,
50 the eight following courses and distances; namely, North 53° 05' 48" East 74.05

Council Bill 07-0593

1 feet, by a tangent arc curving to the left with a radius of 185.00 feet the distance
2 of 189.57 feet which arc is subtended by a chord bearing, North 23° 44' 30.65"
3 East 181.38 feet, by a tangent arc curving to the left with a radius of 810.00 feet
4 the distance of 332.59 feet which arc is subtended by a chord bearing, North 17°
5 22' 33.35" West 330.26 feet, by a tangent line, North 29° 08' 20" West 90.46 feet,
6 by a tangent arc curving to the right with a radius of 605.00 feet the distance of
7 545.50 feet which arc is subtended by a chord bearing, North 03° 18' 30" West
8 527.21 feet, by a tangent line, North 22° 31' 20" East 253.91 feet, by a tangent arc
9 curving to the left with a radius of 190.00 feet the distance of 147.31 feet which
10 arc is subtended by a chord bearing, North 00° 18' 40" East 143.65 feet and by a
11 tangent line, North 21° 54' 00" West 39.12 feet to intersect the southeast side of
12 said Sinclair Lane, and thence binding on the southeast side of said Sinclair Lane,
13 North 58° 34' 58" East 84.22 feet to the place of beginning.

14 Beginning for Parcel No. 3 at the point formed by the intersection of the southeast
15 side of Clareway, 60 feet wide, and the northeast side of Southclare Road, varying
16 in width, and running thence binding on the northeast side of said Southclare
17 Road by a non-tangent arc curving to the left with a radius of 25.00 feet the
18 distance of 37.96 feet which arc is subtended by a chord bearing South 20° 44'
19 25.5" East 34.42 feet to intersect the north side of Southclare Road, 50.0 feet
20 wide; thence binding on the north and northwest sides of last said Southclare
21 Road, the two following courses and distances; namely, by a tangent arc curving
22 to the left with a radius of 138.00 feet the distance of 151.31 feet which arc is
23 subtended by a chord bearing, North 84° 20' 57.5" East 143.84 feet and by a
24 tangent line, North 52° 56' 19" East 508.73 feet to intersect the southwest side of
25 Southclare Road, varying in width; thence binding on the southwest and
26 northwest sides of last said Southclare Road, the three following courses and
27 distances; namely, by a tangent arc curving to the left with a radius of 20.00 feet
28 the distance of 26.97 feet which arc is subtended by a chord bearing North 14° 18'
29 49" East 24.97 feet, by a tangent line, North 24° 18' 41" West 28.78 feet and by a
30 tangent arc curving to the right with a radius of 50.00 feet the distance of 157.08
31 feet which arc is subtended by a chord bearing North 65° 41' 19" East 100.00 feet
32 to the northeasternmost extremity of last said Southclare Road, there situate;
33 thence binding on the northeasternmost extremity of last said Southclare Road,
34 South 24° 18' 41" East 73.39 feet to intersect the southeast side of last said
35 Southclare Road; thence binding in part on the southeast side of last said
36 Southclare Road, in part on the southeast side of said Southclare Road, mentioned
37 secondly herein, and in all, the two following courses and distances; namely, by a
38 non-tangent line, South 52° 56' 19" West 615.93 feet and by a tangent arc curving
39 to the right with a radius of 188.00 feet the distance of 218.06 feet which arc is
40 subtended by a chord bearing South 86° 10' 00" West 206.04 feet to intersect the
41 southwest side of said Southclare Road, mentioned firstly herein; thence binding
42 on the southwest side of said Southclare Road, mentioned firstly herein, by a
43 tangent arc curving to the left with a radius of 25.00 feet the distance of 32.81 feet
44 which arc is subtended by a chord bearing South 81° 48' 03.5" West 30.50 feet to
45 intersect the southeast side of said Clareway, and thence binding on the southeast
46 side of said Clareway, by a non-tangent arc curving to the left with a radius of
47 245.00 feet the distance of 91.71 feet which arc is subtended by a chord bearing
48 North 33° 28' 57.5" East 91.18 feet to the place of beginning.

Council Bill 07-0593

1 As delineated on Plat 114-A-16, prepared by the Survey Control Section and filed on January 10,
2 2007, in the Office of the Department of Public Works.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
4 closing of the streets and the rights of all interested parties shall be regulated by and in
5 accordance with all applicable provisions of state and local law and with all applicable rules and
6 regulations adopted by the Director of Public Works and filed with the Department of
7 Legislative Reference.

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

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

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

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

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

Council Bill 07-0593

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