

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 06-0324**

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Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: January 23, 2006  
Assigned to: Highways and Franchises Subcommittee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: June 5, 2006

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**AN ORDINANCE CONCERNING**

**Release of Right-of-Way – A Variable Width Right-of-Way Granted  
to the Mayor and City Council of Baltimore through the Property of  
Ausa Holding Company C/O R.E. McElroy, Inc.**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to a variable width right-of-way for a Perpetual Easement for Municipal Utilities and Services granted to the City of Baltimore through the property of Ausa Holding Company C/O R.E. McElroy, Inc., the location and course of the variable width right-of-way to be released as shown on Plat 338-A-16C in the Office of the Department of Public Works; and providing for a special effective date.

By authority of  
Article 1 - General Provisions  
Section 4  
and  
Article II - General Powers  
Section 31  
Baltimore City Charter  
(1996 Edition)

**Recitals**

**WHEREAS**, By a Land Disposition Agreement dated March 20, 1991, and recorded among the Land Records of Baltimore City in Liber S.E.B. No. 2844, Folio 1, the Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development sold Lot No. 42 of the Mid-Town Belvedere Urban Renewal Area to the Ausa Holding Company. The Mayor and City Council of Baltimore retained a right-of-way for a Utility Easement for the entire width of the 10-foot and 20-foot alleys closed and designated as Lot No. 1 and Lot No. 2 as shown on Plat 338-A-16C and dated November 3, 1987; and

**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       **WHEREAS**, The right-of-way hereinafter described is no longer needed for public use, the  
2 public utility that had previously been therein having been abandoned and/or relocated to another  
3 right-of-way that was granted to the Mayor and City Council of Baltimore.

4       **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
5 Comptroller of Baltimore City is authorized on behalf of the Mayor and City Council of  
6 Baltimore to execute and deliver to the owner or owners of the land within the right-of-way  
7 hereinafter described, a release and surrender of all of the interest of the City of Baltimore in the  
8 right-of-way described as follows:

9           Beginning for a 20-foot wide Right-of-Way to be extinguished at a point on the  
10 west side of Lovegrove Street, 20 feet wide, said point of beginning being distant  
11 southerly 120 feet measured along the west side of said Lovegrove Street from the  
12 south side of Preston Street, 66 feet wide, and running thence binding on the west  
13 side of said Lovegrove Street, Southerly 20.0 feet, more or less, to intersect the  
14 south side of said 20-foot wide Right-of-Way; thence binding in part on the south  
15 side of said 20-foot wide Right-of-Way, in part on the south side of a 10-foot  
16 wide Right-of-Way to be extinguished, laid out 45 feet east of said Lovegrove  
17 Street, and in all, Westerly 55.0 feet, more or less, to intersect the west side of  
18 said 10- foot wide Right-of-Way; thence binding on the west side of said 10-foot  
19 wide Right-of-Way, Northerly 140.0 feet, more or less, to intersect the south side  
20 of said Preston Street; thence binding on the south side of said Preston Street,  
21 Easterly 10.0 feet, more or less, to intersect the east side of said 10-foot wide  
22 Right-of-Way; thence binding on the east side of said 10-foot wide Right-of-Way,  
23 Southerly 120.0 feet, more or less, to intersect the north side of said 20-foot wide  
24 Right-of-Way, and thence binding on the north side of said 20-foot wide Right-of-  
25 Way, Easterly 45.0 feet, more or less, to the place of beginning.

26           Containing 2,300 square feet of land, more or less.

27           The use of the right-of-way described hereinabove is no longer needed for public purposes.

28       **SECTION 2. AND BE IT FURTHER ORDAINED**, That no deed may pass under this Ordinance  
29 unless the deed has been approved by the City Solicitor.

30       **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it  
31 is enacted.

**Council Bill 06-0324**

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City