

**CITY OF BALTIMORE
COUNCIL BILL 12-0056
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: April 16, 2012
Assigned to: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of General Services, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**City Streets – Closing –**
3 style="text-align:center">**Pinkney Road and a 10-foot Alley**

4 FOR the purpose of condemning and closing Pinkney Road, located 481.3 feet, more or less,
5 southwesterly from Reisterstown Road and extending southerly 51.0 feet, more or less, to its
6 southernmost extremity thereof and a 10-foot alley laid out in the rear of the property known
7 as 4120 Menlo Drive and extending 51.0 feet, more or less, to its southernmost extremity
8 thereof, as shown on Plat 177-A-40A in the Office of the Department of General Services;
9 and providing for a special effective date.

10 BY authority of
11 Article I - General Provisions
12 Section 4
13 and
14 Article II - General Powers
15 Sections 2, 34, 35
16 Baltimore City Charter
17 (1996 Edition)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
19 Department of General Services shall proceed to condemn and close Pinkney Road, located
20 481.3 feet, more or less, southwesterly from Reisterstown Road and extending southerly 51.0
21 feet, more or less, to its southernmost extremity thereof and a 10-foot alley laid out in the rear of
22 the property known as 4120 Menlo Drive and extending 51.0 feet, more or less, to its
23 southernmost extremity thereof, and more particularly described as follows:

24 Beginning for Parcel No. 1 at the point formed by the intersection of the southeast
25 side of Pinkney Road, 40 feet wide, and the northeast outline of the property
26 known as Lot 13 of Block 4281 as referred to among the Real Property Records of
27 Baltimore City, said point of beginning being distant southwesterly 481.3 feet,
28 more or less, measured along the southeast side of said Pinkney Road from the
29 southwest side of Reisterstown road, 66 feet wide, and running thence binding on

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

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1 the southeast side of said Pinkney Road, Southwesterly 51.0 feet, more or less, to
2 the southwesternmost extremity of said Pinkney Road; thence binding on the
3 southwesternmost extremity of said Pinkney Road, Northwesterly 41.0 feet, more
4 or less, to intersect the northwest side of said Pinkney Road; thence binding on the
5 northwest side of said Pinkney Road, Northwesterly 51.0 feet, more or less, to
6 intersect the line of the northeast outline of said property, if projected
7 northwesterly, and thence binding reversely on said line, so projected,
8 Southeasterly 41.0 feet, more or less, to the place of beginning.

9 Beginning for Parcel No. 2 at the point formed by the intersection of the northwest
10 side of an alley, 10 feet wide, laid out in the rear of the property known as No.
11 4120 Menlo Drive and the north outline of the property known as Lot 13 of Block
12 4281 as referred to among the Real Property Records of Baltimore City, said point
13 of beginning being distant southeasterly 190.5 feet, more or less, measured along
14 the north outline of said property from the southeast side of Pinkney Road, 40 feet
15 wide, and running thence binding on the line of the northeast outline of said
16 property, if projected southeasterly, Southeasterly 10.2 feet, more or less, to
17 intersect the southeast side of said 10 foot alley; thence binding on the southeast
18 side of said 10 foot alley, Southwesterly 51.0 feet, more or less, to the
19 southwesternmost extremity of said 10 foot alley; thence binding on the
20 southwesternmost extremity of said 10 foot alley, Northwesterly 10.2 feet, more
21 or less, to intersect the northwest side of said 10 foot alley, and thence binding on
22 the northwest side of said 10 foot alley, Northeasterly 51.0 feet, more or less, to
23 the place of beginning.

24 As delineated on Plat 177-A-40A, prepared by the Survey Control Section and filed on August
25 16, 2011, in the Office of the Department of General Services.

26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
27 closing of Pinkney Road and a 10-foot alley and the rights of all interested parties shall be
28 regulated by and in accordance with all applicable provisions of state and local law and with all
29 applicable rules and regulations adopted by the Director of General Services and filed with the
30 Department of Legislative Reference.

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

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

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

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

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