CITY OF BALTIMORE ORDINANCE Council Bill 15-0535

Introduced by: The Council President At the request of: The Administration (Department of General Services) Introduced and read first time: May 11, 2015 <u>Assigned to: Housing and Community Development Committee</u> Committee Report: Favorable Council action: Adopted Read second time: September 21, 2015

AN ORDINANCE CONCERNING

City Streets – Closing – Worcester Street

- 3 FOR the purpose of condemning and closing Worcester Street, extending from CSX
- 4 Transportation Railroad Right-of-Way Southeasterly 301.6 feet, more or less, toward Ridgely
- 5 Street, as shown on Plat 214-A-14A in the Office of the Department of General Services; and
- 6 providing for a special effective date.
- 7 BY authority of
- 8 Article I General Provisions
- 9 Section 4
- 10 and

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- 11 Article II General Powers
- 12 Sections 2, 34, 35
- 13 Baltimore City Charter
- 14 (1996 Edition)

15 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the 16 Department of General Services shall proceed to condemn and close Worcester Street, extending

- 17 from CSX Transportation Railroad Right-of-Way Southeasterly 301.6 feet, more or less, toward
- 18 Ridgely Street, and more particularly described as follows:
- Beginning for Parcel No. 1 at a point on the Northeast side of Worcester Street
 (formerly Carey Street), 66 feet wide, the point of beginning being distant
 Northwesterly 144.5 feet, more less, from the intersection of the northwest side of
- 22 Ridgely Street with the northeast side of Worcester Street; thence crossing the
- 23 existing right-of-way of Worcester Street, Southwesterly 66.0 feet, more or less,
- 24 to intersect the Southwest side of Worcester Street; thence binding on the
- 25 Southwest side of Worcester Street, Northwesterly 301.6 feet, more or less, to
- 26 intersect the Southeast side of the CSX Transportation Railroad Right-of-Way;

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. <u>Underlining</u> 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.

- thence binding on the right-of-way, Northeasterly 66.9 feet, more or less, to
 intersect the Northeast side of Worcester Street; thence binding on the Northeast
 side of Worcester Street, Southeasterly 291.1 feet, more or less, to the point of
 beginning.
- As delineated on Plat 214-A-14A, prepared by the Survey Control Section and filed on January 5,
 2015, in the Office of the Department of General Services.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and
 closing of Worcester Street and the rights of all interested parties shall be regulated by and in
 accordance with all applicable provisions of state and local law and with all applicable rules and
 regulations adopted by the Director of General Services and filed with the Department of
 Legislative Reference.

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

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

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

30 SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this 31 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized 32 representatives, shall have access to the subject property and to all subsurface structures and 33 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, 34 repairing, altering, relocating, or replacing any of them, without need to obtain permission from 35 or pay compensation to the owner of the property.

36 SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is 37 enacted.

Council Bill 15-0535

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