

**CITY OF BALTIMORE
COUNCIL BILL 15-0595
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: November 9, 2015
Assigned to: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Department, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Baylis Street**

4 FOR the purpose of condemning and closing Baylis Street, extending from Boston Street
5 southerly 987.50 feet, more or less, to the CSX Railroad right-of-way, formerly known as
6 Danville Avenue, as shown on Plat 92-A-33A, in the Office of the Department of
7 Transportation; 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 Transportation shall proceed to condemn and close Baylis Street, extending from
18 Boston Street southerly 987.50 feet, more or less, to the CSX Railroad right-of-way, formerly
19 known as Danville Avenue, and more particularly described as follows:

20 Beginning for Parcel 1 at the point formed by the intersection of the south side of
21 Boston Street 70 feet wide, and the west side of Baylis Street 60 feet wide, and
22 running thence binding on the south side of Boston Street,

23 (1) North 87° 08' 58" East 60.00 feet to the east side of Baylis Street,
24 thence

25 (2) South 02° 51' 21" East 987.50 feet to intersect the north side of the
26 CSX Railroad Right-of-Way formerly known as Danville Avenue
27 thence

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

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1 (3) South 87° 12' 40" West 60.00 feet to the west side of Baylis Street,
2 thence

3 (4) North 02° 51' 21" West 987.43 feet to the place of beginning.

4 Containing 59,248 square feet or 1.360 acres of land, more or less.

5 As delineated on Plat 92-A-33A, prepared by the Survey Section and filed on August 12, 2015,
6 in the Office of the Department of Transportation.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
8 closing of Baylis Street, extending from Boston Street southerly 987.50 feet, more or less, to the
9 CSX Railroad right-of-way and the rights of all interested parties shall be regulated by and in
10 accordance with all applicable provisions of state and local law and with all applicable rules and
11 regulations adopted by the Director of Transportation and filed with the Department of
12 Legislative Reference.

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

20 **SECTION 4. AND BE IT FURTHER ORDAINED,** That prior to the completion of the
21 administrative closing process for the bed of Baylis Street, the fee simple owner shall convey to
22 the Mayor and City Council of Baltimore a 40-foot wide Right-of-Way and Easement for
23 municipal utilities and services as more clearly shown on Plat 92-A-33A. No building or
24 structure of any kind (including but not limited to railroad tracks) may be constructed or erected
25 in or on any part of the street closed under this Ordinance until all subsurface structures and
26 appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the
27 Mayor and City Council or, have been removed and relaid in accordance with the specifications
28 and under the direction of the Director of Transportation, at the expense of the person seeking to
29 erect the building or structure.

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

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

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1 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is
2 enacted.