

**CITY OF BALTIMORE
COUNCIL BILL 17-0133
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 25, 2017
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, 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">**Water Street and Hollingsworth Street**

4 FOR the purpose of condemning and closing Water Street, extending from Grant Street easterly
5 157.3 feet, more or less, to South Calvert Street, and Hollingsworth Street, extending from
6 Water Street southerly 159.6 feet, more or less, to East Lombard Street, as shown on Plat
7 234-A-37A in the Office of the Department of Transportation; and providing for a special
8 effective date.

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

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Department of Transportation shall proceed to condemn and close Water Street, extending from
19 Grant Street easterly 157.3 feet, more or less, to South Calvert Street, and Hollingsworth Street,
20 extending from Water Street southerly 159.6 feet, more or less, to East Lombard Street, and more
21 particularly described as follows:

22 Beginning for Parcel 1 at the point formed by the intersection of the west side of
23 South Calvert Street 74 feet wide, and the south side of Water Street 20 feet wide,
24 the point of beginning being distant Northerly 160 feet, more or less, measured
25 along the west side of South Calvert Street from East Lombard Street 90 feet
26 wide; thence leaving the west side of South Calvert Street and binding on the
27 south side of Water Street, Westerly 157.10 feet, more or less, to intersect the east
28 side of Grant Street 28 feet wide; thence binding on the east side of Grant Street
29 Northerly 20 feet, to the north side of Water Street; thence binding on the north

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

Council Bill 17-0133

1 side of Water Street Easterly 157.3 feet, more or less, to intersect the east side of
2 South Calvert Street and thence binding on the east side of South Calvert Street
3 Southerly 20 feet to the place of beginning.

4 Containing 3,144.40 square feet or 0.0720 acres, more or less.

5 Beginning for Parcel 2 at the point formed by the intersection of the north side of
6 East Lombard Street 90 feet wide, and the east side of Hollingsworth Street 15
7 feet wide, the point of beginning being distant Westerly 80.4 feet, more or less,
8 measured along the north side of East Lombard Street from South Calvert Street
9 74 feet wide; thence binding on the north side of East Lombard Street Westerly 15
10 feet, to the west side of Hollingsworth Street, thence binding on the west side of
11 Hollingsworth Street Northerly 159.5 feet, more or less, to intersect the south side
12 of Water Street 20 feet wide, thence binding on the south side of Water Street
13 Easterly 15 feet, to the east side of Hollingsworth Street and thence binding on the
14 east side of Hollingsworth Street Southerly 159.6 feet, more or less, to the place of
15 beginning.

16 Containing 2,393.25 square feet or 0.0548 acres, more or less.

17 As delineated on Plat 234-A-37A, prepared by the Survey Section and filed on March 11,
18 2017, in the Office of the Department of Transportation.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
20 closing of Water Street and Hollingsworth Street and the rights of all interested parties shall be
21 regulated by and in accordance with all applicable provisions of state and local law and with all
22 applicable rules and regulations adopted by the Director of Transportation and filed with the
23 Department of Legislative Reference.

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

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

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

Council Bill 17-0133

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

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