

**CITY OF BALTIMORE
COUNCIL BILL 17-0135
(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 **City Streets – Closing – North Castle Street and 8 Alleys of Varying**
3 **Widths Lying Between East Eager Street, North Chester Street,**
4 **Ashland Street, and North Washington Street**
5

6 FOR the purpose of condemning and closing North Castle Street and 8 alleys of varying widths
7 lying between East Eager Street, North Chester Street, Ashland Avenue, and North
8 Washington Street, as shown on Plat 304-A-7A in the Office of the Department of
9 Transportation; 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 Transportation shall proceed to condemn and close North Castle Street and 8
20 alleys of varying widths lying between East Eager Street, North Chester Street, Ashland Avenue,
21 and North Washington Street, and more particularly described as follows:

22 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
23 of North Castle Street 50 feet wide, and the north side of a variable width alley,
24 the point of beginning being distant Southerly 57.0 feet, more or less, measured
25 along the west side of North Castle Street from the point formed by the
26 intersection of the west side of North Castle Street and the south side of East
27 Eager Street 66 feet wide; thence binding on the west side of North Castle Street,
28 Southerly 13.0 feet, more less, to intersect the south side of the variable width
29 alley; thence binding on the south side of the variable width alley, the 3 following
30 courses and distances Westerly 90.0 feet, more less, Northerly 3.0 feet, more or

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

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1 less, and Westerly 30.0 feet, more or less, to the west side of the variable width
2 alley; thence crossing the variable width alley Northerly 10 feet, more or less, to
3 intersect the north side of the variable width alley; thence binding on the northside
4 of the variable width alley Easterly 120.0 feet, more or less, to the point of
5 beginning.

6 Containing 1,470 square feet or 0.034 acres of land, more or less.

7 Beginning for Parcel No. 2 at the point formed by the intersection of the east side
8 of a 10-foot alley and the north side of a 9-foot alley, the point of beginning being
9 distant westerly 80.0 feet, more or less, measured along the north side of the 9-
10 foot alley from the point formed by the intersection of the west side of North
11 Castle Street 50 feet wide, and the north side of the 9-foot alley; thence binding on
12 the north side of the 9-foot alley Westerly 10.0 feet, more or less, to intersect the
13 west side of the 10-foot alley; thence binding on the west side of the 10-foot alley
14 Northerly 279.8 feet, more or less, to intersect the south side of a variable width
15 alley; thence binding on a portion of the south side of the variable width alley
16 Easterly 10.0 feet, more or less, to intersect the east side of the 10-foot alley;
17 thence binding on the east side of the 10-foot alley Southerly 279.8 feet, more or
18 less, to the point of beginning.

19 Containing 2,798 square feet or 0.064 acres of land, more or less.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the west side
21 of a 10-foot alley and the south side of East Eager Street 66 feet wide, the point of
22 beginning being distant Easterly 60.0 feet, more or less, measured along the south
23 side of East Eager Street from the point formed by the intersection of the east side
24 of North Washington Street and the south side of East Eager Street; thence
25 binding on the south side of East Eager Street Easterly 10.0 feet, more or less, to
26 intersect the east side of the 10-foot Alley; thence binding on the east side of the
27 10-foot alley Southerly 67.0 feet, more or less, to the southernmost extremity of
28 the 10-foot alley thereof; thence binding on the southernmost extremity the 10-
29 foot alley Westerly 10.0 feet, more or less, to intersect the west side of the 10-foot
30 alley; and thence binding on the west side of the 10-foot alley Northerly 67.0 feet,
31 more or less, to the point of beginning.

32 Containing 670 square feet or 0.015 acres of land, more or less.

33 Beginning for Parcel No. 4 at the point formed by the intersection of the south
34 side of a 9-foot alley and the east side of North Washington Street 66 feet wide,
35 the point of beginning being distant Northerly 76.0 feet, more or less, measured
36 along the east side of North Washington Street from the point formed by the
37 intersection of the east side of North Washington Street and the north side of
38 Ashland Avenue, 66 feet wide; thence binding on the east side of North
39 Washington Street, Northerly 9.0 feet, more or less, to intersect the north side of
40 the 9-foot alley; thence binding on the north side of the 9-foot alley, Easterly
41 190.0 feet, more or less, to intersect the west side of North Castle Street 50 feet
42 wide; thence binding on the west side of North Castle Street Southerly 9.0 feet,
43 more or less, to intersect the south side of the 9-foot alley, and thence binding on

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1 the south side of the 9-foot alley, Northerly 67.0 feet, more or less, to the point of
2 beginning.

3 Containing 1,710 square feet or 0.039 acres of land, more or less.

4 Beginning for Parcel No. 5 at a point formed by the intersection of the south side
5 of a 10-foot alley and the east side of North Castle Street 50 feet wide, the point of
6 beginning being distant Northerly 76.0 feet, more or less, measured along the east
7 side of North Castle Street from the point formed by the intersection of the east
8 side of North Castle Street and the north side of Ashland Avenue, 66 feet wide;
9 thence binding on the east side of North Castle Street, Northerly 10.0 feet, more or
10 less, to intersect the north side of the 10-foot alley; thence binding on the north
11 side of the 10-foot alley, Easterly 90.0 feet, more or less, to intersect the west side
12 of a 12-foot alley; thence binding on the west side of the 12-foot alley Southerly
13 10.0 feet, more or less, to intersect the south side of the 10-foot alley, and thence
14 binding on the south side of the 10-foot alley, Westerly 90.0 feet, more or less, to
15 the point of beginning.

16 Containing 900 square feet or 0.021 acres of land, more or less.

17 Beginning for Parcel No. 6 at the point formed by the intersection of the east side
18 of North Castle Street 50 feet wide, and the north side of an 11.5-foot alley, the
19 point of beginning being distant Southerly 64.0 feet, more or less, measured along
20 the east side of North Castle Street from the point formed by the intersection of
21 the east side of North Castle Street and the south side of East Eager Street 66 feet
22 wide; thence binding on the north side of the 11.5-foot alley Easterly 113.0 feet,
23 more or less, to intersect the west side of a 10-foot alley; thence binding on the
24 west side of the 10-foot alley, Southerly 11.5 feet, more less, to intersect the south
25 side of the 11.5-foot wide alley; thence binding on the south side of the 11.5-foot
26 alley Westerly 113.0 feet, more less, to intersect the east side of North Castle
27 Street; and thence binding on the east side of North Castle Street Northerly 11.5
28 feet, more or less, to the point of beginning.

29 Containing 1,300 square feet or 0.030 acres of land, more or less.

30 Beginning for Parcel No. 7 at the point formed by the intersection of the east side
31 of a 10-foot alley and the south side of East Eager Street 66 feet wide, the point of
32 beginning being distant Westerly 60.0 feet, more or less, measured along the south
33 side of East Eager Street from the point formed by the intersection of the west side
34 of North Chester Street 66 feet wide, and the south side of East Eager Street;
35 thence binding on the east side of the 10-foot alley, Southerly 82.1 feet, more or
36 less, to the southernmost extremity of the 10-foot alley; thence binding on the
37 southernmost extremity the 10-foot alley Westerly 10.0 feet, more or less, to
38 intersect the west side of the 10-foot alley; thence binding on the west side of the
39 10-foot alley, Northerly 82.1 feet, more or less, to intersect the south side of East
40 Eager Street; and thence binding on the south side of East Eager Street, Easterly
41 10.0 feet, more or less, to the point of beginning.

42 Containing 821 square feet or 0.019 acres of land, more or less.

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1 Beginning for Parcel No. 8 at the point formed by the intersection of the north
2 side of Ashland Avenue 66 feet wide, and the east side of a 12-foot alley, the
3 point of beginning being distant Westerly 81.0 feet, more or less, measured along
4 the north side of Ashland Avenue from the point formed by the intersection of the
5 north side of Ashland Avenue and the west side of North Chester Street 66 feet
6 wide; thence binding on the north side of Ashland Avenue, Westerly 12.0 feet,
7 more less, to intersect the west side of the 12-foot alley; thence binding on the
8 west side of the 12-foot alley Northerly 359.2 feet, more less, to intersect the
9 south side of an 11.5-foot alley; thence binding on the south side of the 11.5-foot
10 alley Easterly 23.0 feet to intersect the west side of a 10-foot alley; thence binding
11 on the west side of the 10-foot alley Southerly 6.6 feet, more or less, to the
12 southernmost extremity of the 10-foot alley; thence binding on the southernmost
13 extremity of the 10-foot alley, if projected westerly, Westerly 11.0 feet, more less,
14 to intersect the east side of the 12-foot alley; and thence binding on the east side
15 of the 12-foot alley Southerly 352.7 feet, more less, to the point of beginning.

16 Containing 4,383 square feet or 0.101 acres of land, more or less.

17 Beginning for Parcel No. 9 at the point formed by the intersection of the south
18 side of East Eager Street 66 feet wide, and the west side of North Castle Street 50
19 feet wide; thence binding on the south side of East Eager Street Easterly 50.0 feet,
20 more or less, to intersect the east side of North Castle Street; thence binding on
21 the east side of North Castle Street Southerly 434.8 feet, more or less, to intersect
22 the north side of Ashland Avenue 66 feet wide; thence binding on the north side
23 of Ashland Avenue Westerly 50.0 feet, more or less, to intersect the west side of
24 North Castle Street; and thence binding on the west side of North Castle Street
25 Northerly 434.8 feet, more or less, to the point of beginning.

26 Containing 21,738 square feet or 0.499 acres of land, more or less.

27 As delineated on Plat 304-A-7A, prepared by the Survey Section and filed on May 17, 2017,
28 in the Office of the Department of Transportation.

29 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
30 closing of the street and alleys and the rights of all interested parties shall be regulated by and in
31 accordance with all applicable provisions of state and local law and with all applicable rules and
32 regulations adopted by the Director of Transportation and filed with the Department of
33 Legislative Reference.

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

41 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
42 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
43 the street closed under this Ordinance until all subsurface structures and appurtenances owned by

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1 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
2 or, at the expense of the person seeking to erect the building or structure, have been removed and
3 relaid in accordance with the specifications and under the direction of the Director of
4 Transportation of Baltimore City.

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

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

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