

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0198

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time:
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2018

AN ORDINANCE CONCERNING

City Streets – Closing –
Denmore Avenue and Certain Alleys Lying Between West Garrison Avenue,
Park Heights Avenue, Woodland Avenue, and Edgemere Avenue

FOR the purpose of condemning and closing Denmore Avenue and certain alleys of varying widths lying between West Garrison Avenue, Park Heights Avenue, Woodland Avenue, and Edgemere Avenue, as shown on Plat 332-A-29A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Transportation shall proceed to condemn and close Denmore Avenue and certain alleys of varying widths lying between West Garrison Avenue, Park Heights Avenue, Woodland Avenue, and Edgemere Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northeast side of Denmore Avenue 50 feet wide, and the southwesternmost outline of the property known as 3225 West Garrison Avenue, the point of beginning being distant Southeasterly 107.3 feet, more or less, measured along the northeast side of Denmore Avenue from the point formed by the intersection of the northeast side of Denmore Avenue and the southeast side of West Garrison Avenue 50 feet wide; thence binding on the northeast side of Denmore Avenue Southeasterly 737.0 feet, more or less, to the point formed by the intersection of the southernmost extremity of Denmore Avenue and the westernmost extremity of a

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

Council Bill 18-0198

1 30-foot alley; thence binding on the southernmost extremity of Denmore Avenue
2 the 3 following courses and distances; Southerly 36.5 feet, more or less, Westerly
3 11.0 feet, more or less, and Southwesterly 22.1 feet, more or less, to intersect the
4 southwest side of Denmore Avenue; thence binding on the southwest side of
5 Denmore Avenue Northwesterly 766.8 feet, more or less, to intersect the southeast
6 side of a 10-foot alley and thence crossing Denmore Avenue Northeasterly 50.6
7 feet, more or less, to the point of beginning.

8 Containing 38,239 square feet or 0.878 acres of land, more or less.

9 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast
10 side of Denmore Avenue 50 feet wide, and the northwest side of a 30-foot alley,
11 the point of beginning being distant Southeasterly 844.3 feet, more or less,
12 measured along the northeast side of Denmore Avenue from the point formed by
13 the intersection of the northeast side of Denmore Avenue and the southeast side of
14 West Garrison Avenue 50 feet wide; thence binding on the northwest side of the
15 30-foot alley Northeasterly 139.9 feet, more or less, to the northernmost extremity
16 of the 30-foot alley; thence binding on the northernmost extremity of the 30-foot
17 alley Southeasterly 30.6 feet, more or less, to intersect the southeast side of the
18 30-foot alley; thence binding on the southeast side of the 30-foot Alley
19 Southwesterly 154.7 feet, more or less, to intersect the northeast side of a 10-foot
20 alley and thence crossing the 30-foot alley Northerly 36.5 feet, more or less, to the
21 point of beginning.

22 Containing 4,419 square feet or 0.101 acres of land, more or less.

23 Beginning for Parcel No. 3 at the point formed by the intersection of the northwest
24 side of a 30-foot alley and the southwest side of a 10-foot alley, the point of
25 beginning being distant Northeasterly 110.6 feet, more or less, measured along the
26 northwest side of the 30-foot alley from the point formed by the intersection of the
27 northwest side of the 30-foot alley and the northeast side of Denmore Avenue 50
28 feet wide; thence binding on the southwest side of the 10-foot alley Northwesterly
29 299.8 feet, more or less, to intersect the southeast side of a second 10-foot alley;
30 thence binding on the southeast side of the alley Northeasterly 10.0 feet to
31 intersect the northeast side of the 10-foot alley firstly mentioned herein; thence
32 binding on the northeast side of the 10-foot alley Southeasterly 298.5 feet, more or
33 less, to intersect the northwest side of the 30-foot alley and thence binding on the
34 northwest side of the 30-foot alley Southwesterly 10.0 feet to the point of
35 beginning.

36 Containing 2,992 square feet or 0.069 acres of land, more or less.

37 Beginning for Parcel No. 4 at the point formed by the intersection of the northeast
38 side of a 10-foot alley and the northwest side of a 20-foot alley the point of
39 beginning being distant Southwesterly 144.8 feet, more or less, measured along
40 the northwest side of the 20-foot alley from the point formed by the intersection of
41 the southwest side of Park Heights Avenue 85 feet wide, and the northwest side of
42 the 20-foot alley; thence binding on the northwest side of the alley so projected
43 Southwesterly 10 feet to the southwest side of the 10-foot alley; thence binding on
44 the southwest side of the alley Northwesterly 295.9 feet, more or less, to intersect

Council Bill 18-0198

1 the southeast side of another 10-foot alley; thence binding on the southeast side of
2 the alley Northeasterly 10 feet to intersect the northeast side of the 10-foot alley
3 firstly mentioned herein and thence binding on the northeast side of the 10-foot
4 alley firstly mentioned herein Southeasterly 294.6 feet, more or less, to the point
5 of beginning.

6 Containing 1,680 square feet or 0.039 acres of land, more or less.

7 Beginning for Parcel No. 5 at the point formed by the intersection of the northeast
8 side of Denmore Avenue 50 feet wide, and the northwest side of a 10-foot alley,
9 the point of beginning being distant Southeasterly 520.0 feet, more or less,
10 measured along the northeast side of Denmore Avenue from the point formed by
11 the intersection of the northeast side of Denmore Avenue and the southeast side of
12 West Garrison Avenue 50 feet wide; thence binding on the northwest side of the
13 10-foot alley Northeasterly 150.0 feet, more or less, to intersect the southwest side
14 of a second 10-foot alley; thence binding on the southwest side of the alley
15 Southeasterly 10.0 feet to intersect the southeast side of the 10-foot alley firstly
16 mentioned herein; thence binding on the southeast side of the 10-foot alley firstly
17 mentioned herein Southwesterly 150.0 feet, more or less, to intersect the northeast
18 side of Denmore Avenue and thence binding on the northeast side of Denmore
19 Avenue Northwesterly 10.0 feet to the point of beginning.

20 Containing 1,500 square feet or 0.034 acres of land, more or less.

21 Beginning for Parcel No. 6 at the point formed by the intersection of the northwest
22 side of an alley varying in width and the southwest side of Denmore Avenue 50
23 feet wide, the point of beginning being distant Southeasterly 609.1 feet, more or
24 less, measured along the southwest side of Denmore Avenue from the point
25 formed by the intersection of the southwest side of Denmore Avenue and the
26 southeast side of West Garrison Avenue 50 feet wide; thence binding on the
27 southwest side of Denmore Avenue Southeasterly 10.6 feet, more or less, to
28 intersect the southeast side of the alley varying in width; thence binding on the
29 southeast side of the alley varying in width Southwesterly 115.2 feet, more or less;
30 thence crossing the alley varying in width Northwesterly 7.0 feet, more or less, to
31 intersect the northwest side of the alley varying in width; thence binding on the
32 northwest side of the alley varying in width the 2 following courses and distances;
33 Northeasterly 44.9 feet, more or less, and Northeasterly 70.3 feet, more or less, to
34 the point of beginning.

35 Containing 838 square feet or 0.019 acres of land, more or less.

36 Beginning for Parcel No. 7 at the point formed by the intersection of the northeast
37 side of a 10-foot alley, laid out in the rear of the properties known as 4932 through
38 4942 Denmore Avenue and the division line between the properties known as
39 4942 and 4944 Denmore Avenue, the point of beginning being distant
40 Southwesterly 115.0 feet, more or less, measured along the division line from the
41 point formed by the intersection of the division line and the southwest side of
42 Denmore Avenue 50 feet wide; thence binding on the northeast side of the 10-
43 foot alley Southeasterly 92.1 feet, more or less, to intersect the southeast side of
44 an alley varying in width; thence binding on the southeast side of the alley varying

Council Bill 18-0198

1 in width Southwesterly 10 feet, more or less, to intersect the southwest side of the
2 10-foot alley; thence binding on the southwest side of the 10-foot alley
3 Northwesterly 91.4 feet, more or less, to intersect the division line and thence
4 binding on the division line Northeasterly 10.0 feet, more or less, to the point of
5 beginning.

6 Containing 917 square feet or 0.021 acres of land, more or less.

7 Beginning for Parcel No. 8 at the point formed by the intersection of the northeast
8 side of an 18-foot alley, laid out in the rear of the properties known as 4976
9 through 4994 Denmore Avenue and the southeast side of a 10-foot alley, the point
10 of beginning being distant Southwesterly 100.3 feet, more or less, measured along
11 the southeast side of the 10-foot alley from the point formed by the intersection of
12 the southeast side of the 10-foot alley and the southwest side of Denmore Avenue
13 50 feet wide; thence binding on the northeast side of the 18-foot alley
14 Southeasterly 182.5 feet, more or less, to the southeasternmost extremity of the
15 18-foot alley; thence binding on the southeasternmost extremity of the 18-foot
16 alley Southwesterly 18.1 feet, more or less, to the southwest side of the 18-foot
17 alley; thence binding on the southwest side of the alley Northwesterly 182.5 feet,
18 more or less, to intersect the southeast side of the 10-foot alley and thence binding
19 on the southeast side of the alley Northeasterly 18.0 feet, more or less, to the point
20 of beginning.

21 Containing 3,285 square feet or 0.075 acres of land, more or less.

22 Beginning for Parcel No. 9 at the point formed by the intersection of the southeast
23 side of an alley varying in width laid out in the rear of the properties known as
24 3300 through 3304 Woodland Avenue and the southwest side of Denmore
25 Avenue 50 feet wide, the point of beginning being distant Southeasterly 874.1
26 feet, more or less, measured along the southwest side of Denmore Avenue from
27 the point formed by the intersection of the south side of West Garrison Avenue 50
28 feet wide, and the southwest side of Denmore Avenue; thence binding on the
29 southeast side of the alley varying in width the 3 following courses and distances;
30 Southwesterly 102.2 feet, more or less, Northwesterly 3.2 feet, more or less,
31 Southwesterly 7.8 feet, more or less; thence crossing the alley varying in width
32 Northwesterly 10.1 feet, more or less, to intersect the northwest side of the alley
33 varying in width and thence binding on the northwest side of the alley varying in
34 width Northeasterly 113.1 feet, more or less, to intersect the southwest side of
35 Denmore Avenue and thence binding on the southwest side of Denmore Avenue
36 Southeasterly 13.0 feet, more or less, to the point of beginning.

37 Containing 1,431 square feet or 0.033 acres of land, more or less.

38 Beginning for Parcel No. 10 at the point formed by the intersection of the
39 northwest side of Woodland Avenue 50 feet wide, and the northeast side of a 10-
40 foot alley, the point of beginning being distant Southwesterly 307.3 feet, more or
41 less, measured along the northwest side of Woodland Avenue from the point
42 formed by the intersection of the northwest side of Woodland Avenue and the
43 southwest side of Park Heights Avenue 85 feet wide; thence binding on the
44 northwest side of Woodland Avenue Southwesterly 10.0 feet to intersect the

Council Bill 18-0198

1 southwest side of the 10-foot alley; thence binding on the southwest side of the
2 10-foot alley Northwesterly 115.0 feet, more or less; thence crossing the 10-foot
3 alley Northeasterly 11.0 feet, more or less, to intersect to the northeast side of the
4 10-foot alley and thence binding on the northeast side of the 10-foot alley
5 Southeasterly 109.9 feet, more or less, to the point of beginning.

6 Containing 1,125 square feet or 0.026 acres of land, more or less.

7 As delineated on Plat 332-A-29A, prepared by the Survey Section and filed on June 30, 2017, in
8 the Office of the Department of Transportation.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
10 closing of Denmore Avenue and certain alleys and the rights of all interested parties shall be
11 regulated by and in accordance with all applicable provisions of state and local law and with all
12 applicable rules and regulations adopted by the Director of Transportation and filed with the
13 Department of Legislative Reference.

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

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

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

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

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

Council Bill 18-0198

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