



Legislation Details (With Text)

File #: 11-0753 **Version:** 0 **Name:** City Streets - Closing - Certain Streets and Alleys in the Area Bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street

Type: Ordinance **Status:** Enacted

File created: 8/15/2011 **In control:** City Council

On agenda: **Final action:** 10/26/2011

Enactment date: **Enactment #:** 11-513

Title: City Streets - Closing - Certain Streets and Alleys in the Area Bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street

FOR the purpose of condemning and closing certain streets and alleys in the area bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street and lying within the Oldtown Urban Renewal Project, as shown on Plat 314-A-1E in the Office of the Department of General Services; and providing for a special effective date.

Sponsors: City Council President (Administration)

Indexes: City Streets - Closing, Closing, Streets

Code sections:

Attachments: 1. 11-0753 - 1st Reader.pdf, 2. General Services - 11-0753.pdf, 3. BDC - 11-0753.pdf, 4. Planning - 11-0753.pdf, 5. Transportation - 11-0753.pdf, 6. HCD - 11-0753.pdf, 7. General Services - 11-0753.pdf, 8. 11-0753 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
10/26/2011	0	Mayor	Signed by Mayor	
10/24/2011	0	City Council	Approved and Sent to the Mayor	
10/17/2011	0	Highways and Franchises Subcommittee	Recommended Favorably with Amendment	
10/17/2011	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/15/2011	0	City Council	Assigned	
8/15/2011	0	Highways and Franchises Subcommittee	Scheduled for a Public Hearing	
8/15/2011	0	City Council	Introduced	

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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.
INTRODUCTORY*

CITY OF BALTIMORE

COUNCIL BILL

Introduced by: The Council President

At the request of: The Administration (Department of General Services)

A BILL ENTITLED

AN ORDINANCE concerning

City Streets - Closing - Certain Streets and Alleys in the Area Bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street

FOR the purpose of condemning and closing certain streets and alleys in the area bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street and lying within the Oldtown Urban Renewal Project, as shown on Plat 314-A-1E in the Office of the Department of General Services; 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 Public Works shall proceed to condemn and close certain streets and alleys in the area bounded by Ensor Street, Monument Street, Aisquith Street, and Orleans Street and lying within the Oldtown Urban Renewal Project, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Forrest Street, 45 feet wide, and the east side of Ensor Street, 80 feet wide, and running thence binding on the east side of said Ensor Street Northeasterly by a line curving to the left with a radius of 327.00 feet the distance of 52.0 feet, more or less, to intersect the northeast side of said Forrest Street; thence binding on the northeast side of said Forrest Street Southeasterly 158.3 feet, more or less, to the southeasternmost extremity of said Forrest Street, there situate; thence binding on the southeasternmost extremity of said Forrest Street Southwesterly 45.0 feet to intersect the southwest side of said Forrest Street, and thence binding on the southwest side of said Forrest Street Northwesterly 134.1 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the northeast side of East Street, 60 feet wide, and the northwest side of an alley, varying in

width, laid out in the rear of the properties known as Nos. 426 through 450 Oldtown Mall, said point of beginning being distant Southeasterly 24.1 feet, more or less, measured along the northeast side of said East Street from the southeast side of Ensor Street, 80 feet wide, and running thence binding on the northwest and north sides of said varying in width alley the two following courses and distances; namely, Northeasterly 181.0 feet, more or less, and Northerly by a line curving to the left with a radius of 25.00 feet the distance of 35.1 feet, more or less, to intersect the southwest side of Forrest Street, 45 feet wide; thence binding on the southwest side of said Forrest Street Southeasterly 69.9 feet, more or less, to intersect the southeast side of said varying in width alley; thence binding on the southeast side of said varying in width alley the seven following courses and distances; namely, Southwesterly 43.2 feet, more or less, Northwesterly 22.8 feet, more or less, Southwesterly 52.4 feet, more or less, Southeasterly

4.4 feet, more or less, Southwesterly 61.8 feet, more or less, Southeasterly 9.7 feet, more or less, and Southwesterly 43.2 feet, more or less, to intersect the northeast side of said East Street, and thence binding on the northeast side of said East Street Northwesterly 26.8 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the southwest side of East Street, 60 feet wide, and the southeast side of Ensor Street, 80 feet wide, and running thence binding on the southeast side of said Ensor Street Northeasterly 65.5 feet, more or less, to intersect the northeast side of said East Street; thence binding on the northeast side of said East Street Southeasterly 64.3 feet, more or less, to the southeasternmost extremity of said East Street; thence binding on the southeasternmost extremity of said East Street Southwesterly 60.8 feet, more or less, to intersect the southwest side of said East Street, and thence binding on the southwest side of said East Street Northwesterly 38.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Orleans Street, varying in width, and the northwest side of Forrest Street, varying in width, and running thence binding on the northwest, west, south and southwest sides of said Forrest Street the four following courses and distances; namely, Northeasterly 14.2 feet, more or less, Northerly 37.6 feet, more or less, Westerly 69.7 feet, more or less, and Northwesterly 231.9 feet, more or less, to intersect the line of the northwest side of an alley, varying in width, laid out in the rear of the properties known as Nos. 449/457 through 469 Oldtown Mall, if projected northeasterly; thence binding on said line, so projected, Northeasterly 45.0 feet to intersect the northeast side of said Forrest Street; thence binding on the northeast and northwest sides of said Forrest Street, the three following courses and distances; namely, Southeasterly 213.6 feet, more or less, Northeasterly 60.7 feet, more or less, and Northwesterly 172.4 feet, more or less, to the northwesternmost extremity of said Forrest Street, there situate; thence binding on the northwesternmost extremity of said Forrest Street Northeasterly 60.6 feet, more or less, to intersect the northeast side of said Forrest Street; thence binding on the northeast and east sides of said Forrest Street, the two following courses and distances; namely, Southeasterly 198.6 feet, more or less, and Southerly 139.4 feet, more or less, to intersect the north side of said Orleans Street, and thence binding on the north side of said Orleans Street Westerly 71.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the northeast side of East Street, 50 feet wide, and the northwest side of an alley, varying in width, laid out in the rear of the properties known as Nos. 449/457 through 469 Oldtown Mall, said point of beginning being distant Southeasterly 114.0 feet, more or less, measured along northeast side of said East Street from the southeast side of Oldtown Mall, varying in width, and running thence binding on the northeast and northwest sides of said varying in width alley the five following courses and distances; namely, Northeasterly 89.8 feet, more or less, Northwesterly 34.4 feet, more or less, Northeasterly 7.4 feet, more or less, Northwesterly 5.7 feet, more or less, and Northeasterly 97.1 feet, more or less, to intersect the southwest side of Forrest Street, 45 feet wide; thence binding on the southwest side of said Forrest Street Southeasterly 92.7 feet, more or less, to intersect the southeast side of said varying in width alley; thence binding on the southeast side of said varying in width alley the two following courses and distances; namely, Westerly by a line curving to the left with a radius of 30.00 feet the distance of 51.3 feet, more or less, and Southwesterly 163.8 feet, more or less, to intersect the northeast side of said East Street, and thence binding on the northeast side of said East Street Northwesterly 21.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the north side of Orleans Street, varying in width, and the west side of East Street, 50 feet wide, and running thence binding on the west and southwest sides of said East Street the two following courses and distances; namely, Northerly 71.5 feet, more or less, and Northwesterly 44.5 feet, more or less, to the northwesternmost extremity of said East Street, there situate; thence binding on the northwesternmost extremity of said East Street Northeasterly 51.0 feet, more or less, to intersect the northeast side of said East Street; thence binding on the northeast and east sides of said East Street the four following courses and distances; namely, Southeasterly 52.6 feet, more or less, Southeasterly 21.6 feet, more or less, Southerly 60.2 feet, more or less, and Southeasterly 14.9 feet, more or less, to intersect the north side of said Orleans

Street, and thence binding on the north side of said Orleans Street the two following courses and distances; namely, Westerly by a line curving to the left with a radius of 1341.25 feet the distance of 35.1 feet, more or less, and Westerly by a line curving to the left with a radius of 1321.25 feet the distance of 26.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the southeast side of McElderry Street, 60 feet wide, and the northeast side of Forrest Street, 60 feet wide, and running thence binding on the northeast side of said Forrest Street Northwesterly 60.6 feet, more or less, to intersect the northwest side of said McElderry Street; thence binding on the northwest side of said McElderry Street Northeasterly 158.4 feet, more or less, to intersect the line of the northeast outline of the property known as No. 515/517 Oldtown Mall, if projected southeasterly; thence binding on said line, so projected, Southeasterly 60.0 feet to intersect the southeast side of said McElderry Street, and thence binding on the southeast side of said McElderry Street Southwesterly 166.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 8 at the point formed by the intersection of the north side of Orleans Street, varying in width, and the west side of East Street, 50 feet wide, and running thence by a straight line through the bed of said Orleans Street Westerly 108.6 feet, more or less, to intersect the northwest side of said Orleans Street; thence binding on the northwest side of said Orleans Street Northeasterly 141.2 feet, more or less, to intersect the southwest side of said East Street, and thence binding on the southwest and west sides of said East Street the two following courses and distances; namely, Southeasterly 5.5 feet, more or less, and Southerly 71.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 9 at the point formed by the intersection of the southeast side of a 4-foot alley laid out through the property known as No. 449/457 Oldtown Mall and the southwest side of an alley, varying in width, laid out in the rear of the properties known as Nos. 449/457 through 469 Oldtown Mall, said point of beginning being distant northeasterly 89.8 feet, more or less, and northwesterly 30.4 feet, more or less, measured along the northwest and southwest sides of said varying in width alley from the northeast side of East Street, 50 feet wide, to the place of beginning, and running thence binding on the southeast side of said 4-foot alley Southwesterly 28.5 feet, more or less, to the southwesternmost extremity of said 4-foot alley, there situate; thence binding on the southwesternmost extremity of said 4-foot alley Northwesterly 4.0 feet to intersect the northwest side of said 4-foot alley; thence binding on the northwest side of said 4-foot alley Northeasterly 29.1 feet, more or less, to intersect the southwest side of said varying in width alley, and thence binding on the southwest side of said varying in width alley Southeasterly 4.0 feet, more or less, to the place of beginning.

As delineated on Plat 314-A-1E, prepared by the Survey Control Section and filed on July 1, 2011, 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 certain streets and alleys 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.

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

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

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