City of Baltimore

Legislation Details (With Text)

File #:	17-0052	**Version:** 0	**Name:**	City Streets - Closing - East Fairmount Avenue and a Portion of Aisquith Street
Type:	Ordinance		**Status:**	Enacted
File created:	4/24/2017		**In control:**	City Council
On agenda:			**Final action:**	8/23/2017
Enactment date:			**Enactment #:**	17-044

Title: City Streets - Closing - East Fairmount Avenue and a Portion of Aisquith Street
For the purpose of condemning and closing East Fairmount Avenue and a portion of Aisquith Street bounded by East Fayette Street, Aisquith Street, East Baltimore Street, and East Street, as shown on Plat 227-A-24A in the Office of the Department of Transportation; and providing for a special effective date.

Sponsors: City Council President (Administration)

Indexes: City Streets - Closing

Code sections:

Attachments: 1. 17-0052~1st Reader, 2. Law 17-0052, 3. DOT 17-0052, 4. Planning 17-0052, 5. BDC 17-0052, 6. HDC 17-0052, 7. 17-0052~3rd Reader

Date	Ver.	Action By	Action	Result
9/11/2017	0	Mayor	Signed by Mayor	
8/14/2017	0	City Council	Approved and Sent to the Mayor	
7/17/2017	0	City Council	3rd Reader, for final passage	
7/17/2017	0	Housing and Urban Affairs Committee	Recommended Favorably	
6/29/2017	0	Housing and Urban Affairs Committee	Recommended Favorably	Pass
6/12/2017	0	Housing and Urban Affairs Committee	Scheduled for a Public Hearing	
4/27/2017	0	The City Council	Refer to Dept. of Housing and Community Development	
4/27/2017	0	The City Council	Refer to Dept. of Transportation	
4/27/2017	0	The City Council	Refer to Baltimore Development Corporation	
4/27/2017	0	The City Council	Refer to City Solicitor	
4/27/2017	0	The City Council	Refer to Dept. of Planning	
4/24/2017	0	City Council	Assigned	
4/24/2017	0	City Council	Introduced	

* Warning: This is an unofficial, introductory copy of the bill.
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 Transportation)

A Bill Entitled

An Ordinance concerning
City Streets - Closing - East Fairmount Avenue and a Portion of Aisquith Street
For the purpose of condemning and closing East Fairmount Avenue and a portion of Aisquith Street bounded by
East Fayette Street, Aisquith Street, East Baltimore Street, and East Street, as shown on Plat 227-A-24A 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 East Fairmount Avenue and a portion of Aisquith Street
bounded by East Fayette Street, Aisquith Street, East Baltimore Street, and East Street, and more particularly
described as follows:

Beginning for Parcel 1 at a point formed by the intersection of the south side of East Fairmount
Avenue 30 feet wide, and the east side of East Street 20 feet wide, the point of beginning being
distant Northwesterly 171.6 feet, more or less, measured along the east side of East Street from
the north side of East Baltimore Street 66 feet wide; thence binding on the east side of East
Street Northwesterly 30 feet to intersect the north side of East Fairmount Avenue, thence binding
on the north side of East Fairmount Avenue Northeasterly 280 feet, more or less, to intersect the
west side of Aisquith Street varying in width; thence binding on the west side of Aisquith Street
Southeasterly 30.7 feet, more or less, to intersect the south side of East Fairmount Avenue and
thence binding on the south side of East Fairmount Avenue Southwesterly 273.3 feet, more or
less, to the place of beginning.

Containing 8,298 square feet or 0.1904 acres of land, more or less.

Beginning for Parcel 2 at a point formed by the intersection of the west side of Aisquith Street
varying in width and the north side of East Baltimore Street 66 feet wide, the point of beginning
being distant Northeasterly 265 feet, more or less, measured along the north side of East
Baltimore Street from the east side of East Street 20 feet wide; thence binding on the west side
of Aisquith Street Northwesterly 120 feet, to a point on the easternmost outline of the property
known as numbers 1100 through 1112 Aisquith Street; thence binding on the easternmost outline
of the property Northwesterly 52.8 feet, more or less, to a point formed by the intersection of the
south side of East Fairmount Avenue 30 feet wide, and the east side of Aisquith Street; thence on
the east side of Aisquith Street Northwesterly 30.7 feet, more or less, to intersect the north side
of East Fairmount Avenue and the west side of Aisquith Street; thence for a new line of division
on the west side of Aisquith Street Southeasterly 201.6 feet, more or less, to a point formed by
the intersection of the north side of East Baltimore Street, so projected, and the west side of
Aisquith Street and thence binding on the north side of East Baltimore Street, so projected, 13.6
feet, more or less, to the point of beginning.

Containing 2,180 square feet or 0.0500 acres of land, more or less.

As delineated on Plat 227-A-24A, prepared by the Survey Section and filed on February 2, 2017, in the Office of the Department of Transportation.

Section 2. **And be it further ordained**, That the proceedings for the condemnation and closing of East Fairmount Avenue and a portion of Aisquith Street 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 Transportation 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 Transportation 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.