



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

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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 - The Beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2
10-Foot Alleys**

FOR the purpose of condemning and closing the beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-foot alleys lying between the Gwynns Falls, Wicomico Street, Little Market Street, and Berlin Street in Mount Winans, as shown on Plat 101-C-60A 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 the beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-foot alleys lying between the Gwynns Falls, Wicomico Street, Little Market Street, and Berlin Street in Mount Winans, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the southeast side of Berlin Street 50 feet wide, the point of beginning being distant Northeasterly 25 feet, more less, from the intersection of the northeast side of Little Market Street varying in width, and the southeast side of Berlin Street; thence crossing the existing right of way of Berlin Street, Northwesterly 50.0 feet, more or less, to intersect the northwest side of Berlin Street; thence binding on the northwest side of Berlin Street, Northeasterly 233.9 feet, more or less, to intersect the south side of the waters of Gwynns Falls; thence binding on the south

side of the waters of Gwynns Falls, Southeasterly 53.9 feet, more or less, to intersect the southeast side of Berlin Street; and thence binding on the southeast side of Berlin Street, Southeasterly 254.0 feet, more or less, to the point of beginning.

Containing 12,198 square feet or 0.280 acres of land, more or less.

Beginning for Parcel No. 2 at the point formed by the intersection of the southeast side of Berlin Street 50 feet wide, and the southwest side of Ontario Avenue 40 feet wide, thence crossing the existing right of way of Ontario Avenue, Northeasterly 40.0 feet, more or less, to intersect the northeast side of Ontario Avenue; thence binding on the northeast side of Ontario Avenue, Southeasterly 210.0 feet, more or less, to intersect the northwest side of West Hamburg Street 50 feet wide; thence crossing the existing right of way of Ontario Avenue, Southwesterly 40.0 feet, more or less, to intersect the southwest side of Ontario Avenue; and thence binding on the southwest side of Ontario Avenue, Northwesterly 210.0 feet, more or less, to the point of beginning.

Containing 8,400 square feet or 0.193 acres of land, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the southwest side of Ontario Avenue 40 feet wide, and the southeast side of a 10-foot alley, the point of beginning being distant Northwesterly 100.0 feet, more or less, measured along the southwest side of Ontario Avenue from the point formed by the intersection of the southwest side of Ontario Avenue and the northwest side of West Hamburg Street 50 feet wide; thence departing from the southwest side of Ontario Avenue and binding on the southeast side of the 10-foot alley, Southwesterly 175.0 feet, more or less, to the southernmost end thereof; thence crossing the southernmost end of the 10-foot alley, Northwesterly 10.0 feet, more or less, to the southernmost end of the northwest side of the 10-foot alley; thence binding on the northwest side of the 10-foot alley, Northeasterly 175.0 feet, more or less, to intersect the southwest side of Ontario Avenue; and thence binding on the southwest side of Ontario Avenue, Southeasterly 10.0 feet, more or less, to the point of beginning.

Containing 1,750 square feet or 0.040 acres of land, more or less.

Beginning for Parcel No. 4 at a point on the southeast side of West Hamburg Street 50 feet wide, the point of beginning being distant Northeasterly 25 feet, more less, from the intersection of the northeast side of Little Market Street 30 feet wide, and the southeast side of West Hamburg Street; thence crossing the existing right of way of West Hamburg Street, Northwesterly 50.0 feet, more or less, to intersect the northwest side of West Hamburg Street; thence binding on the northwest side of West Hamburg Street, Northeasterly 338.3 feet, more or less, to intersect the south side of the waters of Gwynns Falls; thence binding on the south side of the waters of Gwynns Falls, Southeasterly 53.7 feet, more or less, to intersect the southeast side of West Hamburg Street; and thence binding on the southeast side of West Hamburg Street, Southeasterly 357.8 feet, more or less, to the point of beginning.

Containing 17,402 square feet or 0.399 acres of land, more or less.

Beginning for Parcel No. 5 at the point formed by the intersection of the northwest side of Wicomico Street 70 feet wide, and the southwest side of Ontario Avenue 40 feet wide, thence binding on the

southwest side of Ontario Avenue, Northwesterly 210.0 feet, more or less, to intersect the southeast side of West Hamburg Street 50 feet wide; thence crossing the existing right of way of Ontario Avenue, Northeasterly 40.0 feet, more or less, to intersect the northeast side of Ontario Avenue; thence binding on part of the northeast side of Ontario Avenue, Southeasterly 210.0 feet, more or less; and thence crossing the existing right of way of Ontario Avenue, Southwesterly 40.0 feet, more or less, to the point of beginning.

Containing 8,400 square feet or 0.193 acres of land, more or less.

Beginning for Parcel No. 6 at the point formed by the intersection of the southwest side of Ontario Avenue 40 feet wide, and the southeast side of a 10-foot alley, the point of beginning being distant Northwesterly 100.0 feet, more or less, measured along the southwest side of Ontario Avenue from the point formed by the intersection of the southwest side of Ontario Avenue and the northwest side of Wicomico Street 70 feet wide; thence departing from the southwest side of Ontario Avenue and binding on the southeast side of the 10-foot alley, Southwesterly 200.0 feet, more or less; thence crossing the 10-foot alley, Northwesterly 10.0 feet, more or less, to intersect the northwest side of the 10-foot alley; thence binding on the Northwest side of the 10-foot alley, Northeasterly 200.0 feet, more or less, to intersect the southwest side of Ontario Avenue; thence binding on the southwest side of Ontario Avenue, Southeasterly 10.0 feet, more or less, to the point of beginning.

Containing 2,000 square feet or 0.046 acres of land, more or less.

As delineated on Plat 101-C-60A, prepared by the Survey Control Section and filed on September 25, 2015, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-foot alleys lying between the Gwynns Falls, Wicomico Street, Little Market Street, and Berlin Street in Mount Winans 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.

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