



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 - A Portion of West 26th Street

For the purpose of condemning and closing a portion of West 26th Street, extending from the west side of North Howard Street southwesterly 306 feet, more or less, and southeasterly for a variable width, as shown on Plat 70-A-3020A 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 a portion of West 26th Street, extending from the west side of North Howard Street southwesterly 306 feet, more or less, and southeasterly for a variable width, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of West 26th Street 66 feet wide, and the west side of North Howard Street 66 feet wide, the point of beginning being distant South 02° 58' 30" East 169.6 feet more or less, measured along the west side of North Howard Street from the southwest corner of West Lorraine Avenue 60 feet wide, and running thence binding on the west side of North Howard Street as now surveyed viz; South 02° 58' 30" East 57.83 feet, thence leaving North Howard Street to established a new right of way line for West 26th Street by a line curving to the right with a radius of 5.0 feet, the distance of 7.95 feet which arc is subtended by a chord bearing South 42° 18' 30" West 7.07 feet, thence by a tangent line South 87° 01' 30" West 22.74 feet, thence by a line curving to the left with a radius of 300.50 feet the distance of 149.32 feet which arc is subtended by a chord bearing South 72° 47' 24" West 147.79 feet, thence by a tangent line South 58° 33' 17" West 109.28 feet to intersect the east side of a 10-foot alley, thence binding on the east side of the 10-

foot alley North 31° 26' 43" West 5.76 feet to the north side of West 26th Street and thence binding on the north side of 26th Street, North 58° 33' 17 East 306.92 feet to the place of beginning.

Containing 5157.58 square feet, more or less.

As delineated on Plat 70-A-3020A, prepared by the Survey Section and filed on May 14, 2014, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of a portion of West 26th 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.