



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 General Services)
A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - Maine Avenue and a 10-Foot Alley

FOR the purpose of condemning and closing (1) Maine Avenue, extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, as shown on Plat 106-B-32A 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 General Services shall proceed to condemn and close (1) Maine Avenue, extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northeast side of Maine Avenue, 50 feet wide, and the northwest side of Hillsdale Road, 60 feet wide, and running thence binding on the northwest side of said Hillsdale Road, Southwesterly 50.0 feet to intersect the southwest side of said Maine Avenue; thence binding on the southwest side of said Maine Avenue, the two following courses and distances; namely, Northwesterly 314.8 feet, more or less, and Northwesterly 173.3 feet, more or less, to intersect the southeast side of Gwynn Oak Avenue, 85 feet wide; thence binding on the southeast side of said Gwynn Oak Avenue, Northeasterly by a line curving to the left with a radius of 477.1 feet the distance of 50.1 feet, more or less, to intersect the northeast side of

said Maine Avenue, and thence binding on the northeast side of said Maine Avenue, the two following courses and distance; namely, Southeasterly 155.9 feet, more or less, and Southeasterly 300.0 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 a 10-foot alley, laid out in the rear of the properties known as Nos. 4600 through 4612 Maine Avenue and the northwest side of Hillsdale Road, 60 feet wide, said point of beginning being distant southwesterly 150.0 feet, more or less, measured along the northwest side of said Hillsdale Road from the southwest side of Liberty Heights Avenue, 66 feet wide, and running thence binding on the northwest side of said Hillsdale Road, Southwesterly 10.0 feet to intersect the southwest side of said 10-foot alley; thence binding on the southwest side of said 10-foot alley, the two following courses and distances; namely, Northwesterly 315.7 feet, more or less, and Northwesterly 77.8 feet, more or less, to intersect the southeast side of Gwynn Oak Avenue, 85 feet wide; thence binding on the southeast side of said Gwynn Oak Avenue, Northeasterly by a line curving to the left with a radius of 477.1 feet the distance of 10.1 feet, more or less, to intersect the northeast side of said 10-foot alley, and thence binding on the northeast side of said 10-foot Alley, the two following courses and distances; namely, Southeasterly 75.2 feet, more or less, and Southeasterly 314.0 feet, more or less, to the place of beginning.

As delineated on Plat 106-B-32A, prepared by the Survey Control Section and filed on September 27, 2012, 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 Maine Avenue and the 10-foot alley 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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