



Legislation Text

File #: 17-0130, Version: 0

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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 - Towanda Avenue and a Portion of Suffolk Avenue

For the purpose of condemning and closing Towanda Avenue, extending from Druid Park Drive northeasterly 537 feet, more or less, to Suffolk Avenue, and a portion of Suffolk Avenue, extending from Towanda Avenue northeasterly 210 feet, more or less, to the southeast side of Suffolk Avenue, as shown on Plat 242-A-76A 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 Towanda Avenue, extending from Druid Park Drive northeasterly 537 feet, more or less, to Suffolk Avenue, and a portion of Suffolk Avenue, extending from Towanda Avenue northeasterly 210 feet, more or less, to the southeast side of Suffolk Avenue, and more particularly described as follows:

Beginning for Parcel 1 at a point formed by the intersection of the northeast side of Druid Park Drive 80 feet wide, and the northeast side of Towanda Avenue 50 feet wide, the point of beginning being distant southwesterly 342.38 feet, measured along the northeast side of Druid Park Drive, from the west side of Park Circle; thence binding on the northeast side of Druid Park Drive South $59^{\circ} 57' 25''$ West 87.00 feet, to the west side of Towanda Avenue; thence binding on the west side of Towanda Avenue the two following courses and distances: North $30^{\circ} 02' 35''$ West 270.26 feet; thence North $23^{\circ} 43' 40''$ West 267.87 feet, to the point on a curve on the northwest side of Towanda Avenue; thence binding on the northwest side of Towanda Avenue by a line curving to the right with a radius of 152.81 feet, for an arc distance of 119.84 feet the curve being subtended by a chord bearing North $01^{\circ} 15' 35''$ East the distance of 116.80 feet to the

southwesternmost extremity of Suffolk Avenue 50 feet wide; thence binding on the southwesternmost extremity of Suffolk Avenue South $68^{\circ} 47' 17''$ East 50.00 feet to intersect point on a curve on the southeast side of Towanda Avenue; thence binding on the southeast side of Towanda Avenue by a line curving to the left with a radius of 102.81 feet for an arc distance of 80.63 feet the arc being subtended by a chord bearing South $01^{\circ} 15' 35''$ West the distance of 78.58 feet; thence still binding on the southeast side of Towanda Avenue the three following courses and distances: South $23^{\circ} 43' 40''$ East 265.12 feet; thence South $30^{\circ} 02' 35''$ East 187.50 feet; thence South $32^{\circ} 35' 16''$ East 45.04 feet, and thence binding on the southeast side Towanda Avenue by a line curving to the left with a radius of 35.00 feet the distance of 54.98 feet the curve being subtended by a chord bearing South $75^{\circ} 02' 35''$ East 49.50 feet to the place of beginning.

Containing 32,158.48 square feet or 0.7382 acres more or less.

Beginning for Parcel 2 at a point on of the south side of Suffolk Avenue 50 feet wide, the point of beginning being distant South $59^{\circ} 57' 25''$ West 288.09 feet measured from the southwest side of Reisterstown Road varying in width; thence binding on the southwest side of Suffolk Avenue South $22^{\circ} 10' 51''$ West 171.20 feet to a point on the southwest side of Suffolk Avenue; thence binding on the southwest side of Suffolk Avenue South $21^{\circ} 12' 30''$ West 20.00 feet to the northeasternmost extremity of Towanda Avenue 50 feet wide; thence binding on the northeasternmost extremity of Towanda Avenue North $68^{\circ} 47' 17''$ West 50.00 feet to the north side of Suffolk Avenue thence binding on the northeast side of Suffolk Avenue North $21^{\circ} 12' 30''$ East 210.00 feet to intersect the northwest side of a 10-foot alley; and thence crossing Suffolk Avenue South $49^{\circ} 12' 10''$ East *56.15 feet to the place of beginning.*

Containing 10,304.93 square feet or 0.2365 acres more or less.

As delineated on Plat 242-A-76A, prepared by the Survey Section and filed on March 20, 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 Towanda Avenue and a portion of Suffolk Avenue 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.