



## Legislation Text

File #: 17-0039, Version: 0

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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 - Certain Streets and Alleys Bounded by North Bond Street, East North Avenue, Broadway, and East Lafayette Avenue**

For the purpose of condemning and closing certain streets and alleys bounded by North Bond Street, East North Avenue, Broadway, and East Lafayette Avenue, as shown on Plat 311-A-31A 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 certain streets and alleys bounded by North Bond Street, East North Avenue, Broadway, and East Lafayette Avenue, and more particularly described as follows:

Beginning for Parcel 1 at a point formed by the intersection of the north side of a 15-foot alley and the southernmost outline of the property known as number 1609 East North Avenue the point of beginning being distant 90 feet, measured easterly from the eastern right of way line of North Bond Street, 40 foot wide, along the north side of the 15-foot alley; thence binding on the southernmost outline in the rear of the properties known as numbers 1609 through 1641 East North Avenue Easterly 256.5 feet, more or less, to intersect the west side of a 10-foot alley so projected; thence binding on the west side of the 10-foot alley so projected, Southerly 15 feet, more or less, to intersect the south side of the 15-foot alley; thence binding on the south side of the 15-foot alley, Westerly 256.5 feet, more or less, to the east side of another 10-foot alley; and thence binding on the east side of that alley, so projected, Northerly 15 feet, to the place of beginning.

Containing 3,847.5 square feet or 0.0883 acres, more or less.

Beginning for Parcel 2 at a point formed by the intersection of the west side of a 10-foot alley located west of Broadway, 130 feet wide, and the south side of another 10-foot alley located north of Eareckson Place, 39 feet wide, the point of beginning being distant 256.9 feet, more or less, measured northerly from East Lafayette Avenue 66 feet wide, along the west side of the 10-foot alley; thence binding on the south side of the 10-foot alley in the rear of the properties known as numbers 1600 through 1622 Eareckson Place, Westerly 146 feet, more or less, to intersect the east side of North Bethel Street, varying in width; thence binding on the east side of North Bethel Street, Northerly 10.25 feet, more or less, to the north side of the 10-foot alley; thence binding on the north side of the alley, Easterly 146 feet, more or less, to intersect the west side of the first mentioned 10-foot alley; and thence binding on the west side of that alley, Southerly 10.25 feet, more or less, to the place of beginning.

Containing 1,496.5 square feet or 0.0343 acres, more or less.

Beginning for Parcel 3 at a point formed by the intersection of the north side of a 10-foot alley and the west side of North Bethel Street, varying in width, the point of beginning being distant 85 feet, measured northerly along the west side of North Bethel Street from East Lafayette Avenue, 66 feet wide; thence binding on the west side of North Bethel Street, Northerly 231.2 feet, more or less, to intersect the south side of a 15-foot alley thence; thence along the south side of the 15-foot alley, Easterly 37.5 feet, more or less, to the east side of North Bethel Street; thence binding on the east side of North Bethel Street, Southerly 231.2 feet, more or less, to intersect the north side of the first mentioned 10-foot alley; and thence binding on the north side of that 10-foot alley, Westerly 37.5 feet, more or less, to the place of beginning.

Containing 8,670 square feet or 0.1990 acres, more or less.

Beginning for Parcel 4 at a point formed by the intersection of the west side of a 10-foot alley and the south side of Eareckson Place, 39 feet wide, more or less, the point of beginning being distant 100 feet, measured westerly along the south side of Eareckson Place from the west side of Broadway, 130 feet wide; thence binding on the south side of Eareckson Place, Westerly 146 feet, to intersect the east side of North Bethel Street, varying in width; thence binding on the east side of North Bethel Street, Northerly 39 feet, more or less, to the north side of Eareckson Place; thence binding on the north side of Eareckson Place, Easterly 146 feet to intersect the west side of the alley mentioned firstly herein; and thence binding on the west side of that alley, Southerly 39 feet, more or less, to the place of beginning.

Containing 5,681.88 square feet or 0.1304 acres, more or less.

As delineated on Plat 311-A-31A, prepared by the Survey Section and filed on January 12, 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 certain streets and alleys 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.