



Legislation Text

File #: 16-0745, **Version:** 0

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 South Eden Street and a Portion of Aliceanna Street

For the purpose of condemning and closing a portion of South Eden Street, extending from Lancaster Street northerly 308 feet, more or less, to Aliceanna Street, and a portion of Aliceanna Street, extending from South Central Avenue easterly 170 feet, more or less, to South Eden Street, as shown on Plat 235-A-42A 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 South Eden Street, extending from Lancaster Street northerly 308 feet, more or less, to Aliceanna Street, and a portion of Aliceanna Street, extending from South Central Avenue easterly 170 feet, more or less, to South Eden Street, and more particularly described as follows:

Beginning for Parcel 1 at the point formed by the intersection of the north side of Lancaster Street and the west side of South Eden Street, 70 feet wide, the point of beginning lying at the southeast corner of the property known as 711 South Central Avenue; running thence, binding on the west side of South Eden Street, North 02°47'23" West 308.08 feet; thence, crossing into the Right-Of-Way of Aliceanna Street, North 86°38'02" East 14.21 feet; thence, continuing through the Right-Of-Way of Aliceanna Street, South 48°18'44" East 4.24 feet; thence, through the Right-Of-Way of South Eden Street, South 03°15'31" East 289.23 feet; thence South 40°34'54" West 22.06 feet to intersect the North side of Lancaster Street extended; thence South 87°14'08" West 4.45 feet to the point of beginning.

Beginning for Parcel 2 at the point formed by the intersection of the south side of Aliceanna Street, 70 feet wide, and the east side of South Central Avenue, 100 feet wide, the point of beginning lying at the northwest corner of the property known as 711 South Central Avenue; thence, binding on the east side of South Central Avenue, North 02°52'35" West 6.30 feet; thence, crossing into the Right-Of-Way of Aliceanna Street, North 86°38'02" East 169.96 feet; thence, continuing through the Right-Of-Way of Aliceanna Street, South 02°47'23" East 8.08

feet to the intersection of the South side of Aliceanna Street and the West side of South Eden Street, 70 feet wide; thence, binding on the south side of Aliceanna Street, South 87°14'08" East 169.95 feet to the point of beginning.

As delineated on Plat 235-A-42A, prepared by the Survey Control Section and filed on September 1, 2016, 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 South Eden Street and a portion of Aliceanna 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.