



Legislation Text

File #: 23-0391, 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 - A Portion of Boston Street

For the purpose of condemning and closing a portion of Boston Street, bounded by the east side of Haven Street, the southernmost property line of 1201 South Haven, LLC, the west side of Canton Railroad Right-of-Way, and the north side of Boston Street, as shown on a plat numbered 307-A-22A, dated March 17, 2022, and filed in 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 Boston Street, bounded by the east side of Haven Street, the southernmost property line of 1201 South Haven, LLC, the west side of Canton Railroad Right-of-Way, and the north side of Boston Street, and more particularly described as follows:

Beginning for Parcel 1 at the point formed by the intersection of the north side of Boston Street, 70 feet wide, and the east side of Haven Street, 60 feet wide, said point of beginning being distant Easterly 1,339.8 feet, more or less, measured along the north side of said Boston Street from the intersection of the east side of South Conkling Street and the north side of said Boston Street; thence binding on the east side of said Haven Street, Northwesterly 107.4 feet, more or less, to the southernmost property line of 1201 S. Haven, LLC, formerly the Lands of Exxon Corporation; thence binding on the southernmost property line of said 1201 S. Haven LLC, Northeasterly 181.3 feet to intersect the west side of Canton Railroad Right-of-Way, Southeasterly 108.1 feet, more or less, to intersect the north side of said Boston Street and thence binding on the north side of said Boston Street Southwesterly 181.3 feet, more or less, to the point of beginning.

Containing 19,535 square feet or 0.448 acres of land, more or less.

As delineated on a plat numbered 307-A-22A, prepared by the Survey Control Section and filed on March 17, 2022 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 Boston Street, bounded by the east side of Haven Street, the southernmost property line of 1201 South Haven, LLC, the west side of Canton Railroad Right-of-Way, and the north side of Boston 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.

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 Transportation.

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.