



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 11-0785, 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 General Services)
A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - Certain Streets and Alleys Bounded by Poppleton Street, Fayette Street, Fremont Avenue, and Baltimore Street

FOR the purpose of condemning and closing certain streets and alleys bounded by Poppleton Street, Fayette Street, Fremont Avenue, and Baltimore Street, as shown on Plat 341-A-44A 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 Public Works shall proceed to condemn and close certain streets and alleys bounded by Poppleton Street, Fayette Street, Fremont Avenue, and Baltimore Street, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the south side of Fairmount Avenue, 30 feet wide, said point of beginning being distant westerly 165.2 feet, more or less, measured along the south side of said Fairmount Avenue from the southwest side of Fremont Avenue, 66 feet wide, and running thence binding on the south side of said Fairmount Avenue, Westerly 181.1 feet, more or less, to intersect the line of west outline of the property known as No. 825 West Fayette Street, if projected southerly; thence binding reversely on said line, so projected, Northerly 30.0 feet to intersect the north side of said Fairmount Avenue; thence binding on the north side of said Fairmount Avenue, Easterly 181.1 feet, more or less, to intersect the west side of a 10-foot alley, laid out contiguous to the east outline of the property known as No. 811 West Fayette Street, and thence binding on the line of the west side of said alley, if projected southerly, Southerly 30.0 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the east side of a 10-foot alley, laid out contiguous to the east outline of the property known as No. 811 West Fayette Street and the north side of Fairmount Avenue, 30 feet wide, and running thence binding on the north side of said Fairmount Avenue, Westerly 10.0 feet, more or less, to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 158.0 feet, more or less, to intersect the south side of Fayette Street, 66 feet wide; thence binding on the south side of said Fayette Street, Easterly 10.1 feet, more or less, to intersect the east side of said 10-foot alley, and thence binding on the east side of said 10-foot alley, Southerly 157.9 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the east side of an alley, varying in width, laid out contiguous to the east and north outlines of the property known as No. 802/812 West Fairmount Avenue, and the north side of Fairmount Avenue, 30 feet wide, and running thence binding on the north side of said Fairmount Avenue, Westerly 2.5 feet, to intersect the west side of said varying in width alley; thence binding on the west and south sides of said varying in width alley, the four following courses and distances; namely, Northerly 38.2 feet, more or less, Westerly 18.8 feet, more or less, Northerly 9.8 feet, more or less, and Westerly 48.1 feet, more or less, to intersect the east side of a 10-foot alley, laid out contiguous to the east outline of the property known as No. 811 West Fayette Street; thence binding on the east side of said 10-foot alley, Northerly 2.5 feet to intersect the north side of said varying in width alley, and thence binding on the north and east sides of said varying in width alley, the four following courses and distances; namely, Easterly 53.9 Feet, more or less, Southerly 9.8 feet, more or less, Easterly 15.5 feet, more or less, and Southerly 40.7 feet, more or less, to the place of beginning.

As delineated on Plat 341-A-44A, prepared by the Survey Control Section and filed on August 2, 2011, 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 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 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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