



Legislation Text

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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 - Proctor Street, a Portion of Proctor Alley, and a 10-Foot Alley Lying Between East Biddle Street, Homewood Avenue, East Chase Street, and Greenmount Avenue

For the purpose of condemning and closing Proctor Street, a portion of Proctor Alley, and a 10-foot alley lying between East Biddle Street, Homewood Avenue, East Chase Street, and Greenmount Avenue, as shown on Plat 284-A-14A 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 Proctor Street, a portion of Proctor Alley, and a 10-foot alley lying between East Biddle Street, Homewood Avenue, East Chase Street, and Greenmount Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at a point formed by the intersection of the north side of East Chase Street, 66 feet wide, and the west side of a 10-foot alley, the point of beginning being distant easterly 63.5 feet, more or less, measured along the north side of East Chase Street from the point formed by the intersection of the north side of East Chase Street and the east side of Greenmount Avenue, 66 feet wide; thence departing from the north side of East Chase Street and binding on the west side of the 10-foot alley, Northerly 78.3 feet, more or less, to intersect the south side of Proctor Alley, variable width; thence binding on the south side of Proctor Alley Easterly 10 feet, more or less to intersect the east side of the 10-foot alley; thence binding on the east side of the 10-foot alley, Southerly 79.5 feet, more or less, to intersect the north side of East Chase Street; and thence binding on the north side of East Chase Street Easterly 10 feet, more or less, to the point of beginning.

Containing 789 square feet or 0.018 acres of land, more or less.

Beginning for Parcel No. 2 at a point formed by the intersection of the west side of Proctor Street variable width, and the south side of a 10-foot alley, the point of beginning being distant southerly 80.0 feet, more or less, measured along the west side of Proctor Street from the point formed by the intersection of the west side of Proctor Street and the south side of East Biddle Street 66 feet wide; thence crossing the existing right of way of Proctor Street, Easterly 20.0 feet, more or less, to intersect the east side of Proctor Street; thence binding on the east side of Proctor Street, Southerly 137.0 feet, more or less; thence crossing the existing right of way of Proctor Street, Westerly 20.0 feet, more or less, to intersect the west side of Proctor Street; and thence binding on the west side of Proctor Street, Northerly 136.4 feet, more or less, to the point of beginning.

Containing 2,734 square feet or 0.063 acres of land, more or less.

Beginning for Parcel No. 3 at a point formed by the intersection of the east side of Proctor Street variable width, and the north side of a 2-foot alley, the point of beginning being distant Southerly 217.0 feet, more or less, measured along the east side of Proctor Street from the point formed by the intersection of the east side of Proctor Street and the south side of East Biddle Street 66 feet wide; thence binding on the east side of Proctor Alley, Southerly 27.0 feet, more or less, to intersect the south side of Proctor Alley; thence binding on the south side of Proctor Alley, Westerly 48.5 feet to intersect the east side of a 10-foot alley; thence crossing Proctor Alley, Northwesterly 13.7 feet, more or less, to intersect the northwest side of Proctor Alley; thence binding on the northwest side of Proctor Alley, Northeasterly 39.8 feet, more or less, to intersect the west side of Proctor Street; and thence crossing Proctor Street, Easterly 20.0 feet, more or less, to the point of beginning.

Containing 1,192 square feet or 0.027 acres of land, more or less.

As delineated on Plat 284-A-14A, prepared by the Survey Section and filed on February 14, 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 the street 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.