



Legislation Details (With Text)

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Type:	Ordinance	Status:			Enacted
File created:	1/28/2013	In control:			City Council
On agenda:		Final action:			6/20/2013
Enactment date:		Enactment #:			13-141
Title:	City Streets - Closing - All Streets and Alleys Bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way				
	FOR the purpose of condemning and closing all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A in the Office of the Department of General Services; and providing for a special effective date.				
Sponsors:	City Council President (Administration)				
Indexes:	City Streets - Closing, Closing, Streets				
Code sections:					
Attachments:	1. 13-0178 - 1st Reader.pdf, 2. Law - 13-0178.pdf, 3. DGS - 13-0178.pdf, 4. BDC - 13-0178.pdf, 5. Planning - 13-0178.pdf, 6. Transportation - 13-0178.pdf, 7. HCD - 13-0178.pdf, 8. 13-0178 - 3rd Reader.pdf				

Date	Ver.	Action By	Action	Result
6/20/2013	0	Mayor	Signed by Mayor	
6/17/2013	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
6/17/2013	0	City Council	Approved and Sent to the Mayor	
6/3/2013	0	Housing and Community Development Committee	Scheduled for a Public Hearing	
1/31/2013	0	The City Council	Referred for a Report	
1/31/2013	0	The City Council	Referred for a Report	
1/31/2013	0	The City Council	Referred for a Report	
1/31/2013	0	The City Council	Referred for a Report	
1/31/2013	0	The City Council	Referred for a Report	
1/31/2013	0	The City Council	Referred for a Report	
1/28/2013	0	City Council	Assigned	
1/28/2013	0	City Council	Introduced	

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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 General Services)

A BILL ENTITLED

AN ORDINANCE concerning

City Streets - Closing - All Streets and Alleys Bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way

FOR the purpose of condemning and closing all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A 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 General Services shall proceed to condemn and close all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of North Avenue, 100 feet wide, and the east side of Thomas Avenue, 66 feet wide, and running thence binding on the east side of said Thomas Avenue, Southerly 1071.8 feet, more or less, to intersect the north side of Baker Street, 66 feet wide; thence binding on the north side of said Baker Street, Westerly 66.0 feet to intersect the west side of said Thomas Avenue; thence binding on the west side of said Thomas Avenue, Northerly 1071.8 feet, more or less, to intersect the south side of said North Avenue, and thence binding on the south side of said North Avenue, Easterly 66.0 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the west side of Thomas Avenue, 66 feet wide, and the south side of Presbury Street, 66 feet wide, and running thence binding on the south side of said Presbury Street, Westerly 115.0 feet, more or less, to the westernmost extremity of said Presbury Street, there situate, the westernmost extremity of said Presbury Street is also the easternmost extremity of the former bed of Presbury Street, 66 feet wide, as condemned and closed under Ordinance No. 1203, approved December 2, 1967 by the Mayor and City Council of Baltimore; thence binding on the westernmost extremity of said Presbury Street, Northerly 66.0 feet to intersect the north side of said Presbury Street; thence binding on the north side of said Presbury Street, Easterly 115.0 feet, more or less, to intersect the west side of said Thomas Avenue, and thence binding on the west side of said Thomas Avenue, Southerly 66.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of North Avenue, 100 feet wide, and the east side of Whitmore Avenue, 66 feet wide, and running thence binding on the east side of said Whitmore Avenue, Southerly 100.0 feet, more or less, to the southernmost extremity of said Whitmore Avenue, there situate, the southernmost extremity of said Whitmore Avenue is also the northernmost extremity of the former bed of

Whitmore Avenue, 66 feet wide, as condemned and closed under Ordinance No. 559, approved November 26, 2007 by the Mayor and City Council of Baltimore; thence binding on the southernmost extremity of said Whitmore Avenue, Westerly 66.0 feet to intersect the west side of said Whitmore Avenue; thence binding on the west side of said Whitmore Avenue, Northerly 100.0 feet, more or less, to intersect the south side of said North Avenue, and thence binding on the south side of said North Avenue, Easterly 66.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Presbury Street, 20 feet wide, and the west side of Warwick Avenue, 66 feet wide, and running thence binding on the west side of said Warwick Avenue, Southerly 20.0 feet to intersect the south side of said Presbury Street; thence binding on the south side of said Presbury Street, Westerly 110.0 feet, more or less, to intersect the east side of an alley, varying in width, laid out in the rear of the properties known as Nos. 1600 through 1744 North Warwick Avenue; thence binding on the east side of said varying in width alley, Northerly 20.0 feet to intersect the north side of said Presbury Street, and thence binding on the north side of said Presbury Street, Easterly 110.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the north side of Westwood Avenue, 35 feet wide, and the west side of Thomas Avenue, 66 feet wide, and running thence binding on the west side of said Thomas Avenue, Southerly 35.0 feet to intersect the south side of said Westwood Avenue; thence binding on the south side of said Westwood Avenue, Westerly 115.0 feet, more or less, to the westernmost extremity of said Westwood Avenue, there situate, the westernmost extremity of said Westwood Avenue is also the easternmost extremity of the former bed of Westwood Avenue, 35 feet wide, as condemned and closed under Ordinance No. 559, approved November 26, 2007 by the Mayor and City Council of Baltimore, said former bed of Westwood Avenue is now known as Lot 44A of Block 2311 as referred to among the Real Property Records of the Property Location Section of the Department of General Services of the City of Baltimore; thence binding on the westernmost extremity of said Westwood Avenue, Northerly 35.0 feet to intersect the north side of said Westwood Avenue, and thence binding on the north side of said Westwood Avenue, Easterly 115.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the east side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1600 through 1646 Thomas Avenue and the north side of Baker Street, 66 feet wide, said point of beginning being distant easterly 100.0 feet, more or less, measured along the north side of said Baker Street from the west side of Thomas Avenue, 66 feet wide, and running thence binding on the north side of said Baker Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 392.0 feet, more or less, to intersect the south side of Presbury Street, 66 feet wide; thence binding on the south side of said Presbury Street, Easterly 10.0 feet to intersect the east side of said 10-foot alley, and thence binding on the east side of said 10-foot alley, Southerly 392.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the east side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1601 through 1733 Thomas Avenue and the north side of Baker Street, 66 feet wide, said point of beginning being distant Westerly 110.0 feet, more or less, measured along the north side of said Baker Street from the west side of Warwick Avenue, 66 feet wide, and running thence binding on the north side of said Baker Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 725.8 feet, more or less, to the west side of a varying in width alley, there situate; thence binding on the west side of said varying in width alley, Northerly 52.8 feet, more or less, to the northernmost extremity of said varying in width alley, there situate; thence binding on the northernmost extremity of said varying in width alley, Easterly 13.6 feet, more or less, to intersect the east side of said varying in width alley, and thence binding in part on the east side of said varying in width alley, in part on the east side of said 10-foot alley, and in all, Southerly 777.9 feet, more or less, to the place of beginning.

Beginning for Parcel No. 8 at the point formed by the intersection of the north side of a 20-foot alley, laid out in part contiguous to the south outline of the property known as No. 1800 North Warwick Avenue and in part contiguous to

the south outline of the property known as Lot 34 of Block 2308 as referred to among the Real Property Records of the Property Location Section of the Department of General Services of the City of Baltimore, and the west side of Warwick Avenue, 66 feet wide, said point of beginning being distant southerly 118.7 feet, more or less, measured along the west side of said Warwick Avenue from the south side of North Avenue, 100 feet wide, and running thence binding on the west side of said Warwick Avenue, Southerly 20.0 feet to intersect the south side of said 20-foot alley; thence binding on the south side of said 20-foot alley, Westerly 123.6 feet, more or less, to the westernmost extremity of said 20-foot alley, there situate, the westernmost extremity of said 20-foot alley is also the east outline of the property known as No. 1805 Thomas Avenue; thence binding on the westernmost extremity of said 20-foot alley, Northerly 20.2 feet, more or less, to intersect the north side of said 20-foot alley, and thence binding on the north side of said 20-foot alley, Easterly 126.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 9 at the point formed by the intersection of the north side of a 15-foot alley, laid out in the rear of the properties known as Nos. 2501 through 2519 West North Avenue and the west side of Warwick Avenue, 66 feet wide, said point of beginning being distant southerly 118.7 feet, more or less, measured along the west side of said Warwick Avenue from the south side of North Avenue, 100 feet wide, and running thence binding on the west side of said Warwick Avenue, Southerly 15.0 feet to intersect the south side of said 15-foot alley; thence binding on the south side of said 15-foot alley, Westerly 144.6 feet, more or less, to the westernmost extremity of said 15-foot alley, there situate, the westernmost extremity of said 15-foot alley is also the east outline of the property known as No. 1817 Thomas Avenue; thence binding on the westernmost extremity of said 15-foot alley, Northerly 15.2 feet, more or less, to intersect the north side of said 15-foot alley, and thence binding on the north side of said 15-foot alley, Easterly 146.8 feet, more or less, to the place of beginning.

Beginning for Parcel No. 10 at the point formed by the intersection of the north side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2527 through 2551/2553 West North Avenue and the west side of Thomas Avenue, 66 feet wide, said point of beginning being distant southerly 90.0 feet, more or less, measured along the west side of said Thomas Avenue from the south side of North Avenue, 100 feet wide, and running thence binding on the west side of said Thomas Avenue, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 210.0 feet, more or less, to intersect the east side of Whitmore Avenue, 66 feet wide; thence binding on the east side of said Whitmore Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 210.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 11 at the point formed by the intersection of the east side of a 10-foot alley, laid out in the rear properties known as Nos. 1800 through 1818 North Warwick Avenue and the north side of a 20-foot alley, laid out in part contiguous to the south outline of the property known as No. 1800 North Warwick Avenue and in part contiguous to the south outline of the property known as Lot 34 of Block 2308 as referred to among the Real Property Records of the Property Location Section of the Department of General Services of the City of Baltimore, said point of beginning being distant westerly 90.0 feet, more or less, measured along the north side of said 20-foot alley from the west side of Warwick Avenue, 66 feet wide, and running thence binding on the north side of said 20-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 140.0 feet, more or less, to intersect the south side of a 15-foot alley, laid out in the rear of the properties known as Nos. 2501 through 2519 West North Avenue; thence binding on the south side of said 15-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, and thence binding on the east side of said 10-foot alley, Southerly 140.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 12 at the point formed by the intersection of the east side of Thomas Avenue, 66 feet wide, and the north side of a 10-foot alley, laid out contiguous to the south side of the property known as No. 1801 Thomas Avenue, said point of beginning being distant southerly 345.0 feet, more or less, measured along the east side of said Thomas Avenue from the south side of North Avenue, 100 feet wide, and running thence binding on the

north side of said 10-foot alley, Easterly 90.0 feet, more or less, to intersect the west side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1601 through 1733 Thomas Avenue; thence binding on the west side of last said 10-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot alley, mentioned firstly herein; thence binding on the south side of said 10-foot alley, mentioned firstly herein, Westerly 90.0 feet, more or less, to intersect the east side of said Thomas Avenue, and thence binding on the east side of said Thomas Avenue, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 13 at the point formed by the intersection of the east side of a 20-foot alley, laid out in the rear of the properties known as Nos. 1700 through 1738 Thomas Avenue and the north side of Presbury Street, 66 feet wide, said point of beginning being distant westerly 95.0 feet, more or less, measured along the north side of said Presbury Street from the west side of Thomas Avenue, 66 feet wide, and running thence binding on the north side of said Presbury Street, Westerly 20.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 20-foot alley, Northerly 273.7 feet, more or less, to intersect the south side of Westwood Avenue, 35 feet wide; thence binding on the south side of said Westwood Avenue, Easterly 20.0 feet to intersect the east side of said 20-foot alley, and thence binding on the east side of said 20-foot alley, Southerly 273.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 14 at the point formed by the intersection of the east side of a 20-foot alley, laid out in the rear of the properties known as Nos. 1800 through 1828 Thomas Avenue and the north side of Westwood Avenue, 35 feet wide, said point of beginning being distant easterly 95.0 feet, more or less, measured along the north side of said Westwood Avenue from the west side of Thomas Avenue, 66 feet wide, and running thence binding on the north side of said Westwood Avenue, Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence binding on the west side of said 20-foot alley, Northerly 205.0 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2527 through 2553 West North Avenue; thence binding on the south side of said 10-foot alley, Easterly 20.0 feet to intersect the east side of said 20-foot alley, and thence binding on the east side of said 20-foot alley, Southerly 205.0 feet, more or less, to the place of beginning.

As delineated on Plat 298-A-16A, prepared by the Survey Control Section and filed on November 15, 2012, 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 the 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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