



# City of Baltimore

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

## 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 Public Works)  
A BILL ENTITLED

AN ORDINANCE concerning  
**City Streets - Closing - Certain Streets and Alleys Lying Within the Area Bounded by North Avenue, Thomas Avenue, Presbury Street, and the CSX Railroad Right-of-Way**

FOR the purpose of condemning and closing certain streets and alleys lying within the area bounded by North Avenue, Thomas Avenue, Presbury Street, and the CSX Railroad Right-of-Way, as shown on Plat 114-A-23A in the Office of the Department of Public Works; and providing for a special effective date.

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 lying within the area bounded by North Avenue, Thomas Avenue, Presbury Street, and the CSX 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 a 10-foot alley, laid out in the rear of the properties known as Nos. 2527 through 2551/2553 W. North Avenue and the east side of Whitmore Avenue, 66 feet wide, and running thence binding on the east side of said Whitmore Avenue, Southerly 238.5 feet, more or less, to the southernmost extremity of said Whitmore Avenue; 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 238.5 feet, more or less, to intersect the line of the south side of said 10-foot alley, if projected westerly, and thence binding reversely on said line, so projected, Easterly 66.0 feet to the place of beginning.

Beginning for Parcel No. 2 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. 2601 through 2607 W. North Avenue, and the west side of Whitmore Avenue, 66 feet wide, said point of beginning being distant southerly 80.0 feet, more or less, measured along the west side of said Whitmore Avenue from the south side of North Avenue, 100 feet wide, and running thence binding on the west side of said Whitmore 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 60.9 feet, more or less, to the westernmost extremity of said 10-foot alley; thence binding on the westernmost extremity of said 10-foot alley, 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 60.9 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 Whitmore Avenue, 66 feet wide, and the north side of Westwood Avenue, 33 feet wide, and running thence binding on the north side of said Westwood Avenue, Easterly 95.0 feet, more or less, to intersect the line of the west side of a 20-foot alley, laid out in the rear of the properties known as Nos. 1801 through 1829 Whitmore Avenue; thence binding on the line of the west side of said 20-foot alley, so projected, Southerly 33.0 feet, to intersect the south side of said Westwood Avenue; thence binding on the south side of said Westwood Avenue, Westerly 95.0 feet, more or less, to intersect the east side of said Whitmore Avenue, and thence binding on the east side of said Whitmore Avenue, Northerly 33.0 feet to the place of beginning.

As delineated on Plat 114-A-23A, prepared by the Survey Control Section and filed on June 7, 2007, in the Office of the Department of Public Works.

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 Public Works 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 Public Works 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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