



Legislation Text

File #: 18-0225, Version: 0

* **Warning:** This is an unofficial, introductory copy of the bill.
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 - Eastbourne Avenue and a Portion of Savage Street

For the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A 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 Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Rappallo Street variable width and the south side of Eastbourne Avenue 60 feet wide, the point of beginning being distant Northerly 370 feet measured along the east side of Rappallo Street from the north side of Holabird Avenue 70 feet wide; thence binding on the east side of Rappallo Street Northerly 60 feet to the north side of Eastbourne Avenue; thence binding on the north side of Eastbourne Avenue Easterly 204.5 feet, more or less, to intersect the west side of Savage Street 60 feet wide; thence binding on the west of Savage Street Southerly 60 feet, to the south side of Eastbourne Avenue, and thence binding on the south side of Eastbourne Avenue Westerly 204.5 feet, more or less, to the place of beginning.

Containing 12,270 square feet or 0.281 acres, more or less.

Beginning for Parcel No. 2 at the point formed by the intersection of the west side of Savage Street 60 feet wide, and the north side of Holabird Avenue 70 feet wide, the point of beginning being distant Easterly 204.5 feet measured along the north side of Holabird Avenue from the east side of Rappallo Street variable width; thence leaving the north side of Holabird Avenue and binding on the west side of Savage Street, Northerly 370 feet, to the south side of Eastbourne Avenue; thence binding on the south side of Eastbourne Avenue, so projected easterly Easterly 60 feet to the east side of Savage Street; thence binding on the east side of Savage Street Southerly 370 feet to intersect the north side of Holabird Avenue and thence binding on the north side of Holabird Avenue Westerly 60 feet to the place of beginning.

Containing 22,200 square feet or 0.509 acres, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of Savage Street 60 feet wide, and the south side of Eastbourne Avenue 60 feet wide, the point of beginning being distant Easterly 204.5 feet measured along the south side of Eastbourne Avenue from the east side of Rappallo Street variable width; thence binding on the west side of Savage Street Northerly 289 feet, more or less, to the northernmost extremity of it; thence binding on the northernmost extremity of it, so projected easterly, Easterly 60 feet to the east side of Savage Street; thence binding on the east side of Savage Street Southerly 289 feet, more or less, to the south side of Eastbourne Avenue, so projected easterly, and thence binding on the south side of Eastbourne Avenue so projected easterly, Westerly 60 feet to the place of beginning.

Containing 17,340 square feet or 0.398 acres, more or less.

As delineated on Plat 337-A-27A, prepared by the Survey Section and filed on January 17, 2018, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage 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 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.